

APPENDIX

Appendix A

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 21st day of March, two thousand twenty-four.

Before: **Michael H. Park,**
Circuit Judges.

Xuejie He

Plaintiff-Appellant,

-V_t-

ORDER

Docket No.

23-780

United States Of America, et al.
Defendants-Appellees.

Appellant, pro se, moves for leave to file a motion for reconsideration en banc and for leave to file supplementary papers to the motion for reconsideration en banc.

AppendixA

IT IS HEREBY ORDERED that the motions are
DENIED.

For the Court:

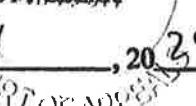
Catherine O'Hagan Wolfe,
Clerk of Court


Catherine O'Hagan Wolfe

CERTIFIED COPY
Catherine O'Hagan Wolfe, Clerk

by


DEPUTY CLERK

Apr. 1, 2014, 2014

CLERK OF COURT

Appendix B

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

XUEJIE HE

Plaintiff, 23 Civ. 3214
(KPF)
-v.- ORDER

UNITED STATES OF AMERICA, et al.
Defendants.

KATHERINE POLK FAILLA, District Judge:

On April 21, 2023, the Court dismissed without prejudice Plaintiff's complaint in this action, and directed Plaintiff to file an amended complaint by June 20, 2023. (Dkt. #4). In dismissing the complaint, the Court noted that (i) the vast majority of Plaintiff's claims were substantively identical to those brought in a prior action, and thus Plaintiff was precluded from relitigating those claims (id. at 2-4); (ii) the Court could not discern the basis of its jurisdiction over the claims or parties (id. at 5); (iii) the complaint was so ill- pleaded and confusing that it failed to comply with Federal Rule of Civil Procedure 8 (id.); (iv) a variety of Plaintiff's claims appeared time-barred (id. at 5-6); and (v) Plaintiff failed to sufficiently differentiate among Defendants and requested relief (id.).

Appendix B

The Court gave Plaintiff clear instructions on how to proceed, including by granting Plaintiff leave to replead claims that were not brought or could not have been brought in the New Jersey Case. (Dkt. #4 at 6).¹ Rather than take the 60 days the Court provided to fix these fatal issues, Plaintiff submitted the Amended Complaint within a week of the Court's dismissal order. (Dkt. #5). The Court has now reviewed the Amended Complaint in detail, and finds that dismissal is warranted for the same reasons discussed in its April 21, 2023 Order. The Amended Complaint is substantively identical to the prior complaint in this action, save for a few confusing allegations added to precluded claims, and additional claims related to alleged conduct from April 20, 2023. In other words, the Amended Complaint does nothing to redress the issues the Court discussed in its April 21, 2023 Order.

The Court was clear that it would "dismiss an amended complaint if Plaintiff fails to comply with this Order, and decides to continue claims that were already brought in the New Jersey Case or could have been brought in that case." (Dkt. #4 at 6). Yet, Plaintiff has submitted a near mirror-image Amended Complaint, and

¹ This Order incorporates by reference the naming conventions in the April 21, 2023 Order.

Appendix B

has entirely failed to comply with the Court's Order that Plaintiff discontinue entirely non-viable claims. "[W]here 'the Court has put [a] [p]laintiff on notice of the deficiencies in [her] original complaint and given [her] an opportunity to correct these deficiencies in an [a]mended [c]omplaint, but [p]laintiff has failed to do so, dismissal with prejudice is appropriate." Cook v. Dewitt, No. 19 Civ. 2780 (NSR), 2022 WL 580774, at *4 (S.D.N.Y. Feb. 25, 2022) (quoting Coon v. Benson, No. 09 Civ. 230 (SCR) (LMS), 2010 WL 769226, at *4 (S.D.N.Y. Mar. 8, 2010)).

Accordingly, the Court DISMISSES WITH PREJUDICE Plaintiff's Amended Complaint. The Clerk of Court is directed to terminate all pending motions, adjourn all remaining dates, and close this case.

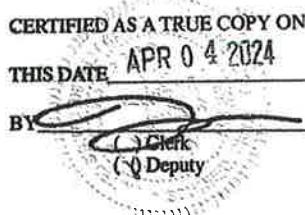
SO ORDERED

Dated: April 28, 2023

New York, New York



KATHERINE POLK
FAILLA
United States
District Judge



Appendix C

MANDATE

S.D.N.Y. - N.Y.C.
23-cv-3214
Failla, 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 18th day of January, two thousand twenty-four.

Present:

John M. Walker, Jr.,
Susan L. Carney,
Michael H. Park,
Circuit Judges.

Xuejie He

Plaintiff-Appellant,

-v.-

23-780

United States Of America, et al.
Defendants-Appellees.

Appellant, pro se, moves to amend the caption, for summary reversal, for restoration of her possessions,

Appendix C

and for default judgement. Upon due consideration, it is hereby ORDERED that the motions are DENIED and the appeal is DISMISSED because it lacks an arguable basis in law or fact. Pillay v. INS, 45 F.3d 14, 17 (2d Cir. 1995) (per curiam).

FOR THE COURT:

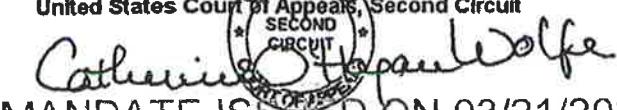
Catherine O'Hagan Wolfe, Clerk of Court

 Catherine O'Hagan Wolfe

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit

 Catherine O'Hagan Wolfe

MANDATE ISSUED ON 03/21/2024

Appendix D

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 29th day of February, two thousand twenty-four.

Xuejie He

Plaintiff-Appellant,

v.

United States Of America, et al.

Defendants-Appellees.

ORDER

Docket No.

23-780

IT IS HEREBY ORDERED that Appellant's motion to correct title in the order dated February 21, 2024 is DENIED as moot. The Court denied Appellant's motion to amend the caption on January 18, 2024.

For The Court:

Catherine O'Hagan Wolfe,

Clerk of Court


Catherine O'Hagan Wolfe

Appendix E

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 22nd day of February, two thousand twenty-four.

Xuejie He	ORDER
Plaintiff-Appellant,	Docket No.
v.	23-780
United States Of America, et al.	
Defendants-Appellees.	

IT IS HEREBY ORDERED that the motion to file supplementary papers (docket entry 115) is DENIED as moot in light of the order denying Appellant's motion for reconsideration.

For The Court:
Catherine O'Hagan Wolfe,
Clerk of Court


Catherine O'Hagan Wolfe

Appendix F

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 21st day of February, two thousand twenty-four,

Present:

John M. Walker, Jr.,
Susan L. Carney,
Michael H. Park,
Circuit Judges.

Xuejie He

Plaintiff-Appellant,

v.

ORDER

Docket No.

23-780

United States of America, United States Citizenship and Immigration Services, State of New Jersey, State of New York, Union City Police Department, New Jersey, Guttenberg Police Department, Chasan Lamparello Mallon & Cappuzzo, PC, Hudson Hospital OPCO LLC, Carepoint Health-Christ Hospital, Hudson County Prosecutor's Office, Delta Air Lines, Inc., Alibaba Group Holding Limited, Taobao, Aslan Aviation Serviecs

Appendix F

(Shanghai) Co., Ltd., Derek Smith Law Group, PLLC,
Coalition for the Homeless, Catholic Charities
Community Services Center, New York City, New York
City Human Resources Administration, New York City
Rescue Mission, Episcopal Church, (New York City),
Trinity Episcopal Church Parish Center, New York
Presbyterian Foundation Inc., New York-Presbyterian
Lower Manhattan Hospital, Weill Cornell Medical,
Cantonese Interpreter NYPLMH, Modern Medical, PC,
Affinity Health Plan Inc., Centene Corporation, Fidelis
Care, New York City Police Department, New York City
Police Department 109th Precinct, New York City Police
Department 120th Precinct, New York City Police
Department 121th Precinct, Garden of Hope, New York
City Transit Authority, Transit Adjudication Bureau,
New York City Department of Transportation, New York
City Department of Design and Construction, New York
City Department of Housing Preservation and
Development, Mount Sinai Health System Inc., Mount
Sinai Beth Israel, Mount Sinai West, Richmond
University Medical Center, Office of the New York City
Comptroller, New York University, New York University
College of Dentistry, Metropolitan Dental Associates,
Legal Services NYC, The Legal Aid Society, New York
City Marshals, Camba, Inc., City University of New

Appendix F

York, Borough of Manhattan Community College,
Renata V. Weber, Joan M. Kenney, Doris Ling- Cohan,
Lizbeth Gonzalez, Matthew Cooper, Louis L. Stanton,
Barrington D. Parker, Jr., Peter W. Hall, Christopher F.
Droney, Kimberley Slade, Remy Smith, Li Yanfen, Mash
Jim, Liufeng Chen, John Doe JIm. Hingsze Cho, John
Doe A, New York State Unified Court System, New York
City Department of Health and Mental Hygiene,
Giachetta, Kenneth (#80), Marshal, New York State
Department of Labor, Nai Brother Inc., Ying Ji Chang
Fen Inc., Walgreens Boot Alliance, Inc., Duane Reade
Inc., New York State Department of Environmental
Conservation, New York City Police Department 1th
Precinct, Molina Healthcare, Inc. Molina, Affinity by
Molina Healthcare, Inc., Icahn School of Medicine at
Mount Sinai,

Defendants-Appellee.

Xuejie He filed a motion for reconsideration and the panel that determined the motion has considered the request.

IT IS HEREBY ORDERED, that the motion is denied.

For The Court:

Catherine O'Hagan Wolfe,
Clerk of Court

CERTIFIED COPY
Catherine O'Hagan Wolfe, Clerk
by *[Signature]*
DEPUTY CLERK
April 14, 2024
TOP SECRET

Catherine O'Hagan Wolfe


Appendix G

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 19th day of January, two thousand twenty-four.

Xuejie He

Plaintiff-Appellant,

v.

ORDER

Docket No.

23-780

United States Of America, et al.

Defendants-Appellees.

IT IS HEREBY ORDERED that Appellant's motion for relocation of tenant (docket entry 78) is DENIED as moot in light of the order dismissing this appeal.

For The Court:

Catherine O'Hagan Wolfe,
Clerk of Court


Catherine O'Hagan Wolfe

Appendix H

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 10th day of October, two thousand twenty-three.

Xuejie He

Plaintiff-Appellant,

v.

ORDER

Docket No.

23-780

United States Of America, et al.

Defendants-Appellees.

Appellant, pro se, moves for leave to correct the defects listed in the September 15, 2023 Notice of Defective Filing.

IT IS HEREBY ORDERED that the motion is GRANTED. The defects have been cured.

For The Court:

Catherine O'Hagan Wolfe,
Clerk of Court


Catherine O'Hagan Wolfe

Appendix I

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 21st day of September, two thousand twenty-three.

Before: Myrna Pérez, Circuit Judges.

Xuejie He

ORDER

Plaintiff-Appellant,

Docket No.

v.

23-780

United States Of America, et al.

Defendants-Appellees.

Appellant, pro se, filed an emergency motion for "restoration of possession" of the premises of an apartment in Brooklyn, New York, and for other relief.

IT IS HEREBY ORDERED that the motion is REFERRED to a three-judge motions panel. To the extent Appellant seeks interim emergency relief, that request is DENIED.

For The Court:

Catherine O'Hagan Wolfe,
Clerk of Court

CERTIFIED COPY
Catherine O'Hagan Wolfe, Clerk
by *[Signature]*
DEPUTY CLERK
April 14, 2024

Catherine O'Hagan Wolfe


Appendix 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 9th day of June, two thousand twenty-three.

Before: Beth Robinson,
Circuit Judges.

Xuejie He	ORDER
Plaintiff-Appellant,	Docket No.
v.	23-780
United States Of America, et al.	
Defendants-Appellees.	

Appellant, pro se, asks this Court to order the New York City Department of Housing Preservation and Development to issue an "illegal basement eviction order" for her apartment in Brooklyn, New York and provide her with alternative housing.

It is hereby ORDERED that the motion is DENIED. If Appellant seeks to resolve issues

Appendix J

concerning housing quality or safety, she should report such issues to the New York City Department of Housing Preservation and Development.

For The Court:
Catherine O'Hagan Wolfe,
Clerk of Court

A handwritten signature of "Catherine O'Hagan Wolfe" is written over a circular official seal. The seal contains the text "UNITED STATES", "SECOND CIRCUIT", and "CLERK OF COURT".

Appendix K

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

XUEJIE HE

Plaintiff, 23 Civ. 3214

-v.-

(KPF)
ORDER

UNITED STATES OF AMERICA, et al.
Defendants.

KATHERINE POLK FAILLA, District Judge:

On May 5, 2023, Plaintiff filed a notice of appeal from this Court's Order of Dismissal of the Amended Complaint. (Dkt. #7). That same day, Plaintiff also filed a motion for reconsideration of the Order of Dismissal. (Dkt. #8). “Although a notice of appeal ordinarily divests a district court of jurisdiction, ‘where ... the notice of appeal is filed while a timely filed Rule 59(e) motion is pending, the trial court retains jurisdiction over the post-judgment motion, and the notice of appeal does not become effective until entry of an order disposing of the Rule 59(e) motion.’” *Maksymowicz v. Weisman & Calderon, LLP*, No. 14 Civ. 1125 (JGK), 2014 WL 1760319, at *1 (S.D.N.Y. Feb. 2, 2014) (quoting *Basciano v. Lindsay*, No. 07 Civ. 421 (NGG) (RML), 2008 WL

Appendix K

1700442, at *1 (E.D.N.Y. Apr. 9, 2008). Although Plaintiff's motion for reconsideration appears to have been filed after the notice of appeal, in light of Plaintiff's pro se status the Court will assume that Plaintiff intended to file the motion for reconsideration first or at a minimum concurrently with the notice of appeal. See, e.g., *Rich v. Associated Brands, Inc.*, No. 08 Civ. 666S (WMS), 2009 WL 236055, at *1 (W.D.N.Y. Jan. 30, 2009) (taking similar approach in pro se case).

The Court construes Plaintiff's filing under Federal Rule of Civil Procedure 59(e). Under that Rule, “[a] district court may alter or amend a judgment ... only ‘to correct a clear error of law or to prevent manifest injustice.’” *Johnson v. ThyssenKrupp Elevator Corp.*, No. 19 Civ. 3009 (AMD) (RLM), 2019 WL 6217267, at *1 (E.D.N.Y. Nov. 15, 2019) (quoting *Munafo v. Metro. Transp. Auth.*, 381 F.3d 99, 105 (2d Cir. 2004) (citations omitted)). Thus, the moving party must identify “controlling decisions or factual matters that were put before [the Court] on the underlying motion and which, if examined, might reasonably have led to a different result.” *Corines v. Am. Physicians Ins. Tr.*, 769 F. Supp. 2d 584, 593 (S.D.N.Y. 2011) (internal quotation marks and citations omitted).

Appendix K

Plaintiff has not met this high burden. Alongside Plaintiff's motion, she included a declaration which states, among other points, that “[w]hat matters is that Plaintiff has the jurisdiction of the federal court and the complaint satisfies Rule 8.” (Dkt. #9). Plaintiff requests that the Court restore this case to its calendar, and also includes as exhibits proof of her payment of the filing fee as well as the Third Circuit decision that this Court discussed in its dismissal orders. (Id.). Plaintiff has not pointed the Court to any controlling issues of law or fact that it overlooked. Accordingly, the Court DENIES Plaintiff's motion for reconsideration.

The Clerk of Court is directed to terminate the pending motion at docket entry 8.

SO ORDERED

Dated: May 08, 2023

New York, New York



KATHERINE POLK FAILLA
United States District Judge

Appendix L

For: XUEJIE HE



Most Recent I-94

Admission (I-94) Record Number : 2385

Most Recent Date of Entry: 2017 March 21

Class of Admission : B2

Admit Until Date : 09/20/2017

Details provided on the I-94 Information form:

Last/Surname : HE
First (Given) Name : XUEJIE
Birth Date : 1985
Document Number : 16146
Country of Citizenship : China

[Get Travel History](#)

► Effective April 28, 2013, DHS began automating the admission process. An alien lawfully admitted or paroled into the U.S. is no longer required to be in possession of a preprinted Form I-94. A record of admission printed from the CBP website constitutes a lawful record of admission. See 8 CFR § 1.4(d).

► If an employer, local, state or federal agency requests admission information, present your admission (I-94) number along with any additional required documents requested by that employer or agency.

► Note: For security reasons, we recommend that you close your browser after you have finished retrieving your I-94 number.

DS-2014-0719
09/2016

[For inquiries or questions regarding your I-94, please click here](#)

[Accessibility | Privacy Policy](#)

帮助 - 使用帮助

Appendix L



Document Number : 5145

Document Country of Issuance : China

	Date	Type	Location
1	2017-03-21	Arrival	SEA
2	2016-08-18	Departure	CHI
3	2016-05-13	Arrival	SEA
4	2016-03-09	Departure	DAL
5	2015-12-08	Arrival	DAL
6	2015-07-03	Departure	NYC
7	2015-06-21	Arrival	NYC
8	2015-06-13	Departure	SEA
9	2015-05-16	Arrival	SEA

DOC - 0000

Appendix M

GUTTENBERG, NJ		OPERATION REPORT							
1. COMPLAINANT NUMBER X-2016-002505	2. NATURE OF INCIDENT REQUEST FOR POLICE ASSAULTA	3. DATE 02/09/2016	4. TIME 16:20	5. CLASSIFICATION					
6. VICTIM - <input checked="" type="checkbox"/> COMPLAINANT - <input type="checkbox"/> ACCUSED - <input type="checkbox"/> LAST NAME ME		FIRST NAME XUEJIE			MR	DOB 1985			
7. ADDRESS		UNIT TYPE	UNIT #	CITY	STATE	ZIP	8. PHONE		
9. LOCATION OF INCIDENT POLICE HQ - 6808 PARK AVENUE, GUTTENBERG NJ 07093									
10. REPORTED BY (LAST NAME) ME		FIRST NAME XUEJIE			99	RADIO <input type="checkbox"/>	PHONE <input type="checkbox"/>	VIEW <input type="checkbox"/>	OTHER <input type="checkbox"/>
11. ADDRESS		UNIT TYPE	UNIT #	CITY	STATE	ZIP	12. PHONE		
13. WITNESS - OTHER - AGENCY (LAST NAME) POLICE		FIRST NAME GUTTENBERG			MR	TIME NOTIFIED	DOB		
14. ADDRESS 6808 PARK AVENUE		UNIT TYPE	UNIT #	CITY	STATE	ZIP	PHONE 07093	201-688-3300	
15. ACTION TAKEN									
<p>ON THE ABOVE DATE AND TIME, A FEMALE PARTY WALKED INTO POLICE HEADQUARTERS AND ASKED TO SPEAK TO AN OFFICER. FEMALE ADVISED ME THAT SHE MAY HAVE BEEN SEXUALLY ASSAULTED. FEMALE DID NOT SPEAKING VERY MUCH ENGLISH. FEMALE IS OF CHINESE DESCENT AND SPEAKS CHINESE. FEMALE WAS ABLE TO COMMUNICATE WITH ME THROUGH BROKEN ENGLISH AND ADVISED ME THAT SHE MET A MALE THROUGH AN ONLINE DATING SITE ABOUT A MONTH AGO. FEMALE STATED ON 02/06/2016 SHE HAD COMMENSAL SEX WITH THE MALE. AFTER HAVING INTERCOURSE, FEMALE BEGAN TO HAVE VAGINAL AND RECTAL BLEEDING. FEMALE CONTACTED MALE AND ASKED HIM TO TAKE HER TO THE HOSPITAL BUT HE REFUSED TO HELP HER. FEMALE CAME INTO POLICE HEADQUARTERS LOOKING FOR HELP.</p> <p>FEMALE DOES NOT KNOW THE MALES NAME. FEMALE ONLY KNOWS THAT HE LIVES IN THE AREA OF 39TH AND BERGENLINE. FEMALE STATED THAT SHE LIVES IN THE AREA OF 79TH STREET IN NORTH BERGEN, NEAR TO THE PARK, BUT DOES NOT KNOW THE EXACT ADDRESS.</p> <p>I CONTACTED UNION CITY PD AND WAS ADVISED BY SGT CULLIAR TO CONTACT THE HUDSON COUNTY SPECIAL VICTIMS UNIT.</p> <p>SPECIAL VICTIM UNIT WAS CONTACTED AND INFORMED OF THE SITUATION. I SPOKE WITH DET. SANCHEZ 6245 AND INFORMED HER OF THE SITUATION.</p> <p>FEMALE WAS TRANSPORTED TO CHRIST HOSPITAL BY MECHANICAL 214.</p>									
16. REPORTING OFFICER OFFICER VELAS, FRANK SIGNATURE		17. BADGE # 136	18. HOURS 14:44	19. DATE 02/09/2016	20. REVIEWED SERGEANT BANCER,	21. PENDING	22. COMPLETED		

Page 1 of 1

Appendix N



Appendix P

On Feb 20, 2016 3:53 AM, "lm" < 4@ .com>

wrote:

It's just sex. Only sex. Nothing more than sex.

On Feb 20, 2016 3:54 AM, "lm" < 4@ .com>

wrote:

There was no mutual for us. I had no feelings other than sexual release. That is all.

On Feb 21, 2016 1:10 AM, "mink" < j@ .com>

wrote:

I don't want to offered anal never. That time I said to you stopping, but you haven't stop, that time I really want to dead.

On Feb 21, 2016 1:16 AM, lm < 4@ .com>

wrote:

Well that time you agreed that I would keep going until I finish. No matter what.

On Feb 21, 2016 14:26 AM, "mink" < j@ .com>

wrote:

I don't know you be yes or no finish. I only remember I kept saying stop and no no, but you haven't stop. Then I seem to bite your finger.

Appendix Q


CarePoint Health
 www.carepointhealth.org

Form ID: ROI
 AUTHORIZATION FOR RELEASE OF
 INFORMATION OF PROTECTED
 HEALTH INFORMATION (PHI)
 Reorder #: 99015 (REV. 7/16)

Cyriphane
 Mandarin
 Chinese
 MC
 389

PATIENT ID LABEL

Bayonne Medical Center Christ Hospital Hoboken University Medical Center Other CarePoint Physician Practice

All portions of this form must be completed to constitute a valid authorization of release of health information under the Health Insurance Portability and Accountability Act (HIPAA) privacy regulations. If any field is left blank, the authorization will be considered defective.

I HEREBY AUTHORIZE USE/DISCLOSURE OF MY PROTECTED HEALTH INFORMATION AS FOLLOWS:

1. Patient Information: (Please print)
 Last Name: HE First Name: XUE JIE Middle Initial: M MR #: 1070870
 Date of Birth: 1/85 Phone Number: () Email Address: _____
 Address: 101 MOUNTAIN DR. City: NY State: NY Zip: 10403

2. Release of Information is to (I authorize the use and disclosure of health information about me as described below):
 Name/Organization: SRIF
 Phone Number: () Fax Number: ()
 Address: 101 MOUNTAIN DR. City: NY State: NY Zip: 10403

3. Health Information that may be used/disclosed is limited to the following (check all that apply):
 Progress Notes Consultation(s) X-ray Report(s)
 Emergency Room Record Lab(s) ERG/EEG
 Discharge Summary Pathology Report Fetal Heart Monitor Strips
 History & Physical Operative/Procedure Note(s) Entire Medical Record
 Other (specify): _____

4. Health Information that may be used/disclosed is limited to the following periods of healthcare:
 From (date): 2/9/16 To (date): 2/9/16 Account Number: 10403 NY
 From (date): To (date): Account Number: _____

5. Health Information to be released to the above named agency/individual is to be used for the following purpose(s):
 Treatment/Consultation Research Billing or Claims Payment Legal
 At Request of Patient Marketing At Request of Employer Other (specify): _____

Policy for Restriction of Disclosure CPCOM 031 Any prior restriction of disclosure on file? Yes No Date: _____

I hereby give special authorization to release the following information excluding Psychotherapy notes (check all that apply):
 AIDS/HIV Alcohol Abuse Drug Abuse Mental Health DNA
 Signature: _____ Date: _____ Time: _____
 Personal Representative Signature (if applicable): _____
 Description of authority to act on behalf of the patient: _____

Health Information identifies you (the patient) by name, and includes other demographic information about you. *Health Information* may include, but is not limited to: medical records, x-ray films, slides, tracings, strips, etc.

I hereby discharge the facility, its agents and employees for any and all liabilities, responsibilities, damages and claims which might arise from this authorized release of the information that was compiled during my visit, encounter or hospitalization, or make copies thereof in accordance with the policies of this facility.

Yes No I agree to the release of my medical or billing records containing the sensitive information listed above.

Protected Health Information used or disclosed pursuant to this authorization may subject to re-disclosure by the recipient and is no longer protected by this privacy rule. If research-related Health Information is used or disclosed for continuing research purposes, an expiration date or event does not apply.

This authorization will automatically expire 90 days after the date of signature below (except as indicated below), unless an earlier date is specified, or at the conclusion of a specified event. I understand that I have a right to revoke this authorization at any time, in writing, as stated in the Notice of Privacy Practices.

Treatment, payment, enrollment or eligibility for benefits may not be conditioned on obtaining an authorization if the HIPAA prohibits such conditioning.

If conditioning is permitted, refusal to sign the authorization may result in denial of care or coverage.

Expiration Date of Event: 2/24/16

NOTICE TO RECEIVING AGENCY OR INDIVIDUAL: This information is to be treated in accordance with (HIPAA) privacy regulations.

Patient's or Authorized Personal Representative's Signature: <u>He Xue Jie</u>		Date: <u>4/4/17</u>	Time: _____
Relationship to Patient/Authority to Act on Patient's Behalf: _____			
Witness's Signature: _____		Date: _____	Time: _____
<input type="checkbox"/> Signature validated against government issued ID or signature in medical record. There may be a charge for copying medical records. <input type="checkbox"/> Electronic copy requested.			
Interpreter, if utilized:	Interpreter Name: _____ <input type="checkbox"/> Approved Translation Service <input type="checkbox"/> Physician <input type="checkbox"/> Third Staff Member	Interpreter ID#:	Language Accessed:

*A copy of this authorization must be given to the individual

Appendix Q

**Christ Hospital
176 Palisade Avenue
Jersey City, New Jersey 07306**

**Emergency Department
ED Provider Documentation : 0209-0095
Signed**

Patient: HE,XUEJIE
DOB: 1965
Age/Sex: 50 / F

Acct:J00104403944
Loc: C.ER
ADM Status: DEP ER

Unit: N001070870
ADM Date: 02/09/16

History Of Present Illness

50 y/o female presents to ED complaining of vaginal and rectal pain and bleeding for 3 days s/p sexual intercourse. Patient states she was forced by person she met on the Internet 1 month ago. She denies abdominal pain, vomiting, diarrhea or any other injuries. SART team activated

Time Seen by Provider: 02/09/16 15:13

Chief Complaint (Nursing): Sexual Assault

History Per: Patient, Interpreter

History/Exam Limitations: language barrier

Onset/Duration Of Symptoms: Days (3)

Current Symptoms Are (Timing): Still Present

Severity: Moderate

Pain Scale Rating Of: 5

Past Medical History

Reviewed: Historical Data, Nursing Documentation, Vital Signs

Vital Signs:

Last Vital Signs

Temp	98.1 F	02/09/16 14:58
Pulse	73	02/09/16 14:58
Resp	20	02/09/16 14:58
BP	126/81	02/09/16 14:58
Pulse Ox	99	02/09/16 16:34

- Medical History

PMH: No Chronic Diseases

Family History: States: No Known Family Hx

- Social History

Hx Tobacco Use: No

Hx Alcohol Use: No

Hx Substance Use: No

- Immunization History

Hx Tetanus Toxoid Vaccination: No

Appendix Q

**Emergency Department
ED Provider Documentation : 0209-0095
Signed**

Patient: HE,XUEJIE
DOB: 1/1965
Age/Sex: 50 / F

Acct:J00104403944
Loc: C.ER
ADM Status: DEP ER

Unit: N001070870
Room/Bed:
ADM Date: 02/09/16

Hx Influenza Vaccination: No
Hx Pneumococcal Vaccination: No

Review Of Systems

Except As Marked, All Systems Reviewed And Found Negative.

Cardiovascular: Negative for: Chest Pain

Gastrointestinal: Positive for: Rectal Pain, Other (Rectal bleeding). Negative for: Abdominal Pain

Genitourinary: Positive for: Vaginal Bleeding

Physical Exam

- Physical Exam

Appear: Non-toxic, No Acute Distress

Skin: Normal Color

Head: Atraumatic, Normacephalic

Eyes: bilateral: Normal Inspection

Neck: Normal

Chest: Symmetrical

Cardiovascular: Rhythm Regular

Respiratory: Normal Breath Sounds

Gastrointestinal/Abdominal: Normal Exam, Soft, No Tenderness

Rectal: Other (Pending SART evaluation)

Back: Normal Inspection

Extremity: Normal ROM

Neurological/Psych: Oriented x3

ED Course And Treatment

O2 Sat by Pulse Oximetry: 99 (RA)

Pulse Ox Interpretation: Normal

Progress Note: SART team activated.

Medical Decision Making

Medical Decision Making:

Patient was seen by SART team.

Disposition

C counseled Patient/Family Regarding: Diagnosis

- Disposition

Disposition: HOME/ ROUTINE

Disposition Time: 18:01

Condition: STABLE

Forms: General Discharge Instructions

- POA

Present On Arrival: None

Appendix Q

Emergency Department
ED Provider Documentation : 0209-0095
Signed

Patient: HE,XUEJIE	Acct:J00104403944	Unit: N001070870
DOB: 7/1965	Loc: C.ER	Room/Bed:
Age/Sex: 50 / F	ADM Status: DEP ER	ADM Date: 02/09/16

- Clinical Impression
Clinical Impression:
Vaginal bleeding

- Scribe Statement

The provider has reviewed the documentation as recorded by the Scribe

Prince Sintim

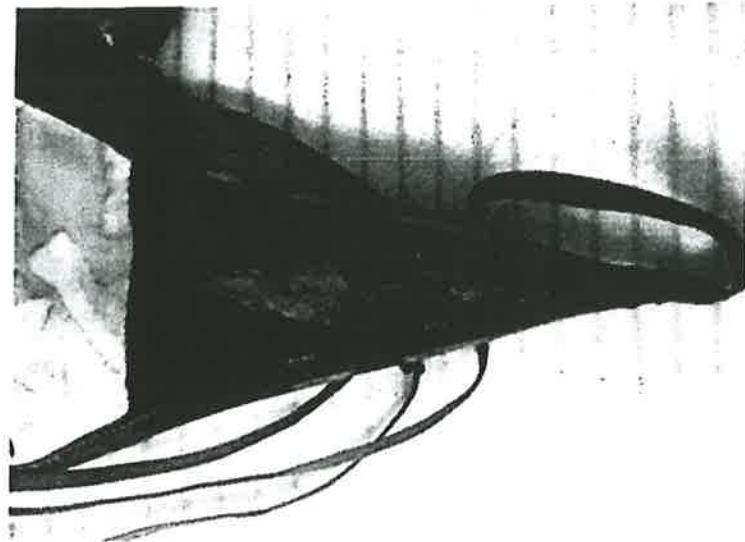
Provider Attestation:

All medical record entries made by the Scribe were at my direction and personally dictated by me. I have reviewed the chart and agree that the record accurately reflects my personal performance of the history, physical exam, medical decision making, and the department course for this patient. I have also personally directed, reviewed, and agree with the discharge instructions and disposition.

Signed By Date/Time:<Electronically signed by Caitlin M Jones MD> 02/09/16 1820

<<Signature on File>>

Appendix R



Appendix R



Appendix S

No. 1560344

Certification

STATE OF NEW YORK, COUNTY OF NEW YORK, SS:

I, Milton Adair Tingling, County Clerk and Clerk of Supreme Court New York County,

do hereby certify that on June 3, 2024 I have compared

the document attached hereto,

NEW YORK COUNTY CLERK'S MINUTES page(s) 2

with the originals filed in my office and the same is a correct transcript

therefrom and of the whole of such original in witness

whereto I have affixed my signature and seal.

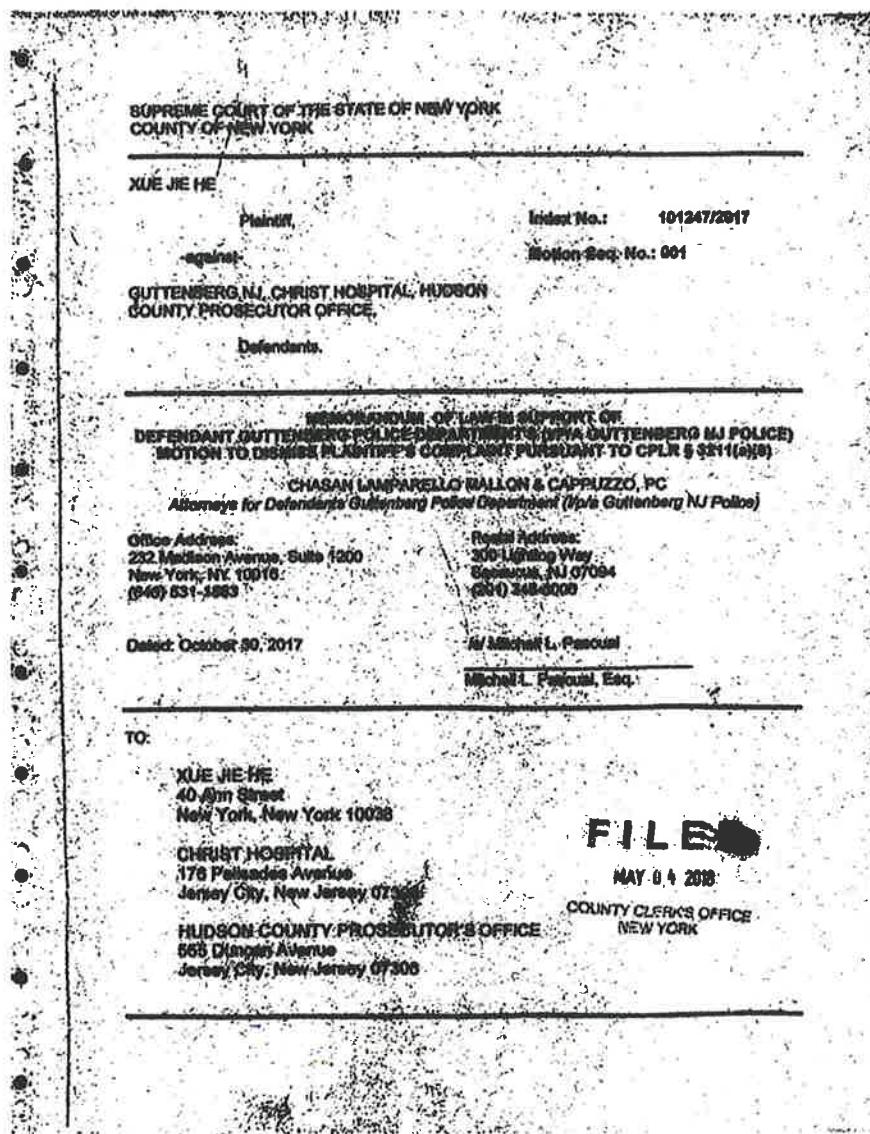


MILTON ADAIR TINGLING
NEW YORK COUNTY CLERK

Appendix S

		6/20/17 C ORDER/PROCESSED AS POOR PERSON DEBT		6/20/17 2 SUMMONS AND COMPLAINT		6/20/17 C AFFIDAVIT/APPLICATION TO COMMERCE ACTION AS POOR PERSON DENIED	
		6/20/17 2 SUMMONS AND COMPLAINT		6/20/17 C AFFIDAVIT/APPLICATION TO COMMERCE ACTION AS POOR PERSON DENIED		6/20/17 C AFFIDAVIT/APPLICATION TO COMMERCE ACTION AS POOR PERSON DENIED	
Filed	Actions	No Fee	Actions	No Fee	Actions	No Fee	Actions
6/20/2018 C SUBPOENA RECEIPT							
10/5/2018 C AFFIDAVIT IN SUPPORT							
10/5/2018 C AFFIDAVIT OF MOTION seq 005							
10/5/2018 C AFFIDAVIT							
10/5/2018 C AFFIDAVIT OF SERVICE (1)							
10/5/2018 C RECEIVED PAPERS							
10/5/2018 C AS PART 23 SEQ 10 MOTION IS DENIED							
7/25/2018 C NOTICE OF APPEAL, COPY FORWARDED TO APP. DIV. - □							
7/18/2018 C TRANSCRIPT							
7/17/2018 C NOTICE OF APPEAL, COPY FORWARDED TO AD. 1A Dept							
6/22/2018 C ORDER TO SHOW CAUSE seq 004							
6/22/2018 C brief in support							
6/22/2018 C RECEIVED PAPERS							
6/22/2018 C AFFIDAVIT OF MOTION seq 003							
6/22/2018 C AFFIDAVIT brief (initials)							
6/22/2018 C AFFIDAVIT reply							
6/22/2018 C AFFIDAVIT reply							
6/22/2018 C RECEIVED PAPERS							
6/22/2018 C PT 123 1500 MOTION IS GRANTED AS TO HONISON COUNTY PROSECUTOR'S OFFICE.							
6/22/2018 C PT 123 1500 MOTION IS DENIED AS MOOT. SEE ORDER DATED 6/21/18.							
6/22/2018 C ORDER TO SHOW CAUSE (WF)							
6/13/2018 C ORDER TO SHOW CAUSE (WF)							
5/4/2018 C AFFIDAVIT reply							
5/4/2018 C AFFIDAVIT in support							
5/4/2018 C MEMORANDUM OF LAW in support							
5/4/2018 C AFFIDAVIT reply							
5/4/2018 C AFFIDAVIT OF SERVICE (1)							
5/4/2018 C AFFIDAVIT OF MOTION							
5/4/2018 C AFFIDAVIT OF MOTION							
5/4/2018 C AFFIDAVIT OF MOTION seq 002							
5/4/2018 C MEMORANDUM OF LAW in support							
5/4/2018 C REQUEST FOR JUDICIAL INTERVENTION							
5/4/2018 C REQUEST FOR JUDICIAL INTERVENTION							
5/4/2018 C MEMORANDUM OF LAW in support							
5/4/2018 C AFFIDAVIT OF MOTION							
5/4/2018 C AFFIDAVIT OF MOTION AND RECD							
12/1/2017 C AFFIDAVIT OF MOTION/EE PAID							
11/26/2017 C AFFIDAVIT OF MOTION/EE PAID							
11/26/2017 C REQUEST FOR JUDICIAL INTERVENTION							
10/25/2017 C REQUEST FOR JUDICIAL INTERVENTION							
10/1/2017 C REQUEST FOR JUDICIAL INTERVENTION							
10/1/2017 C AFFIDAVIT OF MOTION/EE PAID							
9/27/2017 C AFFIDAVIT OF MOTION/EE PAID							
9/25/2017 C AMENDED SUMMONS & COMPLAINT with additional b/c.							
9/25/2017 C AMENDED SUMMONS & RECEIVED (initials) 6/23/14							
9/7/2017 C POOR PERSON DENIED (initials) 6/23/14							

Appendix S



Appendix S

PRELIMINARY STATEMENT

Defendant Guttenberg Police Department, improperly plead as Guttenberg NJ Police, respectfully submits this Memorandum of Law in support of a Motion to Dismiss Plaintiff Xue Jie He's complaint in its entirety pursuant to N.Y. C.P.L.R. § 3211(a) (2) for lack of subject matter jurisdiction and (8) for lack of personal jurisdiction. For the reasons set forth below, the Township's Motion to Dismiss should be granted.

STATEMENT OF FACTS

Plaintiff filed the subject Complaint on September 7, 2017, in the Supreme Court of the State of New York, County of New York. (See Exhibit A) Plaintiff is a resident of the State of New York. (¶1) According to her Complaint, Plaintiff was the victim of a sexual assault on February 9, 2016, and called the Guttenberg Police Department to report the assault. (¶3) The Guttenberg Police Department took her to Christ Hospital, where she sought treatment for injuries incurred during the assault. (¶3) Plaintiff states that while at Christ Hospital, she attempted to give statements to the Department, Hospital and the Hudson County Prosecutor's Office but, because Chinese is her first language, had difficulty due to the language barrier and found a Chinese man to translate for her. (¶3)

According to Plaintiff, while providing information to Defendants regarding her attacker, she was asked questions that she believed were inappropriate and made her believe she was being treated like "a prostitute." (¶4) Because of a lack of insurance, Plaintiff claims that the hospital sent her home without proper treatment, medication or necessary STD tests. (¶¶4-5) As a result of the incident, Plaintiff asserts that she considered suicide. (¶6)

Appendix S



Appendix T



Appendix U

Prehospital Care Report Summary

New York Presbyterian EMS (NYS agency # 0502)

Date:10/30/2017 Call #:2210 Booklet:92491979 Branch: NYPLMH 911 Time Zone:America/New_York

Call Information: <p> Disposition: Treated/Transported Unit #: 01G2 - 01 GEORGE 2, Ground-Ambulance - BLS Trip Type: N/A Run Type to Scene: Emergency Scheduled: No Incident Facility: Incident Location: RECTOR ST/TRINITY PL - Manhattan, NY 10006 (New York County) Incident Location Type: Scene of Accident or Acute Event - Public Building </p> <p> Receiving Facility: NYP LOWER MANHATTAN (1) (Hospital) - 170 WILLIAM ST - NEW YORK, NY 10038 Facility Address: 170 WILLIAM ST - New York, NY 10038 Destination Type: N/A Dest. Reason: N/A Registration #: N/A </p> <p> Loaded Mileage: 0.7 (Total Mileage: 0.7) Crew Members: DEVON CHUNG, EMT Basic(DS)/(DH); JOSEPH GALIZIA, EMT Paramedic, Advanced Trained Paramedic-Critical Care(DOC) </p> <p> Moved to Amb By: Chair Transport Position: Semi/Full Fowlers From Amb By: </p> <p> Call Origin: 911 Lights/Siren: Scene / Destination-Not used </p>		# Patients Transported In My Unit: 1 # Patients at Scene: 1
		Call Received: 13:41:18 Dispatched: 13:41:24 En Route: 13:41:33 On Scene: 13:44:43 Patient Contact: 13:48:00 Left Scene: 14:09:15 At Destination: 14:15:32 Transfer of Care: In Service: 14:53:00
		Time On Scene: 24 Min Time to Destination: 34 Min Total Time of Run: 72 Min
Patient Information:		
<p> Name: XUEJIE HE DOB: 1965 Address: 2 Gender: Female Phone: 2 Age: 51 Years Email: 2 Weight: 110.0 lbs, 49.9 kg SSN: 2 Breslow: Driver License: </p>		
Other Contact Info <p> Name: Phone: Cell Phone: Relationship: </p>		
<p> Current Meds: None Comments: Env Allergies: Comments: Med Allergies: NKDA Comments: Patient Physician: Advanced Directives: PMH: None Comments: Comment: Patient Physical Limitations: Comment: </p>		
Payer Information: <div style="border: 1px solid black; height: 10px; width: 100%;"></div>		
Clinical: <p> Onset Date/Time: 10/30/17 13:41:00 Dispatch Reason (EMD): UNKNOWN UNKNOWN - Caller Has No Pt Medical Info Medical Need: </p> <p> Chief Complaint (Primary): Dyspnea-SOB Duration: Provider Impression: Dyspnea-SOB Mechanism of Injury: NA Injury Intent: Not applicable </p>		

12-18-17 14:56 Ans Davis Confidential Pre -© 2000-2017 Physio-Control HealthEMSS 10/30/2017 Call 2210 BK 92491979 - 1 of 3 PCR 1 of 1

Appendix U

Protocol 1:
Protocol 2:
Assessments:

Time	Employee	Type	Summary
		ABC	Breathing: Rapid Edema: None Cap Refill: < 2 Seconds Pertinent Negatives: Breathing: Lung Sounds: Left: Clear Lung Sounds: Right: Clear Skin Color: Normal Skin Temperature: Normal Skin Condition: Normal
		Head To Toe	Head and Neck: Left Eye: Reactive Right Eye: Reactive
		Neurological	AVPU: Alert

Vitals:

Time	Employee	Summary
13:48:00		Glasgow Coma Score: E (4) + V (5) + M (6) = 15 RTS: 12 Adult
14:00:00	CHUNG, DEVON	BP: 130/ 80 Pulse: 102 Resp: 28 SPO2: 98 Pain: 0
14:03:00		Glasgow Coma Score: E (4) + V (5) + M (6) = 15 RTS: 12 Adult
14:05:00	GALIZIA, JOSEPH	BP: 132/ 86 Pulse: 100 Resp: 20 SPO2: 98 Pain: 0
14:15:00	GALIZIA, JOSEPH	BP: 132/ 84 Pulse: 100 Resp: 18 SPO2: 98 Pain: 0

Treatments/Medications:

Time	Employee	Summary
13:49:00	GALIZIA, JOSEPH	Treatment- Oxygen by Mask Attempts: N/A Success: Yes Level: BLS
13:49:00	GALIZIA, JOSEPH	Treatment- BLS ASSESSMENT Attempts: N/A Success: Yes Level: BLS

Supply
Qty Supply
ECG Device Incident Number:
Narrative History Text:

01 GEORGE 2 RESPONDED EMERGENTLY TO RECTOR ST/TRINITY PL FOR UNKNOW - UNKNOW - CALLER HAS NO PT MEDICAL INFO. BLS ASSESSMENT WAS PERFORMED.

Appendix U

51 YO FEMALE SEATED IN LOBBY OF BUILDING. PATIENT CONSCIOUS AND ALERT APPEARED IN MODERATE DISTRESS. PATIENT STATES SHE WAS INVOLVED IN ALTERCATION WITH BUILDING STAFF OVER USE OF COMPUTERS AND WAS FORCIBLY REMOVED FROM BUILDING (BUILDING STAFF CALLED FOR EMS- PATIENT HYPERVENTILATING AND APPEARED TO BE HAVING PANIC ATTACK STATING SHE CANNOT MOVE).

PATIENT ADOX3- APPEARED TO BE EXPERIENCING BEHAVIORAL EMERGENCY HYPERVENTILATING AND CRYING, PATIENT DENIES DIZZINESS OR NAUSEA, AIRWAY PATENT, FULL CHEST EXPANSION- NEG ACCESSORY MUSCLE USE, LUNG SOUNDS CLEAR, SPO2 98% ON ROOM AIR, RADIALS STRONG BILAT, SKIN WARM DRY SLIGHT DIAPHORESIS, PATIENT DENIES CHEST PAIN STATES MODERATE DYSPNEA, ABD SOFT NON RIGID, NEG EXTERNAL TRAUMA THROUGHOUT. PATIENT TREATED/ TRANSPORTED TO H01 FOR DYSPNEA/BEHAVIORAL DISORDER. PATIENT RECEIVED OXYGEN VIA NON REBREATHER AT 1SLPM, COACHED BREATHING TO SLOWER RESP RATE, PATIENT EXHIBITED IMPROVEMENT IN SYMPTOMS DECREASED CARPAL PEDAL SPASMS AND DECREASED RESP RATE. PATIENT TRANSPORTED IN POSITION OF COMFORT NEG FURTHER CHANGE IN STATUS EN ROUTE.

PATIENT ACCOMPANIED BY FRIEND IN PATIENT COMPARTMENT EN ROUTE TO H01.

Unable to Sign:

Unable to Sign Reason: Physical barrier that prevents pt. from signing

Authorized Representative: No authorized representative is available or willing

Authorized Representative Signature: No

Secondary Documentation: Patient Care Report (signed by representative of facility)

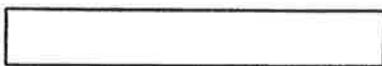
Secondary Documentation Signature: No

Comment:

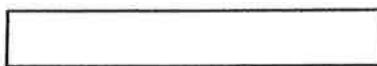
Auth Signature: No Privacy Sig: No Unable to Sign: Yes Refused to Sign: No

Signature Image(s):

Authorization Signature



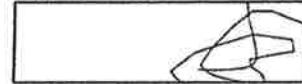
Privacy Notice Signature



Receiving RN / MD Signature - persaud m - 10/30/2017 14:20



Technician Signature - GALIZIA, JOSEPH R - 10/30/2017 14:39



Recommended Service Level: BLS / Dispatch Service Level: BLS

Appendix V



Appendix W

MRN: 8212 82 64
Visit: 000419273 866

HE, XUE JIE
Gender: Female

NY-Presbyterian Low
Manhattan
Current Location: A15hall

..... 000419273 10 30 by Siddiqui, Elsa (Registered Nurse)

ED Unified Attending Note [Charted Location: A15hall] [Date of Service: 30-Oct-2017 15:57, Authored: 30-Oct-2017 15:57] - for Visit: 000419273 866, Complete, Revised, Signed in Full, General

Preferred Language:
Preferred Language Cantonese (Chinese).

Language Services Used or Declined: In Person – NYP/Qualified Staff/Liaison/Facilitator.

Triage Information:
• Triage Information

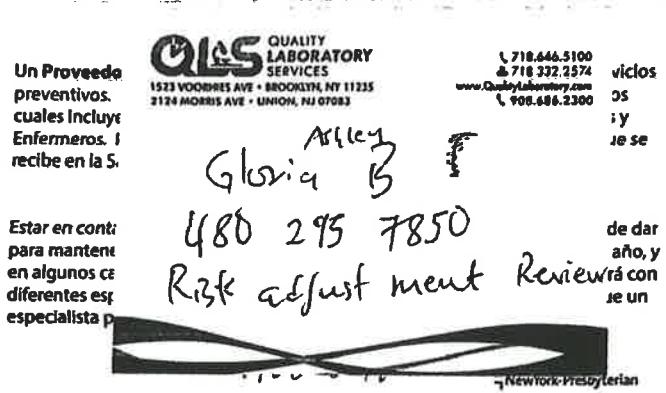
j. Denied any i.

Review of Systems:

Requested by: Ng, Janice (Secretary I), 18-Dec-2017 13:55

Page 2 of 8

Appendix W



MY PRIMARY CARE PROVIDER / MI DOCTOR GENERAL:

PRIMARY CARE PROVIDER / DOCTOR GENERAL: DR. Ilya Kleyn
ADDRESS / DIRECCIÓN: Modern Medical
PHONE / TELÉFONO: 225 Broadway, NY NY 10007
(212) 571-5000
NOTES / NOTAS: Appt : 11/8/2017 @ 12:30PM

Ilya Kleyn NPI 185-131-7092

EFFECTIVE DATE: Referentle Number:

✓ New York-Presbyterian

Appendix W

**Modern Medical P.C.
Board Certified Neurology**

Gender: F

**Patient: Jie He, Xue
DOB: 1965**

**Physician: Gouping Zhou, M.D. Technician: LS
Ref. Physician: Ilya Kleyn, M.D.**

Recording Date: 02/07/2018

EEG REPORT

General Description:

This was a 19 channel awake drowsy and sleep EEG recording with International 10/20 electrode placements. The background activity consisted of posterior dominant moderate amplitude 10 Hz Alpha. These activities were symmetrical. No significant slow wave activity was noted. No significant fast activity was noted.

Activation Procedures:

Symmetrical attenuation of the background activity with eye opening was noted. Hyperventilation produced no significant changes to the background activity. Photic stimulation produced a symmetrical posterior dominant driving response at various frequencies.

Sleep Patterns: The drowsy portion of the record was characterized by attenuation of the background activity with the presence of low amplitude activity seen diffusely. Stage II sleep was achieved. Symmetrical sleep spindles, vertex sharp waves and K-complexes were intermixed with low to moderate amplitude theta activity.

Other Data: N/A

Clinical Impression:

This is a normal awake drowsy and sleep EEG. No focal, diffuse or generalized abnormalities were noted. The absence of epileptiform discharges during the EEG recording does not rule out the diagnosis of a seizure disorder.

Thank you for the courtesy of this referral.

Gzhou
Guoping Zhou, MD
Gouping Zhou, M.D.
Board Certified Neurology

Appendix W

OUTPATIENT REFERRAL REQUEST

Encounter Visit ID

Visit ID

Patient Information (MSMRN)

Patient Name He, Xue-Jie	MRN 9054192	Legal Sex Female	DOB 1985	SSN
-----------------------------	----------------	---------------------	-------------	-----

Order

AMB REF TO PHYSICAL THERAPY [9032]
(Order 590889580)

REFERRAL INFORMATION

Referral Associated with Order (Pending Review)

ID: 13806992

Created on: 4/20/2023

Referred by

Michelle Liu, MD

Referred to

Physical Therapy

Priority: Within 1 Month

Type: Consultation

Decision

Date: 4/20/2023

Start Date: 4/20/2023

Expiration

Date: 10/17/2023

Related Appointments

None

Priority and Order Details

Priority Class

Routine Internal

Referral

Authorized by

Provider

Michelle Liu, MD

Encounter Provider

Ameena Rana, MD

Supervision Information

Encounter Supervising Provider

Michelle Liu, MD

Type of Supervision

Procedural Orders

Referral Contact Info

Enc. Provider

Ameena Rana, MD

Enc. Department

10 Union Sq Neurology

Dept. Phone No.

212-844-8888

Referral from Department

Name

10 UNION SQ NEUROLOGY

Address

10 Union Square East, Suite 5D
New York NY 10003-3314

Phone

212-844-8888

Fax

212-844-8481

HE,XUE-JIE (MR #9054192)
MR-1539 (7/07)

4/20/23 3:41 PM
Page 1 of 4

Appendix W

REFERRAL INFORMATION (continued)

REFERRAL QUESTION

Order Questions

Question	Answer
Therapy Precautions	False
Frequency of Therapy	at the discretion of therapist

ORDER

Reason for referral: vestibular therapy

Associated Diagnoses

	ICD-10-CM	ICD-9-CM
Dizziness and giddiness - Primary	R42	780.4
Left-sided weakness	R53.1	728.87

PATIENT SYNOPSIS

Problem List

Date Reviewed: 4/5/2022

	Codes	Priority	Class	Noted - Resolved
Chronic bilateral low back pain without sciatica	ICD-10-CM: M54.50, G89.29, ICD-9-CM: 724.2, 338.29			3/31/2022 - Present
Tinea pedis of both feet	ICD-10-CM: B35.3, ICD-9-CM: 110.4			3/31/2022 - Present
Cervical cancer screening	ICD-10-CM: Z12.4, ICD-9-CM: V76.2			3/31/2022 - Present
Other chest pain	ICD-10-CM: R07.89, ICD-9-CM: 786.50			10/19/2021 - Present
Arachnoid cyst	ICD-10-CM: G93.0, ICD-9-CM: 348.0			10/19/2021 - Present
Stiffness of joints of both hands	ICD-10-CM: M25.641, M25.642, ICD-9-CM: 718.58			5/18/2021 - Present
Chronic midline low back pain without sciatica	ICD-10-CM: M54.50, G89.29, ICD-9-CM: 724.2, 338.29			4/6/2021 - Present
Hypercholesterolemia	ICD-10-CM: E78.00, ICD-9-CM: 272.0			4/6/2021 - Present
Palpitations	ICD-10-CM: R00.2, ICD-9-CM: 785.1			2/27/2021 - Present
Neck pain	ICD-10-CM: M54.2, ICD-9-CM: 723.1			12/4/2018 - Present
Closed Colles' fracture of right radius with routine healing	ICD-10-CM: S52.531D, ICD-9-CM: V54.12			4/13/2018 - Present
RESOLVED: Preoperative cardiovascular examination	ICD-10-CM: Z01.810, ICD-9-CM: V72.81			12/4/2018 - 4/6/2021

Outpatient Medications at End of Encounter as of 4/20/2023

	Disp	Refills	Start	End
HE,XUE-JIE (MR #9054102) MR-1530 (7/07)				4/20/23 3:41 PM Page 2 of 4

Appendix X



Appendix X

Appendix X

CRIMINAL RECORDS SECTION/VERIFICATION UNIT
ONE POLICE PLAZA, ROOM 303
NEW YORK, NEW YORK 10038
(646) 610-5200

DATE: 3/2/18

TO: Xue Jie He

Your request for Verification of Crime/Lost Property application is being returned for the following reason(s):

Check not enclosed Check not signed Amount Incorrect

\$15.00 Check or Money Order for each Verification that is requested. Payment can be made online at WWW.NYC.GOV/NYPAY then go to Other Payment. Related Information and How to Verify a Crime/Lost Property Report. **NO CASH**

Checks must be drawn on a bank located in the United States. **NO CASH**

The record that you have requested is not a public record and can only be obtained through due process of law (Court Ordered Subpoena).

Crime/Lost Property occurred outside of the City of New York and is not within the jurisdiction of this Department.

YOUR POLICE REPORT IS CLASSIFIED AS LOST PROPERTY, IT IS NOT CONSIDERED A CRIME AND A \$15.00 FEE IS REQUIRED: NO CASH

IN ORDER TO MAKE A PROPER SEARCH FOR CRIME VERIFICATION/LOST PROPERTY, THE FOLLOWING INFORMATION IS REQUIRED:

Name of complainant, date, and location of Crime/Loss and a \$15.00 Check or Money Order for each Verification is requested. **NO CASH**

Complaint number, date and precinct where Crime/Loss was reported. Complaint number may be obtained by calling the precinct where the report was made.

Complaint report on file does not list value of property, please report value to precinct where loss was reported.

Stamped and self-addressed envelope must accompany each report.

Attached is a Verification of Crime/Lost Property application which is to be filled out and returned to the address listed on the top of the form.

You are named as the arrestee on this complaint report. - Please Contact the F.O.I.L. Unit

For Domestic Violence Incident, Sexual Abuse, Arrest Records and Investigative D.O.A. cases - Please Contact the F.O.I.L. Unit at (646) 610-5296, One Police Plaza, Room 210C, New York, N.Y. 10038.

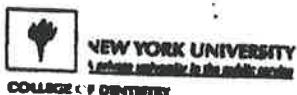
Insurance Companies must contact Stolen Property Inquiry Section, Quality Control Unit for Recovery Information at (646) 610-6384

APPT II WORD

Rank/Title **Name** **Verification Unit**

Appendix Y

1 filled 9102018 Patient XUEJIE HE (1459) Date



Referral Form

Referral to: New York University College of Dentistry
345 E. 25th Street (corner of First Avenue)
New York, NY 10016

Today's Date: 4/10/18
Patient's Name: XUEJIE HE Date of Birth: 1/1965

Referred for:

- Endodontics-JW
T: make an appointment, please call 212-998-9679.
- Diagnostic Dentistry-JW
T: make an appointment, please call 212-998-9679.
- Oral and Maxillofacial Surgery-JW (Emergency Center)
T: make an appointment, please call 212-998-9439. 9660
- Oral Maxillo Facial, Oral-Jaw Pain, and TMJ-TB
T: make an appointment, please call 212-998-9680.
- Orthodontics-JW
T: make an appointment, please call 212-998-9693.
- Pediatric Dentistry-JW
T: make an appointment, please call 212-998-9742.
- Periodontics-JW
T: make an appointment, please call 212-998-9679.
- Prosthodontics-JW
T: make an appointment, please call 212-998-9679.

Requested Procedure(s):

TO EXPEDITE YOUR PATIENT'S CARE, PLEASE ENCLOSURE RADIOGRAPHS AND
ANY SPECIAL INSTRUCTIONS.

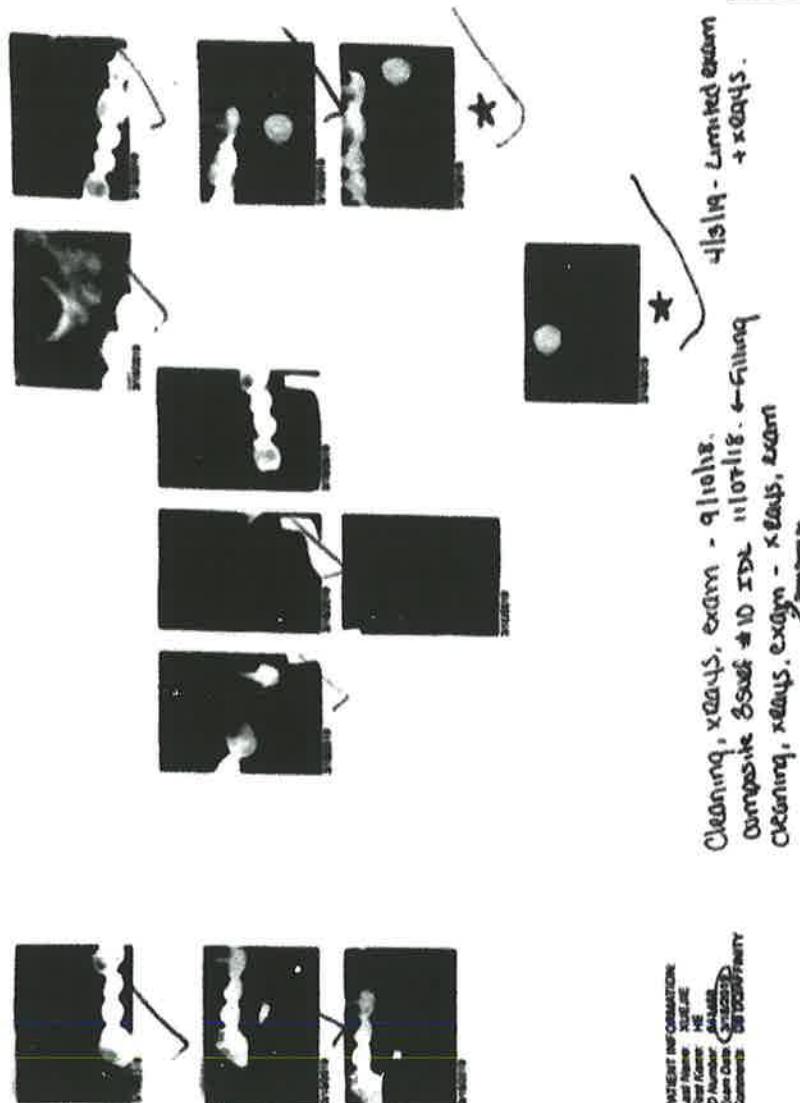
Referring Dentist's Name:

Office Address: 225 B-Way, Manhattan, N.Y. N.Y 10007

Office Phone Number: (212) 376-1450

Referring Dentist's Signature:

Appendix Y



Appendix Y

RECEIPT

Date 11/14/2022

No.

Received From	<u>He, Yue Jie</u>	Amount	<u>\$ 150.00</u>
Amount		Dollars	
For Payment of		<u>FMS. Team.</u>	
From	to	Paid by	
<u>Centre Dental</u>		<input checked="" type="checkbox"/> Cash	<input type="checkbox"/> Check No.
<u>Centre Dental - 139 Centre St, #306 139 Centre St, #306 New York, NY 10013 New York, NY 10013 WW.Centredent.com</u>		<input type="checkbox"/> Venmo/Paypal	
		Account Am:	<u>\$ 150</u>
		This Payment:	<u>\$ 150</u>
		Balance Due:	<u>\$ 0 -</u>

		C Dr Sh			
11/14/2022	D9430	office visit for observation (during regularly scheduled hours) - no other services performed			
11/14/2022	"GRP"	Group Note Exam, RMH: NSF NKDA FMS, 5D scan PI has failed upper bridge #2,11,14, 15 terminal dentition #5 incomplete endo and widened PDL, poor prognosis	EC	Dr Sh	Dr Sh
		Tentative plan: abut 2, 11, 14, 15. Missing teeth should be restored with implants or dentures, pending CBCT			Signed <i>Dr John Sh</i>

Centre Dental
139 Centre St, #306
New York, NY 10013
WW.Centredent.com

Appendix Z

Appellate Division
Calendar No.: 18-359
Index No.: 570916-18

To Be Argued by:
Shi & Associates
Time Requested: 10 Minutes

Supreme Court Of The State Of New York
Appellate Division: First Department

XUE JIE HE,

Plaintiff-Appellant

-against-

HAIRONG XUE,

Defendant-Respondent

BRIEF FOR DEFENDANT-RESPONDENT

SHI & ASSOCIATES,
Attorney for Defendant-Respondent
401 Broadway, Suite 409
New York, NY 10013
(212) 965 - 8686

Civil Court, New York County Index No. 890/18

Appendix Z

**SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: FIRST JUDICIAL DEPARTMENT**

Appellate Division Calendar No.: 18-359 Index No.: 570916-18

XUE JIE HE,

Plaintiff-Appellant

-against-

HAIRONG XUE,

Defendant-Respondent.

STATEMENT PURSUANT TO CPLR 5531

1. The Index Number in the trial court is 890/18.
2. The full names of the parties are set forth above. There have been no changes.
3. The action was commenced on the Civil Court, New York County.
4. The small claim statement was filed on May 12, 2017.
5. The object of the action is to recover deposit of lease.
6. The appeal is from a decision and order of the Civil Court, New York County, dated August 16, 2018, made by Justice Joan M. Keney, which dismissed the claim.
7. The appeal is being perfected on the full record method.
8. There are no trial transcripts involved in this appeal.

Appendix AA

Case 18-3572, Document 24, 04/04/2019, 2532903, Page 1 of 1

S.D.N.Y. - N.Y.C.
18-cv-7806
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 4th day of April, two thousand nineteen.

Present:

Robert A. Katzmann,
Chief Judge,
John M. Walker, Jr.,
José A. Cabranes,
Circuit Judges.

Xuejie He,

Plaintiff-Appellant,

v.

18-3572

Office of the New York City Comptroller,

Defendant-Appellee.

Appellant, pro se, moves for leave to proceed in forma pauperis. Upon due consideration, it is hereby ORDERED that the motion is GRANTED for the purposes of this order. It is further ORDERED that the case be REMANDED for consideration of whether the parties are diverse and whether the amount in controversy requirement was satisfied.

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



A True Copy
Catherine O'Hagan Wolfe, Clerk
United States Court of Appeals, Second Circuit

Catherine O'Hagan Wolfe
MANDATE ISSUED ON 04/25/2019

Appendix AB

Automatic Reply Inbox ★

d DTRAI (HPD) Aug 7 ← ...
to me ^

From DTRAI (HPD) DTRAI@hpd.nyc.gov
To Hannah aiaihh8888@gmail.com
Date Aug 7, 2023, 9:42 AM

🔒 Standard encryption (TLS)
[Learn more](#)

**Thank you for your submission
to DTRAI@hpd.nyc.gov . We will review
your response and take the appropriate
action based on your submission.
This email constitutes a receipt of emailed
documentation being received by HPD's
Division of Tenant Resources; however, it
does not verify the accuracy,
completeness, legibility or validity of the
documentation provided.**

[VIEW ENTIRE MESSAGE](#)

Appendix AB

New York Code Chapter 2 § 26-301(1)(b)

Relocation of tenants.

1. The commissioner of housing preservation and development shall have the power and it shall be his or her duty:

(b) Subject to the approval of the mayor, to fix and promulgate and from time to time amend a schedule of payments to be made to or for the benefit of and to aid in the relocation of tenants. Such schedule with respect to payments resulting from or relative to state or state-aided programs or activities within the city of New York shall also be subject to the approval of the director of the state division of the budget and of the head of the state department or agency having jurisdiction over such program, activity or aid. Such schedule shall provide for equal treatment of tenants under similar circumstances, shall be applicable as herein provided and may include but need not be limited to payments to be made to such tenants to induce their voluntary removal, moving expenses and expenses of redecorating accommodations to which such tenants are relocated and payments to persons for the services of finding accommodations to which such tenants are to be relocated. Such schedule may include maximum or minimum payments, or both. The acceptance of a payment provided for under such schedule by a landlord, owner or authorized agent shall not be deemed a violation of any rent regulation or statutory prohibition to the contrary.

Appendix AB



Appendix AB

WARNING TO RESPONDENT
YOUR FAILURE TO APPEAR IN COURT MAY RESULT IN
THE AWARD OF POSSESSION TO THE PETITIONER

Civil Court of the City of New York
 County of _____ Index Number _____

Part _____

Xuejie Hanna He _____

Petitioner, _____

against _____

② **Huang Zi Ying** 7104 8th Ave.
 1st Flr.
 Brooklyn, NY 11228

② **Mei Xiang Huang** _____

Respondent _____

ORDER TO SHOW CAUSE
IN LIEU OF NOTICE OF PETITION
TO RESTORE TO POSSESSION
 [No Existing Proceeding]

Address: 7104 8th Ave
 (Address of Premises)
Brooklyn, NY 11228 Apt. # Bsmt

Upon the annexed Verified Petition of Xuejie Hanna He,
 the above named Petitioner(s), sworn to on September 14, 2023

LET THE Respondent(s) or Respondent(s) attorney(s) show cause at a Motion Term of the:
 Civil Court of the City of New York,
 Located at: 141 Livingston St, Brooklyn, NY 11201

on: _____, at _____ M., in Housing Part R, Room 403
 or as soon thereafter as counsel may be heard, why a Judgment should not be rendered.

AWARDING AND RESTORING the Petitioner(s) to possession of the premises;
ISSUING A WARRANT OF EVICTION, FORTHWITH, together with costs and disbursements;
AWARDING TREBLE DAMAGES following RPAPL § 853; and/or
GRANTING such other and further relief as may be just.

PENDING the hearing of this proceeding and the entry of a Judgment thereon, Respondent(s) and Respondent(s) attorney(s) or agent(s) is/are:
 1. Stayed from re-letting the subject premises;
 2. Stayed from removing any of the contents of the premises;
 3. Ordered to permit Petitioner access for the limited purpose of obtaining Petitioner's possession;
 4. _____
 5. _____

APPLICABILITY PURSUANT TO CIVIL PRACTICE LAW AND RULES
 Hon. Wally Tussman
 Hon. Cherie A. Bugs

SERVICE of a copy of this Order, together with the annexed Verified Petition, upon the Respondent(s) (Personally) (by Certified Mail, Return Receipt Requested) on or before _____ shall be deemed good and sufficient. Proof of such service may be filed in the Clerk's Office of Housing Part before the return date of this Order to Show Cause, or on the date of trial with the Clerk in the Part indicated above. Petitioner may serve these papers in person.

Declined. HPD issued a Vacate

Date _____ Order for the _____ Judge, Housing/Civil Court

CIV-LT-5 (Revised, March, 2009) [Jpl]

*Subject premises I have entered
 (s) order.*

09-14-23

Appendix AB

NYSCef DOC. NO. 19 RECEIVED NYSCef: 12/12/2021

Civil Court of the City of New York County of Kings	H2	Index # LT-308485-23/KI
Hei Xiang Huang	Petitioner(s)	Decision / Order
-against-		
Han Na He; "John" "Doe"; "Jane" "Doe"		
Respondent(s)		

Recitation, as required by CPLR 2219(a), of the papers considered in the review of this motion:

Papers	Numbered
Order to Show Cause/ Notice of Motion and Affidavits/Affirmations annexed	NYSCef 7-15 (Mot. Seq. 2)
Answering Affidavits/ Affirmations	NYSCef 18 (OSC #1)
Reply Affidavits/ Affirmations	NYSCef 16
Memoranda of Law	=====
Other	=====

Respondent moves to dismiss this proceeding, alleging (amongst other things) that the petitioner failed to timely serve the Petition and Notice of Petition as required under RPAPL §733(1). The court grants respondent's motion.

Per the affidavit of service for the petition and notice of petition, copies of the petition and notice of petition were affixed to the door of the subject unit on May 16, 2023, at 4:43 pm and copies of same were mailed to the subject premises on May 17, 2023. The affidavit of service for these documents was not filed until July 17, 2023 (after the first appearance in this matter.)

The late filing of these affidavits of service rendered service non-compliant with RPAPL §733(1). RPAPL §733(1) requires that the petition and notice of petition be served at least ten and not more than seventeen days before the petition is noticed to be heard. When the petition and notice of petition are served via substitute service, service is not complete until the affidavit of service for those documents is filed. (RPAPL §735(2)(b).) As such, even though the papers were allegedly affixed to the door on May 16, 2023 and mailed the next day, service was not complete until July 17, 2023, well after the time allowed under RPAPL §733(1). Failure to

Appendix AB

NYSCEF DOC. NO. 19 RECEIVED NYSCEF: 12/12/2023
comply with the statutory requirements of RPAPL §735 renders the petition dismissible for lack

of jurisdiction. *Berkeley Assoc. Co. v. DiNolfi*, 122 A.D.2d 703, 505 N.Y.S.2d 630 (1st Dep't. 1986), *appeal dismissed* 69 N.Y.2d 804, 505 N.E.2d 951, 513 N.Y.S.2d 386 (1987); *abrogated on other grounds by Riverside Syndicate v. Saltzman*, 49 A.D.3d 402 (1st Dep't 2008).

Thus, respondent's motion (Mot. Seq. 1) is granted. Petition dismissed. the court denies respondent's pro se order to show cause (OSC #1) as moot.

Date: 12/11/23


Hon. Jason P. Vendzules, J.H.C.

CIV-GP-85

ORIGINAL PAPERS
FILED

MAY 23 2024
LANDLORD TENANT
KINGS COUNTY

Appendix AB



Hannah < 8888@gmail.com>

Inquiry Regarding Request for Emergency Housing After Vacate Order

Nicheon, Alexsandra (HPD) <NichsonA@hpd.nyc.gov>
Recipient: " 8888@gmail.com" < 8888@gmail.com>

May 22, 2024 16:34

Good afternoon –

My name is Alexsandra, and I am tasked with following up on constituent inquiries received from the public that are forwarded to my office, Asset and Property Management (APM).

I wanted to follow-up on your below inquiry; have you been in contact with HPD to secure long-term housing?

Message: PLEASE REFER TO EC-0211553 & EC-0256416 HPD HAS NOT ASSISTED WITH EMERGENCY HOUSING AFTER VACATE ORDER WAS ISSUED. I'M IN NEED OF LONG TERM HOUSING WHICH HAS NOT BEEN OFFERED TO ME. I'VE BEEN TOLD THAT I'M NOT ELIGIBLE BUT I FEEL LIKE I'M POSSIBLY BEING DISCRIMINATED. I'M STILL IN NEED OF ASSISTANCE.

Best,

Alexsandra

Alexsandra Nicheon

Deputy Chief of Staff, Asset and Property Management (APM)

100 Gold Street, Rm. 7-Z3

New York, NY 10038

Office: 212-863-8486

Appendix AB



Hannah < 8888@gmail.com>

Tenant Applying For Relocation Services

Nichson, Alexsandra (HPD) <NichsonA@hpd.nyc.gov> May 23, 2024 16:24
Recipient: Hannah < 8888@gmail.com>

Good afternoon Hannah – I spoke with a representative from the Emergency Housing Services (EHS) unit. She mentioned that you refused shelter placement through EHS several times; the unit is unable to assist with your housing search unless you are in one of their shelters.

Alexsandra Nichson

Deputy Chief of Staff, Asset and Property Management (APM)

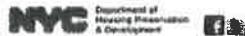
100 Gold Street, Rm. 7-23

New York, NY 10038

Office: 212-863-8486

Cell: (929) 265-1043 | NichsonA@hpd.nyc.gov

Fax: (212) 863-5048



From: Hannah < 8888@gmail.com>
Sent: Thursday, May 23, 2024 3:45 PM
To: Nichson, Alexsandra (HPD) <NichsonA@hpd.nyc.gov>
Subject: [EXTERNAL] Fwd: Tenant Applying For Relocation Services

You don't often get email from austin8888@gmail.com. Learn why this is important.

Appendix AC

Appendix AC

云山省人民医院中心

胆囊	未见明显异常
胰腺	未见明显异常
肝脏	未见明显异常
双肾脏	未见明显异常
膀胱	未见明显异常
子宫	子宫肌瘤(大小2.5x1.8cm)
双附件	未见明显异常

小结

(1)肝脏: 肝右叶强回声病灶(大小1.1x0.6cm,考虑钙化灶可能,建议进一步检查)、肝囊肿(大小1.3x1.1cm)
(2)子宫: 子宫肌瘤(大小2.5x1.8cm)
(3)胆囊、胰腺、肝脏、肾脏、膀胱、双附件: 未见明显异常

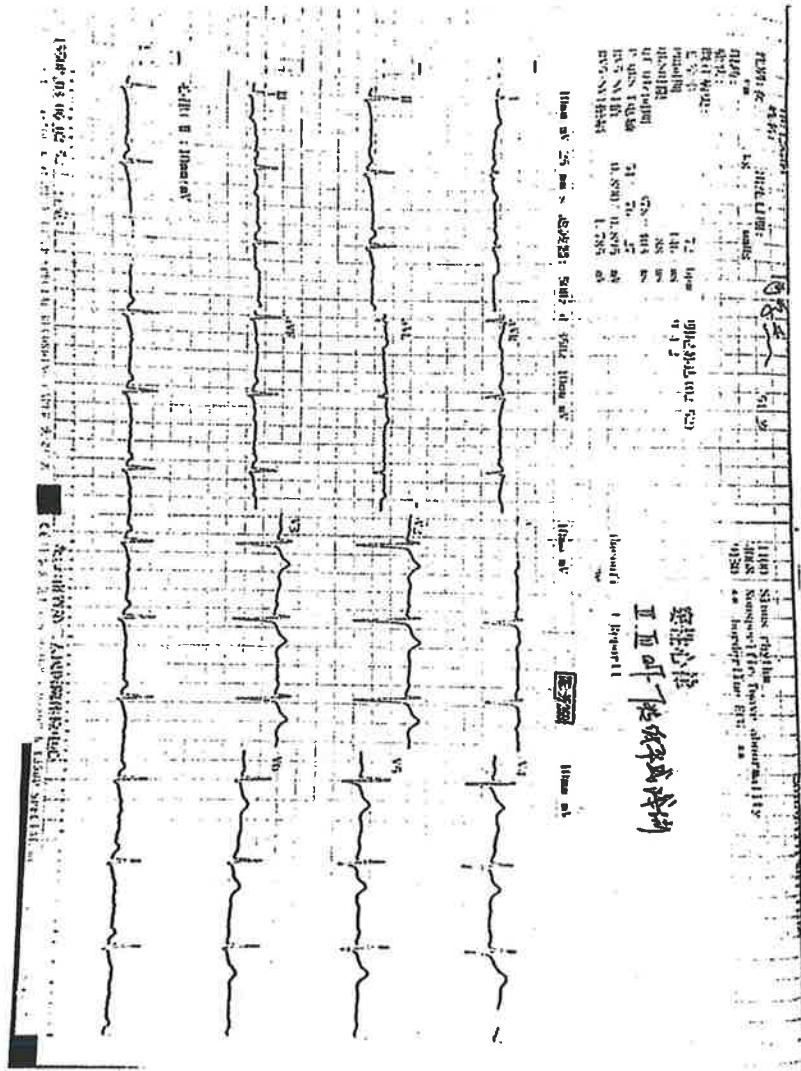
审核日期:	2016-11-30	经治医师:	张华月
-------	------------	-------	-----



检验科		检验结果		
检验项目	结果	标准	参考值	单位
血糖	9.05	5.0 ~ 6.1	mmol/L	审核日期: 2016-11-30 检验师: 周林华
空腹血糖	5.05	3.9 ~ 6.1	mmol/L	
血脂				审核日期: 2016-11-30 检验师: 周林华
总胆固醇	6.74	0 ~ 5.2	mmol/L	
甘油三酯	3.35	0 ~ 1.7	mmol/L	
高密度脂蛋白	1.60	>1.04	mmol/L	

审核意见: 正常, 请结合临床。 日期: 2016-11-30 14:21:07.09 版本: 3.0

Appendix AC



Appendix AD

Constitutional And Statutory Provisions Involved

42 U.S. Code § 1983

Civil action for deprivation of rights

Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer's judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

42 U.S. Code § 1395dd (d)(2)(A).

Examination and treatment for emergency medical conditions and women in labor

(d) (2) (A) Any individual who suffers personal harm as a direct result of a participating hospital's violation of a requirement of this section may, in a civil action against the participating hospital, obtain those damages

Appendix AD

available for personal injury under the law of the State in which the hospital is located, and such equitable relief as is appropriate.

28 U.S. Code § 46(c)

Assignment of judges; panels; hearings; quorum

(c) Cases and controversies shall be heard and determined by a court or panel of not more than three judges (except that the United States Court of Appeals for the Federal Circuit may sit in panels of more than three judges if its rules so provide), unless a hearing or rehearing before the court in banc is ordered by a majority of the circuit judges of the circuit who are in regular active service. A court in banc shall consist of all circuit judges in regular active service, or such number of judges as may be prescribed in accordance with section 6 of Public Law 95-486 (92 Stat. 1633), except that any senior circuit judge of the circuit shall be eligible (1) to participate, at his election and upon designation and assignment pursuant to section 294(c) of this title and the rules of the circuit, as a member of an in banc court reviewing a decision of a panel of which such judge was a member, or (2) to continue to participate in the decision of a case or controversy that was heard or reheard by the court in banc at a time when such judge was in regular active service.

Rule 35(a)(2)

En Banc Determination

Appendix AD

(a) When Hearing or Rehearing En Banc May Be Ordered. A majority of the circuit judges who are in regular active service and who are not disqualified may order that an appeal or other proceeding be heard or reheard by the court of appeals en banc. An en banc hearing or rehearing is not favored and ordinarily will not be ordered unless:

(2) the proceeding involves a question of exceptional importance.

FRCP Rule 55 (a) (b)

Default; Default Judgment

(a) Entering a Default. When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk must enter the party's default.

(c) Entering a Default Judgment.

Rule 56. (f) (1)(2)(g)

Summary Judgment

(f) Judgment Independent of the Motion. After giving notice and a reasonable time to respond, the court may:

- (1) grant summary judgment for a nonmovant;
- (2) grant the motion on grounds not raised by a party; or

(g) Failing to Grant All the Requested Relief. If the court does not grant all the relief requested by the

Appendix AD

motion, it may enter an order stating any material fact — including an item of damages or other relief — that is not genuinely in dispute and treating the fact as established in the case.

Supreme Court Rule 10 (a)

Considerations Governing Review on Writ of Certiorari:

(a) a United States court of appeals has entered a decision in conflict with the decision of another United States court of appeals on the same important matter; has decided an important federal question in a way that conflicts with a decision by a state court of last resort; or has so far departed from the accepted and usual course of judicial proceedings, or sanctioned such a departure by a lower court, as to call for an exercise of this Court's supervisory power;

Amendment XIV

Section 1.

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Appendix AE

AFFIDAVIT

I, Xuejie He declare under penalty of perjury that the following facts are true and correct :

The facts and evidence in this petition are true copies.

Petitioner applies to add the respondents Katherine Polk Failla, John M. Walker, Jr., Susan L. Carney, Michael H. Park, Myrna Pérez and Beth Robinson denial the proceeding, stole and perjury facts and law in this case under evidence RELATED CASES and INDEX TO APPENDICES at vi-xiv. They violated Judge's judicial discretion,

Public power by delegate law.

Private power by prohibited law.

and claim amount from them is \$259,800.00 (04/18/2023 to 05/16/2024, 07/06/2024 to 08/13/2024, 433 (days) x 6(h) x \$50 = \$129,900.00 x 2 = \$259,800.00).

Petitioner:



Date: August, 15, 2024.

CERTIFICATE OF COMPLIANCE

No.

Xuejie He,

Petitioner

v.

United States Of America, et al.

Respondents

As required by Supreme Court Rule 33.1(h), I certify that the petition for a writ of certiorari contains 1397 _____ words, excluding the parts of the petition that are exempted by Supreme Court Rule 33.1(d).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August, 15, 20 24

A handwritten signature in black ink, appearing to read "Xuejie He", is written over a horizontal line.

CERTIFICATE OF SERVICE

No.

Xuejie He,

Petitioner

v.

United States of America, et al.

Respondents

As required by Supreme Court Rule 29, I Xuejie He hereby certify that four copies of the PETITION FOR A WRIT OF CERTIORARI Corrected in Xuejie He, v. United States of America, et al. , were served via overnight mail on all parties required:

Counsel for Respondents United States of America, et al.
Benjamin H. Torrance , Assistant U.S. Attorney
[COR NTC US Attorney]
United States Attorney's Office for the Southern
District of New York (Three copies)
86 Chambers Street New York , NY 10007

Solicitor General of the United States, Room 5616,
Department of Justice, (One copy)
950 Pennsylvania Ave.,
N. W., Washington, DC 20530-0001.

I declare under penalty of perjury that the foregoing is
true and correct.

Executed on August, 16 , 20 24

