

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

IN RE CALEB MCGILLVARY
Petitioner

On Petition for Writ of Mandamus to the United States Court of
Appeals for the 3rd Circuit at Appeal Docket Number 25-2159

APPENDIX VOLUME I TO PETITION FOR WRIT OF MANDAMUS

CALEB L. MCGILLVARY
Third and Federal Street
New Jersey State Prison
Po Box 861
Trenton, NJ 08625-0861
In Propria Persona

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EXHIBIT A

sUNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

No. 24-3031

In re: McGillvary

No. 25-1335

McGillvary v. Long, et al.

No. 25-1788

McGillvary v. United States Department of Homeland Security, et al.

No. 25-1823

McGillvary v. Long, et al.

No. 25-2000

McGillvary v. Scutari

No. 25-2096

In re: McGillvary

No. 25-2159

McGillvary v. Attorney General New Jersey, et al.

To: Clerk

- 1) Appellant's Motions "under 28 U.S.C. § 455(a)"
- 2) Appellant's Response to Court's Order and Supplement to Motion to Recuse
- 3) Appellant's Motions to Recuse Clerk James King
- 4) Appellant's Motion for Extension of Time to File Response to Opposition to Motion to Recuse

At the direction of the Court, the motions to recuse the case manager and to recuse several judges of this Court are denied. To the extent the motion is directed at judges who are already recused or retired, the motion is denied as unnecessary. With respect to the remaining judges named in the motion, the motion is denied because McGillvary has not shown that any of those judges has a personal bias or that their impartiality might reasonably be questioned. See generally 28 U.S.C. § 455; Liteky v. United States, 510 U.S. 540, 555 (1994). McGillvary's unsubstantiated accusations of bias and complaints regarding the case manager do not warrant any relief. In light of our disposition, to the

extent that McGillvary has requested additional time to brief these motions, the request is denied.

For the Court,

s/ Patricia S. Dodszuweit
Clerk

Dated: August 15, 2025
nf/cc: Caleb L. McGillvary
All Counsel of Record

EXHIBIT B

TEXT OF CONTROLLING STATUTES

Section 455 of Title 28 of the U.S. Code provides:

455. Disqualification of justice, judge, or magistrate [magistrate judge]

(a) Any justice, judge, or magistrate [magistrate judge] of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.

(b) He shall also disqualify himself in the following circumstances:

(1) Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;

(2) Where in private practice he served as lawyer in the matter in controversy, or a lawyer with whom he previously practiced law served during such association as a lawyer concerning the matter, or the judge or such lawyer has been a material witness concerning it;

(3) Where he has served in governmental employment and in such capacity participated as counsel, adviser or material witness concerning the proceeding or expressed an opinion concerning the merits of the particular case in controversy;

(4) He knows that he, individually or as a fiduciary, or his spouse or minor child residing in his household, has a financial interest in the subject matter in controversy or in a party to the proceeding, or any other interest that could be substantially affected by the outcome of the proceeding;

(5) He or his spouse, or a person within the third degree of relationship to either of them, or the spouse of such a person:

(i) Is a party to the proceeding, or an officer, director, or trustee of a party;

(ii) Is acting as a lawyer in the proceeding;

(iii) Is known by the judge to have an interest that could be substantially affected by the outcome of the proceeding;

(iv) Is to the judges knowledge likely to be a material witness in the proceeding.

(c) A judge should inform himself about his personal and fiduciary financial interests, and make a reasonable effort to inform himself about the personal financial interests of his spouse and minor children residing in his household.

(d) For the purposes of this section the following words or phrases shall have the meaning indicated:

(1) proceeding includes pretrial, trial, appellate review, or other stages of litigation;

(2) the degree of relationship is calculated according to the civil law system;

(3) fiduciary includes such relationships as executor, administrator, trustee, and guardian;

(4) financial interest means ownership of a legal or equitable interest, however small, or a relationship as director, adviser, or other active participant in the affairs of a party, except that:

(i) Ownership in a mutual or common investment fund that holds securities is not a financial interest in such securities unless the judge participates in the management of the fund;

(ii) An office in an educational, religious, charitable, fraternal, or civic organization is not a financial interest in securities held by the organization;

(iii) The proprietary interest of a policyholder in a mutual insurance company, of a depositor in a mutual savings association, or a similar proprietary interest, is a financial interest in the organization only if the outcome of the proceeding could substantially affect the value of the interest;

(iv) Ownership of government securities is a financial interest in the issuer only if the outcome of the proceeding could substantially affect the value of the securities.

(e) No justice, judge, or magistrate [magistrate judge] shall accept from the parties to the proceeding a waiver of any ground for disqualification enumerated in subsection (b). Where the ground for disqualification arises only under subsection (a), waiver may be accepted provided it is preceded by a full disclosure on the record of the basis for disqualification.

(f) Notwithstanding the preceding provisions of this section, if any justice, judge, magistrate [magistrate judge], or bankruptcy judge to whom a matter has been assigned would be disqualified, after substantial judicial time has been devoted to the matter, because of the appearance or discovery, after the matter was assigned to him or her, that he or she individually or as a fiduciary, or his or her spouse or minor child residing in his or her household, has a financial interest in a party (other than an interest that could be substantially affected by the outcome), disqualification is not required if the justice, judge, magistrate [magistrate judge], bankruptcy judge, spouse or minor child, as the case may be, divests himself or herself of the interest that provides the grounds for the disqualification.

Section 1651(a) of Title 28 of the U.S. Code provides:

1651. Writs

(a) The Supreme Court and all courts established by Act of Congress may issue all writs necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law.

EXHIBIT C

No. _____

IN THE SUPREME COURT OF THE UNITED STATES

IN RE CALEB MCGILLVARY
Petitioner

On Petition for Writ of Mandamus to the United States Court of
Appeals for the 3rd Circuit at Appeal Docket Number 25-2159

**DECLARATION IN SUPPORT OF PETITION FOR WRIT OF
MANDAMUS**

CALEB L. MCGILLVARY
Third and Federal Street
New Jersey State Prison
Po Box 861
Trenton, NJ 08625-0861
In Propria Persona

DECLARATION OF CALEB L. MCGILLVARY

I, Caleb L. McGillvary ("Petitioner"), hereby declare pursuant to 28 U.S.C. 1746 the following:

- 1.) I am the pro se Petitioner in the above-captioned matter.
- 2.) The institutional mailing system where Petitioner is confined at NJ State Prison requires him to fill out a "Form CO-30A" Postage remit for each outgoing piece of legal mail Petitioner send. Petitioner can select to send legal mail via certified mail with or without return receipt requested; but Petitioner must personally fill out the "PS Form 3800" and "PS Form 3811"; and affix each to the piece of mail. The housing unit officer verifies that postage, and if selected the PS Form 3800 and PS Form 3811, is affixed; and that the name and address on each form, including the CO-30A, matches the name and address written on the piece of mail. Then, if they do match, the housing unit officer signs and witnesses the CO-30A, and logs the piece of mail into the unit officer's logbook. That same officer then delivers that mail to the postbox in the rotunda of the NJSP West Compound, which box is emblazoned with the logo of the US Postal Service.

3.) The US Postal Service ("USPS") has a website, "https://www.usps.com". On this website, a person can enter the tracking number of a piece of certified mail; and in reply, the USPS will display the current tracking history and status for that piece of mail. This information is publically posted by a Federal Government office on its website.

4.) Attached hereto as Exhibit D is a copy of the Last Will and Testament of Joseph J. Galfy, Jr., and attached certification of a public official making this document self-authenticating. Joseph J. Galfy was the alleged victim in the state criminal homicide case underlying my habeas petition filed in the U.S. District Court for the District of New Jersey at McGillvary v. Davis, Dkt. No. 1:22-cv-04185-MRH ("Habeas Case"). On page 3 of the last will and testament, the alleged victim, apparently bequeathed \$50,000 to Judge Chagares' alma mater and former employer, in addition to the \$150,000 each he purportedly gave to the workplaces of the medical examiner and drug effect expert in the state criminal homicide case underlying the Davis Case.

5.) On April 19, 2006, the alleged victim Joseph J. Galfy, Jr. ("Galfy") in the criminal case underlying the petition for writ of habeas corpus filed

in *McGillvary v. Davis*, Dkt. No. 1:22-cv-04185-MRH (USDC-DNJ) ("Habeas Case" or "Davis Case"); paid \$500 to NJ Senator Nicholas P. Scutari ("Scutari") to secure a place at a fundraising gala. Attached hereto as Exhibit E is a true and accurate copy of the June 6, 2006 NJ Election Law Enforcement Commission report of Nicholas P. Scutari evidencing this.

5.) On April 24, 2006, Galfy and Scutari attended a fundraising gala together at Lana's, 1300 Raritan Road, Clark, NJ; See Exhibit E, pg. 3; at which gala Galfy lobbied Scutari, who was a member of the NJ Senate Judiciary Committee, for the appointment of his law partner Robert Mega ("Judge Mega" or "Mega") to the NJ Bench. This lobbying was successful, and Scutari indeed nominated Mega to the Bench.

6.) On February 8, 2018, prior to the start of trial, Robert Mega testified that he was a judge at the New Jersey Superior Court, Union County Vicinage - Criminal Division during May of 2013. Attached hereto as Exhibit F is a true and accurate copy of the transcript of the February 8, 2018 hearing which shows Judge Mega's testimony thereat. See Exhibit F, P15L7-16; See also Habeas Case ECF 12.32, P15L7-16 (Hereinafter when referring to a transcript, "P" refers to the page

number, and "L refers to the line numbers, such that "P15L7-16" refers to "Page 15, lines 7 to 16"). He stated that he was partners with Joseph Galfy, the alleged victim in this case, at the law firm Kochanski Mega & Galfy prior to acceding to the bench. See Id. at P15L17-P16L1. Mega testified that a Clark Police officer called him around 12:30pm on May 13, 2013, and informed him of the circumstances of the crime scene. See Id. at P17L13-20. Mega stated that the Clark Police officer who called him was a client of his and Galfy's. See Id. at P17L18-20. The time of the call coincides with immediately after Clark Police officer Keith Meehan entered the crime scene, Meehan having arrived at the scene at around 12:26pm on May 13, 2013. See Id. at P40L11-P41L6. At this hearing, it was revealed that the medical examiner witnessed numerous judges, possibly including federal judges, gathered outside the crime scene as it was still under investigation. See Id. at P9L8-18.

7.) On September 17, 2021, Petitioner Caleb L. McGillvary (Hereinafter, "Petitioner" or "Petitioner") filed the action McGillvary v Galfy, Dkt. No. 2:21-cv-17121-MCA-CLW in the U.S. District Court for the District of New Jersey ("Galfy Case"). This case was assigned to Hon. Madeline

Cox Alreo, U.S.D.J. ("Judge Arleo") and Hon. Cathy L. Waldor, U.S.M.J. ("Judge Waldor").

8.) On June 22, 2022, Petitioner filed the habeas petition in the U.S. District Court for the District of New Jersey at McGillvary v. Davis, Dkt. No. 1:22-cv-04185-MRH ("Habeas Case"). This case was assigned to Judge Arleo.

9.) During the period from June 22, 2022 until December 2, 2022, Arleo refused to perform her duty of issuing a show cause order within a reasonable time, until mandamus from the 3rd Circuit was imminent.

10.) On or about July 28, 2022, Arleo issued an order refusing to dispose of the cross-claims of James Galfy in the Galfy Case; thereby obstructing his appeal at "McGillvary v Galfy et al" USCA-3rd Cir. App. No. 23-2188.

11.) On August 16, 2022, Petitioner filed a Rule 59 motion in the Galfy Case.

12.) The Rule 59 motion in the Galfy Case was heard and decided by the same Judge Arleo who presided over Petitioner's Habeas Case from its inception until 5/24/23. The motion was fully briefed and perfected on September 13, 2022. Judge Arleo waited until the day before the

Respondent in the habeas case was due to file their answer to the show cause order, 3/29/23, to rule upon and enter her order denying the Rule 59 motion. Because of Judge Arleo's timing of her decision, Petitioner was faced with urgent deadlines in the appeal of the Rule 59 motion, and the reply to the habeas case. In addition to the doubled deadline, Judge Arleo refused to rule upon the motion for extension of time until it was ultimately denied, 4 months, 2 judges, 2 mandamus petitions, and a vicinage later for mootness. Judge Arleo's performance of the act of timing of her decision and nonperformance of the act of ruling on the motion for extension of time; were each designed to maximize the prejudice to Petitioner in his ability to litigate his habeas petition.

13.) On October 27, 2022, after waiting 4 months for a show cause order to issue on his habeas petition, Petitioner filed a petition for writ of mandamus to the Third Circuit requesting them to order the District Court to issue a show cause order. See *In Re Caleb L. McGillvary*, Dkt. No. 22-3068 (3rd Cir. 2022).

14.) On December 2, 2022, seemingly motivated by the petition for mandamus, the District Court issued a show cause order; See Habeas Case ECF 6.

15.) On March 3, 2023, Petitioner had discovered that his trial judge in the criminal case underlying his habeas petition, Robert A. Kirsch, had been appointed to the federal bench in the District of New Jersey, so he filed a motion to recuse Judge Kirsch by mailing it on this date. On April 24, 2023, this motion was filed, and on May 3, 2023 it was entered.

16.) On March 29, 2023, Judge Arleo issued a decision denying the Rule 59 motion in the Galfy Case, starting the clock for filing an appeal.

17.) On March 30, 2023, Respondent State of NJ filed a Response to the Show Cause Order. Included as an appendix to their Response was the state court record. See, e.g. Habeas Case DNJ ECF 12.7. This appendix indicates Petitioner had filed numerous requests to proceed pro se, and motions seeking relief for Brady violations, which were both ignored and subsequently deleted from the State Court docket by Judge Kirsch. See Habeas Case DNJ ECF 12.7, P.55a-56a. The State Court docket attached to Respondent's Answer also shows that all entries between 2013-2016 were purged from the docket, except for two cherry picked ones added in 2019. See Habeas Case DNJ ECF 12.7, Page 52a. Fed. R. Civ. P. 201(b)(1) allows the Court to take judicial notice of facts that are

widely known and reported on. Federal Courts routinely take notice of news articles from major publications. See, e.g. Howard v. Arconic, Inc., 395 F.Supp.3d 516, 569 n.14 (W.D.PA June 21, 2019)(C.J. Hornak).

Petitioner stated in his initial moving papers, that the entire docket of the State Court prior to 2016 had been deleted. However, the State Court did not delete the judicially noticeable news article reporting on the contents of that docket prior to its deletion:

“[Petitioner] has studied law and then filed several motions in his criminal case, and filed state and federal lawsuits, both claiming authorities violated his right to due process by destroying evidence and failing to collect evidence that would prove his claim that the victim attempted to sexually assault him.” NJ Advance Media, “3 Years and Counting, no trial yet for jailed youtube star ‘Kai the Hitchhiker’” Tom Haydon (NJ.com) May 12, 2016 12:13pm (Updated May 12, 2016 1:13pm)
https://www.nj.com/union/2016/05/kai_the_hitchhiker_wages_legal_battle_from_jail_fi.html

18.) On March 31, 2023, Petitioner filed a motion to perpetuate testimony under Rule 27(b) in the Galfy Case, citing witness James Galfy's advanced age (He's at least 75 years old) as exigent circumstances requiring immediate action to preserve his testimony. Galfy Case ECF 74.

19.) During the period from March 31, 2023 until October 10, 2023, Arleo and Waldor delayed the disposition of the motion requesting discovery of the financial records he sought to discover with that action; knowing that Petitioner would likely be prejudiced in his due process rights by the delay of the requested deposition; because of the high and daily-increasing increasing likelihood of death of the witness through old age.

20.) Petitioner sent Petitioner's motion for summary judgment on Ground One of the habeas petition on April 5, 2023 to the DNJ via USPS certified mail. Attached hereto as Exhibit G is a true and accurate copy of the postage remit signed by Petitioner and witnessed by an NJDOC officer evidencing the mailing of this motion on this date.

21.) On 5/8/23, Petitioner sent manila envelopes each containing Petitioner's habeas traverse and reply, as well as Petitioner's motion for summary judgment described in in the paragraph immediately preceding this one, to the USDC-DNJ's Camden, Trenton, and Newark vicinages. Petitioner included Petitioner's motion for summary judgment because it had still not been filed by the DNJ over a month after Petitioner sent it. Petitioner sent each of these envelopes via

USPS certified mail, with only the Newark vicinage selected for return receipt requested. The tracking numbers show on USPS.com that 70201810000155834963 was delivered to the Camden vicinage on 5/12/23; that 70201810000155834887 was delivered to the Trenton vicinage on 5/15/23; and that 70201810000155834870 was delivered to the Newark vicinage on 5/12/23. Attached hereto as Exhibit H are true and accurate copies of the postage remits signed by Petitioner and witnessed by an NJDOC officer evidencing the mailing of these documents on this date.

22.) After all 3 vicinages received Petitioner's motion for summary judgment, 40 days after Petitioner first sent it to the Newark vicinage, it was finally entered onto the docket on 5/15/23. On May 15, 2023, Petitioner's traverse and reply to the State's Answer to the Show Cause Order was filed by the Clerk, making the habeas petition ripe for a decision on this date.

23.) On 5/15/23, Petitioner sent a motion to withdraw Petitioner's motion to recuse Judge Kirsch in the habeas case to the DNJ via USPS certified mail, return receipt requested. Attached hereto as Exhibit I is a true and accurate copy of this motion, the postage remit signed by

Petitioner and witnessed by an NJDOC officer evidencing the mailing of this motion on this date, and the return receipt Petitioner received in the due course of mail from the USDC-DNJ Newark vicinage.

24.) On May 23, 2023, Petitioner sent a motion to withdraw Petitioner's IFP application in the habeas case to the DNJ via USPS certified mail, return receipt requested. Attached hereto as Exhibit J is a true and accurate copy of this motion, the postage remit signed by Petitioner and witnessed by an NJDOC officer evidencing the mailing of this motion on this date, and the return receipt Petitioner received in the due course of mail from the USDC-DNJ Newark vicinage. Despite its delivery on 6/5/23; this motion to withdraw was never filed onto the docket in the habeas case. The District Court seems to be holding onto the IFP application to avail itself of the USCA-3rd Cir. Internal Operating Procedure which requires mandatory appointment of counsel for those granted IFP status in the District Court on habeas; as an extremely inappropriate strategy to foist counsel upon Petitioner so that he cannot argue his habeas petition pro se in the 3rd Circuit.

25.) On August 14, 2023, the case below was reallocated to Camden, and reassigned by Judge Bumb to Hon. Christine P. O'Hearn, U.S.D.J.

• (“Judge O’Hearn”) Judge O’Hearn was recommended for nomination by then-US Senator Bob Menendez. Judge Bumb reassigned the case to Judge O’Hearn on 8/14/23 at 1:10pm; and without reading the moving papers, Judge O’Hearn denied Petitioner’s motion for summary judgment on 8/15/23 at 10:26am citing Judge Bumb’s decision.

26.) On September 28, 2023, Petitioner filed a petition for mandamus with the Third Circuit, complaining that the District Court was obstructing his habeas petition by playing Hot Potato with its assignment and refusing to file his motions onto the docket. He asked for the Chief Judge Renee Marie Bumb to be recused from his case, and his case to be transferred to the Eastern District of Pennsylvania. See *In Re Caleb L. McGillvary*, 2023 U.S. App. LEXIS 31386 (3d Cir. 2023).

27.) On or about October 10, 2023 Judge Waldor refused to allow the deposition to perpetuate the testimony of James Galfy in the Galfy Case.

28.) On October 23, 2023, Petitioner filed written objections to the magistrate’s order, and appealed the magistrate’s decision to the District Court pursuant to Fed. R. Civ. P. 72(b) and 28 U.S.C. 636(b).
Habeas Case ECF 87.

29.) On November 6, 2023, Petitioner filed a civil lawsuit pursuant to the Prison Mailbox Rule: naming, among others, the assignment Judge Bumb; his trial Judge Kirsch; the presiding habeas Judges Arleo and O'Hearn; and presiding civil Judges Arleo and Waldor; as defendants. In his complaint, he alleged that they engaged in racketeering activity including obstruction of justice on behalf of the network of the unregistered foreign agent who secured each of their appointments to the federal bench, former US Senator Robert Menendez. See McGillvary v Scutari et al, dkt no. 1:23-cv-22605-JMY ("Scutari Case").

30.) Petitioner mailed a petition under Fed. R. Civ. P. 27(a) to preserve testimony, embodied by a complaint, civil cover sheet, and IFP Application, to the U.S.D.J. - D.N.J. Camden Vicinage at 402 E. State St., Camden, NJ 08101-2797 via certified mail, return receipt requested, on November 6, 2023. A copy of the cover letter, petition, declaration in support thereof, and Form JS-44 attached thereto: is attached hereto as Exhibit K. A copy of the postage remit, signed by Petitioner and witnessed by a correctional officer, evidencing the mailing of this petition on November 6, 2023, is attached hereto as Exhibit L.

31.) On November 16, 2023, the Rule 27(a) petition described in paragraph "30" above, arrived at the U.S.D.J.-D.N.J. Camden Vicinage at 4th & Cooper Sts., Camden, NJ 08101-2979, the mistake in address notwithstanding. A DNJ Official employed and located at the Camden Vicinage; signed the return receipt for the parcel containing the petition, and it was stamped by the USPS as delivered to the Camden Vicinage on November 16, 2023. A copy of the return receipt evidencing that it was received by the U.S.D.J.-D.N.J. Camden Vicinage, and signed by a DNJ Official, on November 16, 2023: is attached hereto as Exhibit S.

32.) On December 1, 2023, Petitioner filed a motion to recuse Judge O'Hearn, citing amongst other reasons the complaints he filed with the District Court, the Federal Elections Commission, and the Department of Justice regarding her money laundering.

33.) On December 12, 2023, the Respondent State of NJ filed a response to the motion to recuse indicating that they would not oppose it.

34.) On December 15, 2023, Petitioner filed a motion to recuse Judges Cox-Arleo and Waldor, citing amongst other reasons the complaint he filed with the District Court in Scutari. Galfy Case ECF 89.

35.) On December 21, 2023, Chief Judge of the 3rd Circuit Michael A. Chagares intervened in McGillvary v Scutari et al and reassigned the case to a district judge outside of the District of NJ pursuant to 28 U.S.C. 292(b).

36.) On January 2, 2024, Chief Judge Chagares again reassigned the case to a different judge from the Eastern District of Pennsylvania, Hon. John Milton Younge, U.S.D.J. under 28 U.S.C. 292(b).

37.) On January 9, 2024, Hon. Christine P. O'Hearn ordered in regards to the pending motion to recuse that the habeas case was administratively terminated pending the resolution of the Scutari Case; thereby suspending the writ of habeas corpus

38.) On January 10, 2024, Petitioner filed a petition for writ of mandamus to the Third Circuit, asking them to order the district Court to reopen his habeas case and designate an out-of-district Judge to rectify the constant obstruction of his petition by the District of New Jersey. See In Re Caleb L. McGillvary, Dkt. No. 24-1129 (3rd Cir. 2024).

The end of the term came and went without any resolution of the pending mandamus petition, and many ordinary civil cases were advanced on the docket ahead of the mandamus petition while the writ

of habeas corpus remained suspended; despite the mandate of F.R.A.P. 21(b)(6) that the mandamus petition be given precedence, and the mandate of 28 U.S.C. 1657(a) that the habeas petition be given precedence.

39.) On May 8, 2024, Hon. Madeline Cox-Arleo ordered in regards to the pending motion to recuse that the case was administratively terminated pending the resolution of the Scutari Case. See Galfy Case ECF 99.

40.) On July 19, 2024, Petitioner filed a motion under F.R.A.P. 27(c) to every Circuit Judge in the Third Circuit, requesting resolution of his mandamus petition under F.R.A.P. 21(b)(6).

41.) On July 26, 2024, Chief Judge of the 3rd Circuit Michael A. Chagares intervened in the above-captioned matter and reassigned this case to a district judge outside of the District of NJ pursuant to 28 U.S.C. 292(b); ECF 40.

42.) On July 29, 2024, Judge Bumb designated Hon. Richard A. Lanzillo, U.S.M.J. as the magistrate judge in this case, notwithstanding the motions to recuse her and the pending lawsuit against her.

43.) On August 16, 2024, Petitioner filed a motion to reopen the case; ECF 43; and a motion for summary judgment on Ground Two of his habeas petition; ECF 44.

44.) On August 19, 2024, it was revealed that two of the three judges on the panel that had advanced ordinary civil cases ahead of the mandamus petition contrary to F.R.A.P 21(b)(6)'s mandate were headquartered in the U.S. Courthouse in Newark, New Jersey; when Judges Chagares, Shwartz, and Restrepo ordered a response to the mandamus petition.

45.) On August 20, 2024, Judges Chagares, Shwartz, and Restrepo vacated their August 19, 2024 order.

46.) On August 21, 2024, the District Court reopened this case, and Chief Judge Hornak referred the motion for summary judgment to Chief Magistrate Judge Lanzillo.

47.) On August 23, 2024, Judges Chagares, Shwartz, and Restrepo denied the mandamus petition at 24-2188 because the Habeas Case had been reassigned to Judge Hornak and re-opened.

48.) On September 10, 2024, Petitioner's letter to Judge Younge and motion for extension of time in the Scutari Case was filed in the Habeas

Case. After a deluge of phonecalls to the Clerk, these urgent motions for extension of time were corrected to be entered onto the Scutari Case.

49.) On September 17, 2024, Petitioner filed a motion to advance the cause under 28 U.S.C. 1657(a) in the Habeas Case.

50.) On September 25, 2024, Petitioner Caleb L. McGillvary (Hereinafter, "Petitioner" or "Petitioner") filed his opposition to the State Defendants' Motion to Dismiss in the Scutari Case by Prison Mailbox Rule, sending same by USPS Certified Mail to the U.S. District Court for the District of New Jersey. This motion was received by the Court Below, who signed the return receipt, on September 30, 2024. Attached hereto as Exhibit N is a true and accurate copy of the postage remits Petitioner filled out on September 25, 2024, 2024, which was witnessed by a Correctional Officer at NJ State Prison 3rd & Federal Streets, Trenton, NJ 08625 in Petitioner's presence. These postage remits show that the parcel weighed 15.3 oz., and cost \$18.20 to ship via USPS Certified Mail, Return Receipt Requested; and the return receipts which Petitioner received in the due course of mail from the USDC-DNJ Newark vicinage, indicating it was received on September 30, 2024.

51.) On September 24, 2025, Petitioner filed the complaint in McGillvary v. Long, Dkt. No. 1:24-cv-09507-JMY (USDC-DNJ) ("Long Case"); which was assigned by Chief Judge Chagares to Judge Younge pursuant to 28 U.S.C. 292(b).

52.) From September 30, 2024 until January 17, 2025, Petitioner's brief in opposition to State Defendants, including Nicholas P. Scutari ("Scutari"), was not filed or entered by the Clerk of the DNJ in the Scutari Case.

53.) On October 29, 2024, Judges Bumb, Arleo, and O'Hearn filed a motion to dismiss the Scutari Case.

54.) On October 30, 2024, Petitioner filed a petition for writ of mandamus in the Third Circuit at Dkt. No. 24-3031, asking the higher court to direct Judge Arleo to recuse herself and thereafter to assign the Galfy case to an out of district judge and promptly resolve the urgent petition to perpetuate testimony under Rule 27 that had been pending for over a year.

55.) Petitioner filed a letter to Judge Younge advising him that the Clerk was refusing to file his opposition to the State Motion, on November 1, 2024. However, the Clerk entered the letter onto the

docket as a "Letter Brief in Opposition to State Defendant's Motion" on November 19, 2024; ECF 300; and refused to correct the docket entry upon telephone request to do so on November 20, 2024 at 9:00am.

56.) On November 5, 2024, 7 days after Bob Menendez and Judges Bumb, Arleo, and O'Hearn filed their motion in the Scutari Case, Judge Lanzillo entered a Report & Recommendation (R&R) in the Habeas Case, during the briefing schedule for Bob Menendez's and Judges Bumb, Arleo, and O'Hearn's motions. Judge Lanzillo did not address Petitioner's motion to advance the cause whatsoever.

57.) On November 18, 2024, Petitioner timely filed objections to the R&R.

58.) On December 17, 2024, Respondent filed a response to Petitioner's objections in the Habeas Case, making the R&R ripe for review by the District Judge as of right under Fed. R. Civ. P. 72(b) and 28 U.S.C. 636(b).

59.) On December 19, 2024, Petitioner filed a petition for writ of mandamus at 3rd Cir. Dkt. no. 24-3327, requesting the Clerk of the DNJ to file and enter his State BIO onto the docket.

60.) On January 17, 2025, faced with the pending mandamus petition at 3rd Cir. Dkt. No. 24-3327, the Clerk of the DNJ entered Petitioner's State BIO in the Scutari Case.

61.) On April 24, 2025, Petitioner filed a motion for a final appealable order in the Scutari Case.

62.) On May 8, 2025, Judges Bumb, Arleo, and O'Hearn, together with unregistered foreign agent Bob Menendez, filed an opposition to Petitioner's motion for final appealable order.

63.) On May 15, 2025, out of the clear blue sky, and while the objections to the R&R were pending before the District Judge in the instant case, Judge Lanzillo filed an amended Report & Recommendation. The amended report and recommendation was identical to the first, word for word, in every respect; except for two minor style alterations and the removal of a single spurious footnote. This filing indicated that Petitioner had only 14 days to file objections or would waive his right to appeal his habeas petition, and effectively gave Respondent a second bite at the apple, all while Petitioner was within the 30 day window to file his papers initiating an appeal in the Scutari Case. This purported amended R&R appears to have no substantive purpose other than to

disrupt Petitioner's ability to litigate the Scutari Case, to attempt to reset the clock yet again (for the FIFTH time) the ripeness of his petition for adjudication, and apparently to attempt a second time to bar his appeal with the 14 day limit for objections to the R&R. The magistrate undertook this filing without jurisdiction, the pending appeal to the District Judge under Rule 72(b) having stripped him of jurisdiction over the R&R and petition. Notably, Judge Lanzillo did not address or mention the motion to advance the cause.

64.) As of today's date, the petition for mandamus filed at 24-3031 to recuse Judge Arleo and adjudicate the urgent Rule 27 petition remains pending. Numerous ordinary civil cases have been advanced on the docket ahead of this mandamus petition, despite the direction of F.R.A.P. 21(b)(6) to give the mandamus petition precedence.

65.) Attached hereto as Exhibit O is a copy of the State Court Docket from the criminal homicide proceeding underlying the habeas petition at issue in the Court to which this petition for mandamus is directed. On page "52a" of this report, is shown that all records of the state court proceeding from 2013 to 2016 were deleted and purged from the docket by the state court. On pages "55a-56a" of this report, is shown that

Petitioner's moving papers in support of his motion to self-represent and to dismiss the indictment were deleted and purged from the docket by the state court. These moving papers were not provided by the state in response to the District Court's order to produce them in the Habeas Case pursuant to Habeas Rule 5. See DNJ ECF 6.

66.) Hon. Michael A. Chagares graduated from Seton Hall University School of Law in 1987, and is a member of the alumni association of that college. He was also an adjunct professor at the Seton Hall University School of Law from 1991-2006, according to the biography of himself shown at <https://www.ca3.uscourts.gov>. During the time of his professorship, he attended numerous faculty functions, including but not limited to charity galas, fundraisers, and alumni events. One of the key prosecution witnesses in the case below, Michael Timoni ("Timoni"), indicated that the alleged victim in the case below was "very involved at the charities at Seton Hall University"; Habeas Case DNJ ECF 12.39, page 123 lines 14-15; and so it reasonably appears that Judge Chagares was personally familiar with the alleged victim over the course of at least 15 years of regular personal contact in the setting of Seton Hall University charity functions.

67.) The pattern of facts set forth above show that one or more DNJ officials have a custom or policy of colluding with one or more USPS officials to intercept mail at USPS processing facilities; and thereafter to tamper with and obstruct the mails, by interference with the certified mail and return receipt procedures for tracking of parcels. Numerous DNJ Official have availed themselves of this custom or policy with the wilful, knowing intention of obstructing Petitioner's habeas proceeding and related civil proceeding.

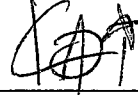
68.) Judges Kirsch, Arleo, O'Hearn, and Padin were each recommended for nomination by former US Senator Bob Menendez. Each of these Judges subsequent to their nomination oversaw a case in which Petitioner was challenging his conviction, confinement, or future detention. Each of these Judges oversaw or participated in the refusal to file documents from Petitioner onto the docket, the destruction or deletion of documents from the docket, or the entry of orders onto the docket with timing indicative of gamesmanship to prejudice Petitioner in his pending cases. The doctrine of objective chances is properly invoked to show that Judge Bumb is deliberately assigning Petitioner's such cases to Judges who were recommended by Menendez; and to show

that those Judges are obstructing Petitioner's cases by a pattern of refusal to file cases onto the docket, deleting docket entries, and timing orders in cases to prejudice Petitioner in other cases by stacking deadlines atop deadlines in a strategy of gamesmanship designed to overwhelm Petitioner.

I declare under penalty of perjury that the documents attached hereto are true and accurate copies of the originals.

I declare under penalty of perjury that the foregoing statements are true and accurate.

Executed this 27 day of AUGUST, 2025



Caleb L. McGillvary, ProSe
#1222665/SBI#102317G NJSP
PO Box 861, Trenton, NJ 08625

EXHIBIT D

**State of New Jersey
Union County Surrogate's Court**

In the Matter of the Estate of:
Joseph J. Galfy Jr. (Never Married), Deceased
AKA: Joseph John Galfy, Jr.

**EXECUTOR
SHORT FORM CERTIFICATE
OF LETTERS TESTAMENTARY**


Date of Death: May 13, 2013

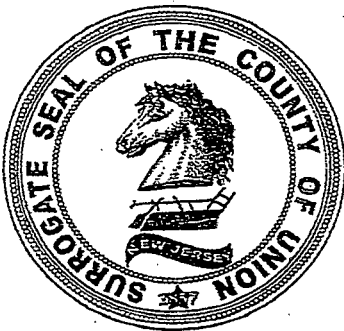
I, **James S. LaCorte**, Surrogate of the County of Union, do hereby certify that the Last Will and Testament of the decedent, late of Union County, State of New Jersey, was admitted to Probate by the Surrogate of Union County, on July 3, 2013; and that Letters Testamentary were issued to:

James T. Galfy AKA: James Galfy,

the Executor(s) named therein, who is duly authorized to administer the estate of said deceased agreeably to said Will and said Letters Testamentary have never been revoked and still remain in full force and effect.

WITNESS my hand and seal of office this
21st day of March, 2016.


James S. LaCorte
Surrogate & Deputy Clerk of Superior Court of N.J.
Chancery Division, Probate Part, Union County



LAST WILL AND TESTAMENT
OF

JOSEPH J. GALFY, JR.

I, JOSEPH J. GALFY, JR., residing and domiciled in the Township of Clark, County of Union, and State of New Jersey, declare this to be my Last Will and Testament, hereby revoking all Wills and Codicils previously made by me.

FIRST: I direct my Executor to pay my debts, funeral expenses, the expenses of my last illness, and the expenses of administering my estate as soon as practicable after my death.

SECOND: I give, devise and bequeath all of my clothing, jewelry, and personal effects, and all furniture, furnishings, household effects, and other tangible personal property in accordance with a written list or memorandum which I may have executed and which may be in existence at the time of my death. The term "tangible personal property" shall not include currency, coins or ingots of gold or other precious metals, or commodities

¹ J. H. Galfy

held by me as an investment. If I have prepared such a written list or memorandum, it will be found with the original or with a copy of my Will. To the extent that all such property is not effectively disposed of by such written list or memorandum, or if no such list or memorandum exists, I devise the same, including insurance policies thereon, to my brother JAMES T. GALFY, presently residing at in Warren, New Jersey. I authorize my Executor to pay all reasonable charges incurred in the storage, safekeeping and delivery of such property to my beneficiaries. I direct that all expenses of distribution of my tangible personal property shall be considered as administration expenses of my estate.

THIRD: (A) All the rest, residue and remainder of my estate is hereinafter referred to as my "residuary estate."

(B) I give, devise and bequeath my residuary estate as follows:

(1) To the Liver Transplant and Hepatobiliary Diseases Program at the University Hospital, University of Medicine and Dentistry of New Jersey, Newark, New Jersey, I give, devise and bequeath the sum of \$150,000.00 in the name of my late friend EUGENE J. FRAWLEY to be used for research into the cause, prevention and treatment of liver related diseases.

(2) To the Center of Alcohol Studies, at Rutgers University, New Brunswick, New Jersey, the sum of \$150,000.00 in the name of my late friend EUGENE J. FRAWLEY to be used for

research into the cause, prevention and treatment of alcoholism and alcohol related illnesses.

(3) To the Lambda Law Forum at the Seton Hall University School of Law, Newark, New Jersey, the sum of \$50,000.00 in my name to be used as they see fit for the advancement of sexual orientation and gender identity rights and issues.

(4) To the Healthy Heart Center at the Robert Wood Johnson University Hospital at Rahway, New Jersey to be used for new or replacement equipment or other needs, as the Director of the Healthy Heart Center shall determine, the sum of \$50,000.00.

(5) I give, devise and bequeath the balance of my residuary estate, including my current permanent residence at the time of my death, as follows:

(a) To my brother JAMES T. GALFY, thirty three and one third ($33 \frac{1}{3}\%$) percent of the remaining balance of my residuary estate. In the event that my brother JAMES T. GALFY predeceases me, I direct that his share of my estate shall pass equally to his issue surviving at my death.

(b) To my longtime administrative assistant, MARION A. GROSSHANS, thirty three and one third ($33 \frac{1}{3}\%$) percent of the remaining balance of my residuary estate.

(c) To my friend NORMAN H. SPRINGER of Las Vegas, Nevada, thirty three and one third ($33 \frac{1}{3}\%$) percent of the remaining balance of my residuary estate.

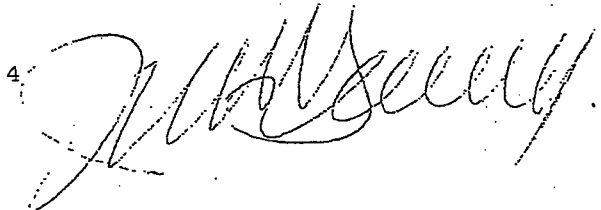
(d) The share of either residuary beneficiary named in (b) or (c) above who fails to survive me shall lapse, and that share shall be added to my residuary estate and distributed to my remaining surviving residuary beneficiaries as set forth herein.

FOURTH: (A) I appoint my brother JAMES T. GALFY, as Executor of this my Last Will and Testament. If he shall fail to qualify or for any reason shall cease to serve as Executor, I appoint my friend NORMAN H. SPRINGER, Esq., as Executor in his place and stead.

(B) I direct that the Executor serving hereunder shall not be required to give bond or security in any jurisdiction.

FIFTH: (A) I authorize my Executor to pay all estate, inheritance and succession taxes (including any interest and penalties thereon) payable by reason of my death in respect of any property passing under this Will or in respect of any other property out of my residuary estate, however the same shall be apportioned against specific or residuary beneficiaries under this Will or any person receiving property outside of this Will that is subject to such taxes, and the same shall be reimbursed to the Estate.

(B) Whenever a choice is given to my Executor with respect to the dates as of which to value property for federal estate tax purposes, my Executor may elect the date deemed advisable by my Executor, and I further direct that my Executor

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shall not be required to make any compensating adjustments between or among any of my beneficiaries for the results of such election. Whenever my Executor shall have the right to elect whether any expenses of administration of my estate shall be claimed as deductions for federal income tax or for federal estate tax purposes, I authorize my Executor to exercise such right of election as deemed advisable by my Executor, and I direct that no compensating adjustment between the income and principal beneficiaries of my estate shall be required to be made as a result of such election.

SIXTH: In the administration of my estate and of any fund held hereunder, my Executor shall have the following powers, exercisable without Court approval and in the absolute discretion of my Executor, upon such terms and conditions as they shall deem advisable, in addition to, and without limitation upon any other powers granted by this Will or by law:

(A) To retain any property owned by me or at any time held hereunder, including any business or interest therein;

(B) to invest and reinvest in any property whatsoever, without regard to any legal limitations upon investments, and without regard to the principle of diversification;

(C) to invest and reinvest in shares of common trust funds whether or not maintained by any corporate fiduciary serving hereunder;

(D) to hold cash uninvested for a reasonable period of time without liability for interest thereon;

(E) to sell or exchange any property at public or private sale, for cash or on credit, with or without security, and to comply with the terms of any stock buy-sell agreement or any similar agreement to which I may be a party and which continues after my death;

(F) to mortgage, pledge or lease, or grant options with respect to any property; for any period of time, whether or not extending beyond the administration of my estate or any fund held hereunder;

(G) to demolish, abandon, or otherwise dispose of any property;

(H) to manage, insure, repair, improve, develop, subdivide, partition and alter any property;

(I) to borrow money for any purpose in connection with the administration of my estate or any fund held hereunder from any person or corporation, including a fiduciary hereunder, on such terms as deemed advisable by my Executor;

(J) to register and hold securities in the name of a nominee, and to hold securities in bearer form;

(K) to incorporate any business or property; and thereafter to hold a majority or minority interest in such corporation;

(L) to transfer any business or property to a general or limited partnership, and thereafter to be a general or limited partner in such partnership;

(M) to vote stock or securities, in person or by proxy, discretionary or otherwise, or pursuant to a voting trust agreement;

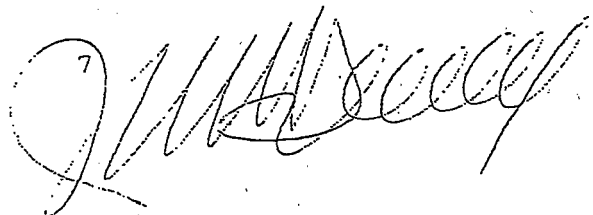
(N) to exercise subscription and conversion rights, and to participate or refuse to participate in any type of reorganization, recapitalization, merger, consolidation, liquidation, dissolution or other action with respect to any corporation;

(O) to settle, compromise or refer to arbitration, any claim or obligation in favor of or against my estate or any fund held hereunder;

(P) to continue, renew, extend or modify any note, bond, other indebtedness or mortgage and to enforce payment of such indebtedness or mortgage by foreclosure or otherwise;

(Q) to employ and terminate the employment of legal counsel, accountants, brokers, investment advisors, custodians, managers, and other agents and employees, and to pay them reasonable compensation out of my estate or any fund held hereunder to which such is attributable and to appoint and pay reasonable compensation to an ancillary administrator;

(R) to allocate receipts and disbursements and gains

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and losses between income and principal, in such manner as my Executor shall deem equitable;

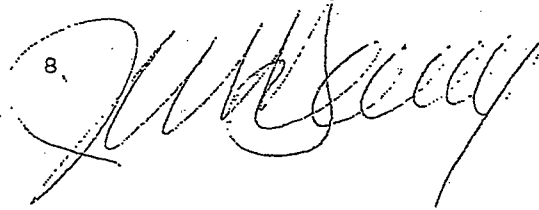
(S) to distribute any legacy or share of my estate or any fund held hereunder in cash or in kind or partially in each, pro rata or non pro rata, in such manner as my Executor shall deem equitable;

(T) to move the situs of any fund established hereunder from New Jersey or any other state to any other state in the United States;

(U) to exercise any and all of the powers, authorities and discretions conferred hereunder in respect of any securities of any corporate fiduciary acting hereunder, or in respect of any securities of a holding company or corporation owning securities of any corporate fiduciary acting hereunder; and

(V) in general, to exercise any additional powers which I might exercise if I were living, competent and the absolute owner of any property at any time held hereunder.

SEVENTH: (A) Notwithstanding any contrary provisions herein contained, if pursuant to this Will any property shall become payable or distributable to a minor, and if no other trust is then to be held under this Will for his or her benefit, my Executor shall have the power, exercisable in his sole and absolute discretion and without Court approval, either to defer payment of such property, or to pay such property, in whole or in part, to

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such minor, to a parent or guardian of such minor, to a custodian for such minor under the New Jersey Uniform Gifts to Minors Act or any subsequent act, or under the corresponding legislative provisions of any other jurisdiction where such minor may reside, or to any adult with whom such minor may reside.

(B) If my Executor shall defer payment of any such property, I authorize him to hold such property as a separate fund for the benefit of such minor with all the powers given to my Executor in this Will and by law to invest and reinvest the same and to apply for such minor's benefit, so much of the income and principal thereof as my Executor may deem necessary or desirable for the support, maintenance, health and education (including, without limitation, a primary, secondary, vocational and college education) of such minor, either by paying the expenses of such minor directly, or by making payments to such minor, to a parent or guardian of such minor, to a custodian for such minor under the New Jersey Uniform Gifts to Minors Act or any subsequent act, or under the corresponding legislative provisions of any other jurisdiction where such minor may reside, or to any adult with whom such minor may reside. My Executor shall accumulate in such fund the balance of any income which is not so applied or paid and shall add the same to the principal of such fund. When such minor shall attain the age of majority, the balance of such fund then remaining shall be distributed to him. If such minor shall die before attaining

the age of majority the balance of such fund remaining at his or her death shall be paid and distributed to his or her then living issue, per stirpes, or in default thereof, to my then living issue.

(C) My Executor shall not be responsible for the proper application or use of any authorized payment made under this Article, and the receipt of any person receiving such authorized payment shall be a sufficient discharge therefor even though the Executor hereunder may be such a person. With respect to any property held under this Article, my Executor shall be entitled to such commissions thereon as are payable to a testamentary trustee.

(D) Throughout this Will all references to the age of minority or majority of a beneficiary are deemed to refer to the age of minority or majority under the laws of the State of New Jersey then in effect or the laws of the jurisdiction in which the beneficiary is domiciled, whichever age is older.

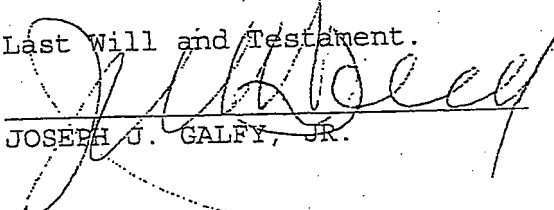
EIGHTH: If any beneficiary referred to in this Will shall die within thirty (30) days after my death, such person shall be considered as not having survived me, for all purposes of this Will. By this Article, I modify all otherwise provisions of this Will, notwithstanding any law or rule of construction to the contrary.

NINTH: (A) Throughout this Will, when the masculine, feminine or neuter gender is used inappropriately, it shall mean the appropriate gender, and unless the context requires otherwise,

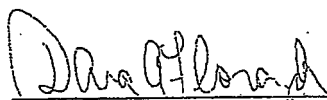
... Singular number shall include the plural, and vice versa.

(B) Any references in this Will, to "children" or "issue" shall include adopted persons and persons born before and after the date of this Will.

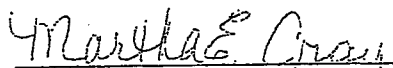
IN WITNESS WHEREOF, I have on this 6th day of September Two Thousand and Seven signed, sealed, published and declared the foregoing instrument as and for my Last Will and Testament.


JOSEPH J. GALFY, JR.

The foregoing instrument, each page of which is identified by the signature of the Testator, JOSEPH J. GALFY, JR., was signed, sealed, published and declared by the said Testator to be his Last Will and Testament, in the presence of us, and each of us, who at his request and in his presence and in the presence of each other, all being present at the same time, have subscribed our names, as witnesses the day and year above written.

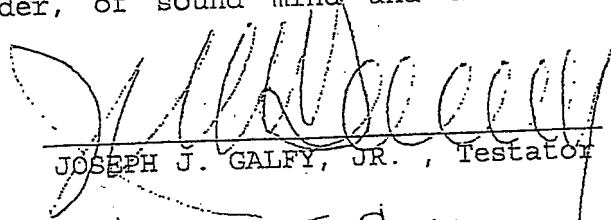

Dara A. Florczak

residing at 1275 Westfield Ave.
Paterson NJ 07665


Martha E. Gray

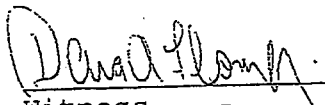
residing at 1275 Westfield Ave
Paterson NJ 07665

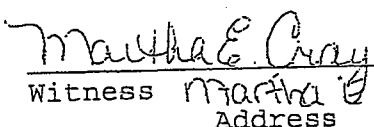
I, JOSEPH J. GALFY, JR., the Testator, sign my name to this instrument this 6th day of September, 2007, and being duly sworn, do hereby declare to the undersigned authority that I sign and execute it as my free and voluntary act for the purposes therein expressed; and that I am 18 years of age or older, of sound mind and under no constraint or undue influence.


JOSEPH J. GALFY, JR., Testator

We, DARRA A. FLOECZAK and MARTHA E. CRAY

the witnesses, sign our names to this instrument, and, being duly sworn, do hereby declare to the undersigned authority that the Testator signed and executed this instrument as his Last Will and that he signed it willingly; that each of us, in the presence and hearing of the Testator, hereby signs this Will as witness to the signing thereof by the Testator; and that to the best of our knowledge the Testator is 18 years of age or older, of sound mind and under no constraint or undue influence.

 1275 Westfield Ave. Rahway NJ 07065 New Jersey
Witness DARRA A. FLOECZAK Address

 1275 Westfield Ave. Rahway NJ 07065 New Jersey
Witness MARTHA E. CRAY Address

STATE OF NEW JERSEY]
] SS:
COUNTY OF UNION]

Subscribed, sworn to and acknowledged before me by JOSEPH J. GALFY, JR., the Testator, and subscribed and sworn to before me by DARRA A. FLOECZAK and MARTHA E. CRAY, the witnesses, this 6th day of September, 2007.

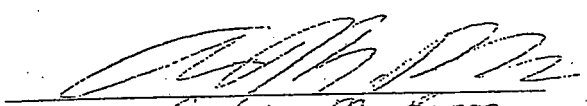

Andrew M. Baron
Attorney-at-Law
State of New Jersey

EXHIBIT E

FORM R-1		REPORT OF CONTRIBUTIONS AND EXPENDITURES		REPORT (CHECK ONE)	
NEW JERSEY ELECTION LAW ENFORCEMENT COMMISSION P O Box 185, Trenton, NJ 08625-0185 (609) 292-8700 or Toll Free Within NJ 1-888-313-ELEC (3532). Web site http://www.elec.state.nj.us/				<input type="checkbox"/> 29 - DAY PRE-ELECTION <input type="checkbox"/> 11 - DAY PRE-ELECTION <input type="checkbox"/> 20 - DAY POST-ELECTION <input type="checkbox"/> Apr 15, _____ <input checked="" type="checkbox"/> July 15, <u>2006</u> <input type="checkbox"/> Oct 15, _____ <input type="checkbox"/> Jan 15, _____	
CANDIDATE OR COMMITTEE NAME <u>Election Fund of Scutari</u>				Amendment Yes <input type="checkbox"/> No <input type="checkbox"/>	
STREET ADDRESS <u>20 Kennedy Drive</u>				For State Use Only ELEC RECEIVED JUL 17 2006	
CITY <u>Clark</u>	STATE <u>NJ</u>	ZIP CODE <u>07066</u>			
COUNTY <u>Union</u>	ELECTION DISTRICT OR MUNICIPALITY <u>22nd District</u>				
POLITICAL PARTY, IF ANY <u>Democrat</u>	OFFICE SOUGHT <u>State Senator</u>				
ELECTION DATE <u>6/5/07</u>		ELECTION TYPE (CHECK ONE)		<input type="checkbox"/> MUNICIPAL SCHOOL <input type="checkbox"/> GENERAL SPECIAL	
		<input checked="" type="checkbox"/> PRIMARY RUN-OFF <input type="checkbox"/>			
SUMMARY TABLES DO NOT ATTEMPT TO COMPLETE TABLES I AND II UNTIL APPROPRIATE SCHEDULES HAVE BEEN COMPLETED					
TABLE I RECEIPTS			THIS REPORT	CUMULATIVE TO DATE	
1 MONETARY CONTRIBUTIONS OF \$300 OR LESS			\$ 3,667.75	\$ 4,509.44	
2 MONETARY CONTRIBUTIONS IN EXCESS OF \$300 AND ALL CURRENCY CONTRIBUTIONS [Schedule A]			\$ 75,600.00	\$ 89,716.90	
3 IN-KIND CONTRIBUTIONS OF \$300 OR LESS			\$ _____	\$ _____	
4 IN-KIND CONTRIBUTIONS IN EXCESS OF \$300 [Schedule B]			\$ 1,500.00	\$ 4,028.07	
5 LOANS RECEIVED IN EXCESS OF \$300 AND ALL CURRENCY LOANS [Schedule C]			\$ _____	\$ _____	
6 SUB TOTAL (ADD LINES 1 THRU 5)			\$ 80,767.75	\$ 98,254.41	
7 REFUND OF EXCESSIVE CONTRIBUTIONS [Adjustment Schedule] (-)			\$ 2,200.00	\$ 2,200.00	
8 TOTAL CONTRIBUTIONS			\$ 78,567.75	\$ 96,054.41	
9 ADD FUNDS TRANSFERRED FROM PRIOR CAMPAIGN (*)			\$ _____	\$ 56,714.53	
10 TOTAL RECEIPTS (ADD LINE 8 + LINE 9)			\$ 78,567.75	\$ 152,768.94	
TABLE II EXPENDITURES					
1 DISBURSEMENTS -CAMPAIGN EXPENSES [Schedule 1(D)]			\$ 5,723.77	\$ 9,684.74	
2 DISBURSEMENTS - OTHER [Schedule 2(D)]			\$ 7,073.61	\$ 17,439.30	
3 DISBURSEMENTS - CONTRIBUTIONS MADE TO OTHER CANDIDATES/COMMITTEES [Schedule 3(D)]			\$ 300.00	\$ 29,505.00	
4 CONTRIBUTIONS MADE ON BEHALF OF OTHERS [Pro Rata Amount Schedules 1(D) and 2(D)]			\$ _____	\$ _____	
5 IN-KIND CONTRIBUTIONS OF \$300 OR LESS (TABLE I, LINE 3)			\$ _____	\$ _____	
6 IN-KIND CONTRIBUTIONS IN EXCESS OF \$300 (TABLE I, LINE 4)			\$ 1,500.00	\$ 4,028.07	
7 SUB TOTAL (ADD LINES 1 THRU 6)			\$ 14,597.38	\$ 60,657.11	
8 REFUNDED DISBURSEMENTS [Schedule F] (-)			\$ 1,000.00	\$ 2,000.00	
9 TOTAL EXPENDITURES (LINE 7 MINUS LINE 8)			\$ 13,597.38	\$ 58,657.11	

SCHEDULE A

Monetary Contributions in Excess of \$300 and All Currency Contributions

CONTRIBUTOR NAME Grigory S. Rasin, MD		EMPLOYER NAME Self	
CONTRIBUTOR ADDRESS [REDACTED]		EMPLOYER ADDRESS [REDACTED]	
CHECK IF CURRENCY <input type="checkbox"/>	AGGREGATE AMOUNT \$ 500—	DATE(S) RECEIVED 4/17/06	AMOUNT(S) RECEIVED THIS PERIOD \$ 500—
OCCUPATION Doctor			
CONTRIBUTOR NAME Richard D Barker		EMPLOYER NAME Office of the Public Defender	
CONTRIBUTOR ADDRESS [REDACTED]		EMPLOYER ADDRESS 172 A New St New Brunswick, NJ 08901	
CHECK IF CURRENCY <input type="checkbox"/>	AGGREGATE AMOUNT \$ 500—	DATE(S) RECEIVED 4/21/06	AMOUNT(S) RECEIVED THIS PERIOD \$ 500—
OCCUPATION Attorney			
CONTRIBUTOR NAME Joseph J. Balfy, Jr		EMPLOYER NAME Kochanski, Baron & Balfy, PC	
CONTRIBUTOR ADDRESS [REDACTED]		EMPLOYER ADDRESS 2353 St. Georges Ave. Rahway, NJ 07065	
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OCCUPATION Developer			
CONTRIBUTOR NAME Allied Health Center		EMPLOYER NAME —	
CONTRIBUTOR ADDRESS 2202 Park Ave South Plainfield, NJ 07080		EMPLOYER ADDRESS —	
CHECK IF CURRENCY <input type="checkbox"/>	AGGREGATE AMOUNT \$ 1,000—	DATE(S) RECEIVED 4/19/06	AMOUNT(S) RECEIVED THIS PERIOD \$ 1,000—
OCCUPATION Chiropractic Center			
(COMPLETE THIS LINE FOR EVERY PAGE USED)		TOTAL, THIS PAGE	\$ 3,500—
(COMPLETE THIS LINE FOR LAST PAGE USED)		GRAND TOTAL	\$ —

Schedule 1(D) - Disbursements
Campaign Expenses

<u>Date</u>	<u>Check #</u>	<u>Name</u>	<u>Address</u>	<u>City, State</u>	<u>Purpose</u>	<u>Amount</u>
4/20/2006	1228	Elizabeth Opacity	10 Cherokee Road	Cranford, NJ 07016	Reimbursement for fund raiser labels	\$ 33 37
4/24/2006	1229	Lana's	1300 Rantan Road	Clark, NJ 07066	Payment for fund raising dinner	\$ 5,456 00
4/24/2006	1230	Lana's	1300 Rantan Road	Clark, NJ 07066	Tip for banquet event staff	\$ 120 00
5/12/2006	1231	Elizabeth Opacity	10 Cherokee Road	Cranford, NJ 07016	Reimbursement for envelopes & labels	\$ 16 88
5/24/2006	1235	Elizabeth Opacity	10 Cherokee Road	Cranford, NJ 07016	Reimbursement for "thank you" stationary	\$ 97 52

TOTAL. \$ 5,723 77

EXHIBIT F

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, CRIMINAL PART
MIDDLESEX COUNTY
INDICTMENT NO. 16-05-00344
APP. DIV. NO. A-004519-18

STATE OF NEW JERSEY	:	
	:	
v.	:	TRANSCRIPT
	:	OF
CALEB L. MCGILLVARY,	:	MOTION
	:	
Defendant.	:	

Place: Middlesex County Superior Court
56 Paterson Street
New Brunswick, NJ 08903-0964

Date: February 8, 2018

BEFORE:

HONORABLE ALBERTO RIVAS, A.J.S.C.

TRANSCRIPT ORDERED BY:

MATTHEW LUCIUS MILLER, ESQ. (Meyerson and O'Neill)

APPEARANCES:

SCOTT M. PETERSON, ESQ. (Asst. Prosecutor)
(Union County Prosecutor's Office)
Attorney for the State

JOHN G. CITO, ESQ. (Assigned by the Office of the
Public Defender)
Attorney for the Defendant

Transcriber: Rebecca Y. Natal, AD/T 557

Agency: KLJ Transcription Service, LLC
P.O. Box 8627
Saddle Brook, NJ 07663
(201) 703-1670

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Operator - Emile Tomaro



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ID. EVID.

6

1 THE COURT: Okay. We're hearing the matter
2 of the State of New Jersey versus Caleb McGillvary
3 Indictment Number 16-05-0344. Can I have appearance of
4 counsel?

5 MR. CITO: Good afternoon, Your Honor. I'm
6 John Cito, C-I-T-O for Mr. McGillvary.

7 MR. PETERSON: Scott Peterson on behalf of
8 the State.

9 THE COURT: All right. We're here to conduct
10 a 104 Hearing with respect to allegations that the
11 Medical Examiner made when he was being interviewed by
12 -- from the Prosecutor's [sic] Office or law
13 enforcement [sic].

14 Mr. Peterson, you have a witness you wish to
15 call?

16 MR. PETERSON: I do, Your Honor. But I
17 believe that Mr. Cito is calling his witness first.

18 THE COURT: Okay.

19 MR. PETERSON: His investigator, which is how
20 this came about.

21 THE COURT: All right.

22 MR. CITO: Your Honor, I have no problem if
23 you want to go out of turn --

24 THE COURT: No.

25 MR. CITO: -- and get Judge Mega. I mean, if

1 --

2 THE COURT: No. Go ahead.

3 MR. CITO: Okay. I have my investigator
4 who's in the hallway. Sabine.

5 (Pause in proceedings)

6 COURT OFFICER: Ma'am, turn the phone off.
7 Ma'am, if you would, step up to the box.

8 (Pause in proceedings)

9 MR. CITO: Scott, you already have that with
10 the letter I just --

11 COURT OFFICER: Place your left hand on -- on
12 the Bible. Raise your right. State your name for the
13 Court.

14 MS. FLEURIMOND: Sabine Fleurimond.

15 S A B I N E F L E U R I M O N D, DEFENSE WITNESS,
16 SWORN

17 COURT OFFICER: Thank you, ma'am. Please be
18 seated.

19 THE COURT: All right. Ma'am, could you
20 state your name again? I didn't hear you.

21 MS. FLEURIMOND: Sabine Fleurimond.

22 THE COURT: Could you spell the last name?

23 MS. FLEURIMOND: F like in Frank, L-E-U-R-I-
24 M-O-N-D.

25 THE COURT: Thank you. Okay. All right, Mr.

1 Cito.

2 MR. CITO: Thank you, Your Honor.
3 DIRECT EXAMINATION BY MR. CITO:

4 Q Ma'am, by whom are you employed?

5 A Your office. Your office.

6 Q Are -- okay. Are you employed by a -- as an
7 investigator?

8 A Yes, I am.

9 Q Okay. And your employer was actually the
10 State of New Jersey, Public Defender's Office? There's
11 no jury here. So we can --

12 A Okay. Yes, I am.

13 Q Okay. All right. And on behalf of my
14 client, Mr. McGillvary, I asked you to partake in an
15 interview that we did of the Medical Examiner?

16 A Yes.

17 Q Okay. And you were present during that exam?

18 A Yes, I was.

19 Q At the question and answering session

20 I'm talking about with -- yes?

21 A Yes.

22 Q Okay. You issued a report as to that?

23 A Yes.

24 Q All right. Do you have the report in front
25 of you?

1 A I have it with me, but I don't -- not in front of
2 me.

3 MR. CITO: Okay. Your Honor, if I could just
4 give her the report.

5 (Pause in proceedings)

6 MR. CITO: It's got to be marked.

7 MS. FLEURIMOND: Okay.

8 THE COURT: It should be marked as D-1.

9 MR. PETERSON: Do you want a sticker?

10 MR. CITO: Thank you, Your Honor.

11 (D-1 marked for identification)

12 THE COURT: Here you go.

13 MR. CITO: Oh, perfect.

14 THE COURT: Do you want to put it on the
15 front page?

16 MR. CITO: Yes. You know what? I'll take
17 that off and I'll just give her her (inaudible) report.

18 THE COURT: This one?

19 MR. CITO: That one.

20 THE COURT: Here you go.

21 BY MR. CITO:

22 Q Okay. Do you recall the name of the Medical
23 Examiner without looking at the report?

24 A Dr. Shaikh.

25 Q All right.

1 A I don't know how to pronounce his first name.
2 Q Right. Okay! And where was the interview
3 held at?
4 A At his office.
5 Q Okay. And aside from yourself and the doctor
6 and myself was anyone else present during that
7 interview?
8 A No.
9 Q All right. A number of questions were asked
10 of the doctor?
11 A Yes.
12 Q And when did the interview occur, if you
13 remember the date?
14 A November the 8th.
15 Q All right. Of 2017?
16 A Yes.
17 Q All right. And you issued a report November
18 29th?
19 A Yes.
20 Q And in that report is the summary of what
21 occurred?
22 A Yes.
23 Q All right. He talks about various -- how the
24 incident -- what he thought of the homicide -- what he
25 termed as a homicide. Correct.

1 A Yes.
2 Q And the manner and cause of the death?
3 A Yes.
4 Q All right. But we're not here to talk about
5 that. Other questions were asked of him at the -- at
6 the interview. Correct?
7 A Yes.
8 Q Was -- and one of those questions was whether
9 there were other individuals present in the homicide
10 scene?
11 A Yes.
12 Q All right. And do you remember that
13 conversation with Dr. Shaikh?
14 A I do.
15 Q Okay. How did -- what transpired during
16 that? Can you elaborate?
17 A He -- he said that Judge Mega was at the scene.
18 Q All right. And he just volunteered that or
19 did he --
20 A Initially, yes. He just mentioned it as if it was
21 odd to him that Judge Mega would be at that scene.
22 Q All right. When he said scene, additional
23 questions were asked. Correct? Of him?
24 A Yes.
25 Q And when he -- did he elaborate when he

1 described scene as not just in the house, but outside
 2 as well?
 3 A He said scene -- he said scene but the Judge
 4 didn't interrupt with what he was doing at the time.
 5 Q Okay. And was he sure that it was Judge
 6 Mega?
 7 A He sounded like he was certain.
 8 Q Okay. And, in fact, he was asked who else
 9 was there?
 10 A Yes.
 11 Q And at first he said there were probably
 12 other judges?
 13 A Yes.
 14 Q All right. And at that point what was his
 15 response when -- on further questioning?
 16 A As far as who the other people were he said he
 17 didn't know them. But he just assumed they were judges
 18 and attorneys at the scene.
 19 Q Okay. And how did he say he knew Judge Mega?
 20 A I believe he said he's appeared before him. He
 21 appeared -- he came off as if he was familiar with
 22 Judge Mega.
 23 Q Okay. And in your impression of that was he
 24 was -- and he was clear that it was definitely Judge
 25 Mega?

1 A Yes.
 2 Q All right.
 3 MR. CITO: That's all I have, Your Honor.
 4 THE COURT: Mr. Peterson.
 5 MR. PETERSON: Thank you, Your Honor.
 6 CROSS-EXAMINATION BY MR. PETERSON:
 7 Q Did you ever actually go to the scene, ma'am?
 8 A No. I did not.
 9 Q Okay. Did you go after you had talked to
 10 Judge Mega -- or, excuse me, Dr. Shaikh?
 11 A To the scene?
 12 Q Yes.
 13 A No.
 14 Q So you don't have any idea what he was
 15 talking about as opposed to the scene, do you?
 16 A No. I do not.
 17 Q Okay. And you didn't ask him specifically
 18 about the crime scene, did you?
 19 A I do not.
 20 Q You didn't ask him whether it was inside the
 21 house, outside the house, up the block -- anything of
 22 that nature. Did you?
 23 A In the course of him describing what he was doing,
 24 he explained that he was definitely in the house and in
 25 the room where the body was found.

1 Q Dr. Shaikh said that --

2 A Yes.

3 Q -- let me finish, please. Dr. Shaikh told
4 you that Judge Mega was inside the crime scene inside
5 the house?

6 A No, no. Not Judge Mega. He was talking about
7 himself. Not Judge Mega.

8 Q My -- but he didn't say -- you didn't
9 ask him specifically where Judge Mega was. Did you?
10 A No.

11 Q You didn't follow-up on any questions in
12 regards to that?

13 A No.

14 Q And if you did you'd put it in your report.
15 Correct?

16 A I would have.

17 Q Okay. Did you ask him any questions in
18 regards to what Judge Mega had been wearing that day?

19 A No.

20 Q Did you ever ask him what Judge Mega had
21 looked like?

22 A No. I did not.

23 Q When you -- when you met with Dr. Shaikh, did
24 you know what Judge Mega looked like?

25 A No.

1 Q Did you ask him the last time he had seen
2 Judge Mega?

3 A No, I did not.

4 Q Did you ask him how often he had ever seen
5 Judge Mega?

6 A No, I did not.

7 Q You didn't do much of any follow-up in
8 regards to that. Just that Dr. Shaikh said he recalled
9 seeing Judge Mega at the scene, ma'am?

10 A Yes, I did.

11 Q Did you ask him what date that may have
12 been, ma'am?

13 A The date that he saw Judge Mega?

14 Q Yes.

15 A I -- I thought it was the date of the incident
16 that he was in the house doing his investigation. So,
17 no, I didn't ask him because I thought it was that same
18 day.

19 Q Okay.

20 MR. PETERSON: I have nothing further, Your
21 Honor.

22 THE COURT: Any redirect?

23 MR. CITO: Just -- well --

24 REDIRECT EXAMINATION BY MR. CITO:

25 Q Ma'am, when the questions were made of Dr. --

1 Dr. Shaikh. The question that started, you asked -- he
2 was asked did he ever go into the kitchen and things
3 like. Correct?

4 A Dr. Shaikh?

5 Q Yes.

6 A Yes.

7 Q All right. And that's when he -- and we
8 asked him who else was on the scene. Correct?

9 A Yes.

10 Q And that's when he mentioned he recalls Judge
11 Mega being on the scene?

12 A Yes.

13 Q All right. And it was clear that Judge Mega
14 was not in the bedroom where the body was. Correct?

15 A To me, yes. It was clear he wasn't in there, yes.

16 Q All right. We were talking -- Dr. Shaikh was
17 just talking in general the whole vicinity of the crime
18 location. Correct?

19 A Yes.

20 Q All right. Thank you.

21 MR. PETERSON: I have no recross, Judge.

22 THE COURT: And the incident was May 12th,
23 2013. Correct?

24 MR. PETERSON: The actual homicide, Judge,
25 was May 12th. Mr. Galfy was found on the 13th and

1 that's when Dr. Shaikh would have been and that the
2 crime scene would have -- or strike that. The
3 Sheriff's Officers, Clark Police, Prosecutor Office all
4 responded.

5 THE COURT: May 13th. Okay. All right. Ms.
6 Fleurimond, you're excused.

7 MS. FLEURIMOND: Okay. Thank you.

8 THE COURT: Thank you.

9 COURT CLERK: Thank you very much. I'll take
10 it.

11 MS. FLEURIMOND: All rightie.

12 (Pause in proceedings)

13 THE COURT: Any other witnesses, Mr. Cito?

14 MR. CITO: No, Your Honor.

15 THE COURT: All right. Mr. Peterson, you
16 calling anybody?

17 MR. PETERSON: Thank you, Your Honor, I am.
18 The State would call Honorable Robert Mega.

19 (Pause in proceedings)

20 COURT OFFICER: Sir, if you would come this
21 way. Please step into the witness stand. Place your
22 left hand on the Bible.

23 JUDGE MEGA: I'll affirm.

24 COURT OFFICER: Yes, sir. Raise your right
25 hand. State your name for the Court.

1 JUDGE MEGA: Robert Mega.
 2 R O B E R T M E G A, STATE'S WITNESS, AFFIRMS
 3 COURT OFFICER: Thank you.
 4 THE COURT: All right. Mr. Peterson.
 5 MR. PETERSON: Thank you, Your Honor.
 6 DIRECT EXAMINATION BY MR. PETERSON:
 7 Q Your Honor, -- Judge, where are you currently
 8 employed?
 9 A New Jersey Superior Court, Union County Vicinage.
 10 Q And how long have you been employed there?
 11 A I'll guess I'll be starting my thirteenth year.
 12 Q And were you employed back in May of 2013?
 13 A Yes.
 14 Q And in what capacity were you employed back
 15 then, sir?
 16 A I was assigned to the Criminal Division.
 17 Q And before you become a Judge did you work
 18 anywhere before that, sir?
 19 A I had my own law firm.
 20 Q Did you have any partners in that firm?
 21 A Yes.
 22 Q And are you familiar with Mr. Joseph Galfy?
 23 A Yes.
 24 Q And how are you familiar with him?
 25 A He was a partner in the firm of -- of Kochanski,

1 Mega & Galfy before I had gone on the bench.
 2 Q Do you recall that the -- the day that it was
 3 found out that he had been murdered?
 4 A Yes.
 5 Q Do you recall that day being May 13th of
 6 2013?
 7 A Yes.
 8 Q And do you recall where you were on that day,
 9 sir.
 10 A At the Courthouse.
 11 Q And how do you know you were at the
 12 Courthouse on that day?
 13 A Because I was on the record har-- -- handling
 14 various cases until after 4:00 in the afternoon.
 15 Q And on that day did you know where Mr.
 16 Galfy had lived?
 17 A I knew from our firm where Mr. Galfy had
 18 lived, sure.
 19 Q Had you ever been to his house before?
 20 A Sure.
 21 Q And do you know what kind of street he lived
 22 on?
 23 A His street ran off of Lake Ave. Well, if you
 24 were to go down Lake Avenue you'd have to make a 90
 25 degree right-hand turn, which goes into let's call it

1 the first cul-de-sac. And then you'd have to make
2 another 90 degree left off of that and go up a hill to
3 get to where his house was at the top of a second cul-
4 de-sac.

5 Q Okay. And on May 13th, 2013, were you at
6 or near Mr. Galfy's house?

7 A No.

8 Q Did you learn that day that he had been
9 murdered?

10 A Yes.

11 Q Do you recall approximately when it was you
12 learned of that information?

13 A Probably about 12:30 to 1:00 in the afternoon.
14 Myself and Judge Daniel were having lunch in my
15 chambers. And I had received a phone call -- I had
16 been on call, Emergent Duty, until 8:00 that morning.
17 And I had come off and the next Judge had taken over at
18 8:00. And I -- I had received a phone call from a
19 former firm client, who also happened to be a police
20 officer in the town, informing me of what happened.

21 Q And at any time on May 13th of 2013, did
22 you ever go to the crime scene of the area of where Mr.
23 Galfy's house was?

24 A I did not go to the crime scene.

25 MR. PETERSON: Nothing further, Your Honor.

1 THE COURT: All right. Any cross-
2 examination?

3 MR. CITO: Thank you, Your Honor.

4 CROSS-EXAMINATION BY MR. CITO:

5 Q Judge, on -- on that day in question you were
6 the Criminal Assignment Judge in Union County.
7 Correct?

8 A No.

9 Q Okay.

10 A I became -- became the Presiding Criminal Judge in
11 September of 2013.

12 Q Okay. All right. But before that you were
13 in the --

14 A In the Criminal Division.

15 Q In the Criminal Division. And when you
16 learned of the death of Mr. Galfy did you inform the
17 Assignment Judge of that?

18 A I don't believe so. Not that I can recall.

19 Q Well, did it come some point in time that you
20 were told not to be involved in the case at all?

21 A Absolutely.

22 Q Okay.

23 A And yes. When -- when Judge Cassidy at some point
24 -- I can't -- it wasn't that day.

25 Q Right.

1 A But, obviously, when things were happening and
2 however -- whether I mentioned this to Judge Cassidy or
3 she had known she said, look, going forward and
4 especially when I became P.J., she had said herself she
5 would act as essentially the de facto P.J. for this
6 case and Joe Donohue would be the person that was
7 assigned the case.

8 So her and Joe Donohue would be working
9 collaborately [sic] between each other.

10 Q And did she say something about putting up a
11 wall? That you were not supposed -- you know, because
12 -- the invisible wall?

13 A Well, that, yes. I -- I -- I was to have no
14 knowledge -- which I never did -- any knowledge of what
15 the Court goes on of the case were. No one was
16 instructed to talk to me about it. Didn't talk to the
17 Judges about it.

18 Q All right. So it was known in the Union
19 County Vicinage, especially the criminal, that you were
20 supposed to have no involvement in this case?

21 A That's correct.

22 Q All right. You learned recently Dr. Shaikh
23 identified you at the scene. Correct?

24 A Yes. I received -- yes. Information that someone
25 -- he said I was.

1 Q All right. And you verified through
2 CourtSmart and just from your recollection you weren't
3 there. Correct?

4 A Correct.

5 Q All right.

6 A I pulled the CourtSmart records and the CourtSmart
7 records will reflect me being at the courthouse on that
8 day.

9 Q But you understand Dr. Shaikh is the Medical
10 Examiner on this case?

11 A Yes.

12 Q All right. And he's a crucial witness for
13 the State?

14 MR. PETERSON: Objection. Relevance.

15 JUDGE MEGA: I have no idea.

16 THE COURT: Overruled.

17 BY MR. CITO:

18 Q Okay. All right. You understand that he's
19 going to be called eventually as a witness in this
20 case?

21 A I have no idea what your state of mind is.

22 Q All right. All right. And the concern is
23 the impeachment of Dr. Shaikh as to his credibility.
24 What he saw at the scene and what he may have missed in
25 prep- -- not have seen at the scene?

1 MR. PETERSON: Objection, Your Honor. I
2 don't understand what the point of asking about this is
3 for this hearing.
4 THE COURT: Yes, I don't --
5 MR. CITO: Okay. All right. I'll do -- I'll
6 go through it in my closing.
7 BY MR. CITO:
8 Q Recently were you approached by anybody
9 regarding what occurred with Dr. Shaikh and his
10 identification of you at the crime scene?
11 A Yes.
12 Q When did that occur?
13 A I couldn't give you an exact date, but obviously
14 it preceded this hearing. I'm going to -- I'm going to
15 -- I'm going to say within the last 30 to 45 days.
16 Q Okay. Just to be on -- within the last 60
17 days maybe?
18 A Probably.
19 Q All right. And at that time you had kept
20 separate and apart from any involvement in this case.
21 Correct?
22 A Ab- -- absolutely.
23 Q All right. And you didn't go out to anybody
24 in the last thirty -- sixty days to say hey, look I
25 want to talk to you about the case. Did you?

1 A I don't understand the question.
2 Q You -- someone came to you to talk about the
3 case?
4 A That's correct.
5 Q All right. And who was it that came to talk
6 to you about the case?
7 A Judge Caulfield came up to my chambers and
8 informed me that she had a meeting with Judge Cassidy
9 and an issue had arisen that I may need to testify as a
10 witness in this case because there's an allegation that
11 the Medical Examiner believed -- he identified me as
12 being at the crime scene.
13 Q Okay. And that was the first you learned of
14 that?
15 A That's correct.
16 Q And that was directly by Judge Caulfield?
17 A That's correct.
18 Q Okay. And Judge Caulfield was in the
19 Criminal Division at the same time you were back in
20 2013?
21 A You know, Mr. Cito, I -- I'm not sure where she
22 was at the time.
23 Q Okay.
24 A Based on -- I know she came on the bench -- I
25 usually figure out in terms of who was clerking and

1 what year. But I think she's coming up on seven years
2 this coming year.

3 Q Okay.

4 A So doing the math that would have put her on the
5 bench about 2011. And I believe her assignment prior
6 to criminal had been in the Civil Division. I'm not
7 sure how long she was there or when she actually
8 started.

9 Q Okay.

10 A At some point, yes, I was the Presiding Judge and
11 she was in the Criminal Division. My -- my
12 recollection is that her and Judge Walsh had been
13 assigned at the same time -- whenever that Assignment
14 Order would have been -- and came over at the same time
15 and Judge Walsh was going to replace Judge Moynihan who
16 was going in the Family Division at the time. So it
17 was that Fall Order.

18 Q Okay. Thank you.

19 THE COURT: Do you know what year that was?

20 JUDGE MEGA: I -- off the top of my -- I
21 can't -- I don't. But the Assignment Order would
22 probably be the best indicator.

23 BY MR. CITO:

24 Q But your impression was that it was clear
25 Judge Caulfield knew that you were not to be involved

1 in this case?

2 A That I don't know.

3 Q Okay.

4 A I don't know what Judge Cassidy -- once I
5 transferred out of the Criminal Division, I had nothing
6 to with any -- aside from PCRs that I still hear I had
7 nothing to do with really any of the inner workings.

8 Q Okay. Were you surprised that she came and
9 talked to you ex-parte?

10 A I don't know what you want to classify it as. I
11 was surprised to hear of the allegation. I just
12 assumed that she was coming to me to let me know the
13 protocols that I would have to go through if I was
14 going to be called to testify. It's not like I could
15 just volunteer --

16 Q All right.

17 A -- you know, to come down, I have to --

18 Q What -- what else was discussed during that
19 meeting?

20 A The only thing Judge Caulfield said when I told
21 her -- she asked me and I said no, I wasn't there. I
22 was here on the bench that day. And she had asked me
23 is there anybody else that I could possibly think of in
24 the area that could have been at the crime scene that
25 may have some kind of resemblance to me.

1 And the only thing I said I could possibly
2 think of is the Township Prosecutor has the same type
3 of hairstyle as me. White male, same type of
4 hairstyle, and that he also from my recollection --
5 I've known him for years -- was part of the Ambulance
6 Squad in the town. And I said you may want to ask him,
7 you know, if he could have been there because she says
8 to me about -- I -- I said the detectives I didn't
9 know. You know, I didn't really know the detectives
10 so.

11 Q Okay. And who was the name you gave her?
12 A J. H. Barr. He's the former President of the
13 County Bar Association as a matter of fact.

14 Q Okay. After that did you have any
15 discussions with Judge Caulfield or Judge Cassidy
16 regarding Mr. McGillvary?

17 A Him personally, no.

18 Q Okay.

19 A In other words, the only discussion I had is when
20 did I have to be here, when was the Judge scheduling
21 the hearing, make my calendars available.

22 Q Right.

23 A What -- what, you know, why was I being called
24 when I had -- there was CourtSmart records indicating
25 where I was.

1 Q Okay. And -- but no other facts about what
2 occurred on the day of the Medical Examiner being
3 there?

4 A None that I can recall.

5 MR. CITO: Okay. That's all I have. Thanks,
6 Judge.

7 THE COURT: Okay. Any redirect?

8 MR. PETERSON: No, sir.

9 THE COURT: Okay. You're excused, Judge.

10 JUDGE MEGA: Thank you.

11 THE COURT: Thank you. Any other witnesses?

12 MR. PETERSON: None from the State, Your
13 Honor.

14 THE COURT: Okay. Mr. Cito?

15 MR. CITO: No other, Your Honor. I -- I made
16 a request for Judge Caulfield, but I think Judge Mega
17 actually just described the concerns I had.

18 THE COURT: Okay.

19 MR. CITO: And -- unless you --

20 THE COURT: So let me hear argument.

21 MR. CITO: -- excuse me. Okay.

22 Your Honor, there's a couple of issues here.
23 One is the Medical Examiner -- he's definitely going to
24 be called as a witness at trial and his credibility
25 will be -- will be impeached because of -- I'll take

1 Judge Mega's word that he was not there. And -- but
 2 that means the Medical Examiner made incorrect
 3 observations at the crime scene. And I should be able
 4 to verify -- to go through that and develop it -- what
 5 other observations did he make and not make
 6 appropriately.

7 Judge Mega is a glaring example because he
 8 testifies in front of Judge Mega. And, Your Honor,
 9 this is an issue where I wrote in my papers regarding
 10 improper investigation of a crime scene and also
 11 spoliation of evidence. And who was present at the
 12 scene and who wasn't at the scene is important.

13 The concern I also have that developed after
 14 filing of the motion is Judge Mega being approached by
 15 Judge Cassidy -- not Cassidy, but Judge Caulfield on
 16 those issues and that wall was supposed to be there for
 17 the fact of no --

18 THE COURT: So how are you prejudiced by
 19 that?

20 MR. CITO: I just think it goes to the
 21 Judicial Canon of there should be impropri- -- you
 22 know, no --

23 THE COURT: What impropriety do you allege?
 24 Let's be frank here. Let's put all our cards on the
 25 table. Let's not hide behind synonyms and --

1 MR. CITO: I know, Judge. Okay.

2 THE COURT: -- dissemble. So lay your card
 3 on the table.

4 MR. CITO: Sorry. Canon 33.8. Judge
 5 avoids ex-parte discussions of a case with judges who
 6 have been previously disqualified from a case.

7 You know, it would have been fine if she just
 8 said you're being called as a witness, schedule your
 9 thing, but more than that just occurred.

10 And I think --

11 THE COURT: By asking him who else -- who the
 12 M.E. might have mistaken -- all right. Let's assume
 13 she did ask. Okay. What's the remedy you seek?

14 MR. CITO: Transfer out of that county, Your
 15 Honor.

16 THE COURT: Why? Judge Caulfield is not
 17 handling the trial. Right?

18 MR. CITO: Well, this is then the second
 19 Judge that is disqualified on the case.

20 THE COURT: Okay. They have more two in
 21 Union.

22 MR. CITO: Your Honor, I just think the whole
 23 vicinage should be -- because --

24 THE COURT: Wait. You want the whole
 25 vicinage thrown out? You haven't shown anything to

1 make that request.
 2 MR. CITO: Okay.
 3 THE COURT: To -- to -- to disqualify the
 4 whole vicinage. What are you -- what is that based on?
 5 MR. CITO: Well, Your Honor, when I cross-
 6 examine Dr. Shaikh and discuss Judge Mega being there
 7 or not, I'm -- a Judge of Superior Court in that county
 8 is going to be discussed in front of the jury and --
 9 THE COURT: And you're going to make hay with
 10 the M.E. You're going to have fifteen, twenty minutes
 11 to fully cross-examine because clearly Judge Mega was
 12 not there.
 13 MR. CITO: Right. I'm not -- you know, I
 14 -- I'm not disagreeing with you.
 15 THE COURT: So you may get to cross-examine
 16 the M.E. and he's going to have to say this is what I
 17 said and the stated rebuttal is going to -- either
 18 you're going to disapprove him. Well, here's a copy of
 19 the CourtSmart, he wasn't there, he couldn't have been
 20 there. So are you prejudiced? Actually your case --
 21 you've been helped by his misidentification.
 22 MR. CITO: On impeachment of Dr. Shaikh, yes.
 23 THE COURT: Right.
 24 MR. CITO: I agree on that.
 25 THE COURT: And then you're going to get

1 argue the famous false-in-one, false-in-all.
 2 MR. CITO: You're correct, Your Honor.
 3 THE COURT: Right. I mean, I've done this.
 4 MR. CITO: You know --
 5 THE COURT: I've done what you're doing.
 6 MR. CITO: Yes.
 7 THE COURT: So what's the prejudice here?
 8 And why --
 9 MR. CITO: -- I just think a --
 10 THE COURT: -- why can't a Judge in Union
 11 County handle this?
 12 MR. CITO: I just think this is the second
 13 time this has come up. The instructions were given by
 14 Judge Cassidy to avoid this problem and now it's come
 15 up again. And that's the only reason why I thought it
 16 was best to transfer it out of the county.
 17 THE COURT: Well, Caulfield is the Presiding
 18 Judge.
 19 MS. CITO: Right.
 20 THE COURT: So she went to him and said, hey,
 21 look you're going to be called as a witness.
 22 MR. CITO: But it went further than that,
 23 Your Honor.
 24 THE COURT: Well, she said do you think
 25 there's anybody else and he gave a name. I see from

1 your submission that you guys interviewed Mr. Barr.
 2 And he says --
 3 MR. CITO: I was told to interview him, yes.
 4 THE COURT: -- I wasn't there.
 5 MR. CITO: Excuse me.
 6 THE COURT: And I think he says I wasn't
 7 there. No?
 8 MR. CITO: No. Mr. Barr says he was there.
 9 He didn't see Judge Mega.
 10 THE COURT: Oh, he's an EMT guy.
 11 MR. CITO: He's a -- he was there as a
 12 neighbor.
 13 THE COURT: Oh. He said he was there as a
 14 neighbor.
 15 MR. CITO: Yes.
 16 THE COURT: He could see part of the
 17 property. Did not know the victim personally. I don't
 18 see it, Mr. -- Mr. Cito.
 19 MR. CITO: Okay. That's fine, Your Honor. I
 20 think it's there.
 21 THE COURT: Mr. Peterson, what do you want to
 22 say? Let's -- let's see what Mr. Peterson says.
 23 MR. PETERSON: Your Honor, if your -- the
 24 State will submit, unless you need to hear anything
 25 specifically.

1 THE COURT: Well, if you want, for completion
 2 of the record, in case it gets reviewed by higher
 3 authorities.
 4 MR. PETERSON: Sure. Judge, I would just say
 5 -- thank you, Your Honor.
 6 We've gone through this once before up in
 7 Union County and it -- and it had been denied, because
 8 at that time I believe the argument was that Judge Mega
 9 was in the victim's phone.
 10 And the argument was, well, what does that
 11 have to anything? And now this is another bite at the
 12 apple here, Your Honor, just saying well, okay, someone
 13 said Judge Mega's at the scene.
 14 Clearly he was not there. There is someone
 15 else the State agrees and that -- that could be a
 16 cross-examination on -- on Dr. Shaikh and maybe his
 17 credibility for anything.
 18 THE COURT: Oh, yes.
 19 MR. PETERSON: As far as Judge Caulfield for
 20 what she has done, she didn't go out there and try to
 21 do any kind of investigation. Do any- -- anything to
 22 -- of that sort on her own. She didn't step outside
 23 the boundaries of what she's allowed to do as a Judge.
 24 The State agrees with all of that.
 25 And -- and outside of that I think almost

1 that it -- Judge Caulfield should have done a follow-up
2 question to find out a little bit about something like
3 she did. To say were you there? No. Is there anyone
4 who may of -- could have been there?

5 That's not showing any kind of harm or
6 prejudice to the defendant here, Judge, where you'd
7 have to move an entire trial and inconvenience everyone
8 just for the purposes of him coming here to sit before
9 someone. And again, another Judge like the first one
10 who wasn't going to be presiding over this trial
11 anyway.

12 For those reasons, Your Honor, the -- the
13 State would ask that this motion be denied.

14 THE COURT: I -- I assume you have a trial
15 Judge who has been assigned to this case?

16 MR. CITO: Well, actually they're in the
17 process of giving us a new Judge. Judge Caulfield was
18 making some rulings that she was handing it off to
19 somebody else. It was going to be Judge --

20 THE COURT: So she's not even trying the
21 case?

22 MR. PETERSON: No.

23 MR. CITO: No. She said it was going to get
24 transferred to Judge Daniel. The concern I am going to
25 have now is Judge Daniel was having lunch with Judge

1 Mega. I don't want that name to come out during his
2 trial so they have to figure out what Judge.

3 THE COURT: Well, you have --

4 MR. PETERSON: There's a number of Judges.

5 THE COURT: -- you have at least five that I'm
6 aware of off the top of my head.

7 MR. CITO: Right. But we don't have a -- to
8 answer your question, there isn't a Judge yet, but they
9 told us there will be one.

10 THE COURT: Okay. I don't see a basis for
11 transferring it. I don't see any -- any impropriety or
12 any violation of any Judicial Canon here in this case.

13 Judge Mega was misidentified by the M.E. as
14 to being on the scene at the time. Clearly there is
15 inconvertible evidence that -- that Judge Mega was not
16 at the scene. He was in Court. CourtSmart confirms
17 it. He was with another Judge having lunch at or near
18 the time he was informed of the incident here.

19 The fact that prior to Judge Mega becoming a
20 Judge thirteen years ago. So, thirteen years ago he
21 became a Judge so it would have been thirteen years ago
22 -- and he didn't even say if the victim was partners at
23 the time he came on the bench, but they had been
24 partners in the past. That alone -- that doesn't pose
25 any concern to this Court about the fundamental

1 fairness of any trial that will take place.

2 The decision that's going to be made is going
3 to be by jurors. This is not a bench trial, first of
4 all. And I don't see that the entire Criminal Division
5 of Union County has to be excluded from this.

6 I assume they know the Gag Order is still in
7 effect. So -- and if it isn't obviously anybody who
8 was assigned to try the case should not be having any
9 independent conversations with Judge Mega and I'll put
10 that in my Order if you want.

11 MR. CITO: Okay.

12 THE COURT: But I don't see a reason why this
13 case can't proceed to trial. It's got a long history
14 here from 2013, so it should move to trial so -- with
15 some degree of alacrity. So, all right? Anything
16 else, gentlemen?

17 MR. CITO: No. That's it, Your Honor. Thank
18 you very much.

19 MR. PETERSON: Nothing from the State. Thank
20 you, Your Honor.

21 THE COURT: All right. Take care, folks.

22 MR. CITO: Okay.

23 (Proceedings Concluded)
24
25

1 CERTIFICATION

2
3 I, REBECCA Y. NATAL, the assigned transcriber, do
4 hereby certify the foregoing transcript of proceedings
5 on CourtSmart, Index Numbers from 1:53:38 to 2:24:49 is
6 prepared to the best of my ability and in full
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8 Judicial Proceedings and is a true and accurate
9 compressed transcript of the proceedings, as recorded.
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12 /s/ Rebecca Y. Natal

13 Rebecca Y. Natal

14 AD/T 557

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EXHIBIT G

CO-30A

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Rev. 3/1/21

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INMATE SIGNATURE: [Signature]

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519

CO-30 A

NEW JERSEY STATE PRISON
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Rev. 3/1/21

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5/8/23

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SBI NUMBER:

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INMATE NAME:

CALEA MCGILLIVRAY

INMATE SIGNATURE:

KOP

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CO-30 A

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CAWEB L. MCGILLVARY, PRO SE
#1222665/SBI #1023174 NJSP
PO Box 861 TRENTON, NJ 08625

MAY 15, 2023

CLERK, U.S.D.C. - DNT
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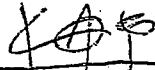
RE: MCGILLVARY V. DAVIS

CIVIL ACTION NO. 2:22-CV-04185-MCA
ON PETITION FOR WRIT OF HABEAS CORPUS
HON. MADELINE COX-ARLEO, U.S.D.J.

DEAR CLERK;

PLEASE FIND ENCLOSED A FILE ONTO THE DOCKET MY
LETTER REQUEST TO WITHDRAW MY MOTION TO RECUSE
ROBERT A. KIRSCH IN THE ABOVE-CAPTIONED MATTER;
A PROOF OF SERVICE THEREOF. I WAS UNDER THE MISTAKEN
BELIEF THAT JUDGE KIRSCH HAD BEEN APPOINTED TO FILL
CHIEF JUDGE WOLFSON'S ROLE, NOT SIMPLY HER VACANCY.
NOW THAT I'VE FOUND OUT HON. RENEE MARIE BUMB IS THE
NEW CHIEF JUDGE, MY MOTION TO RECUSE IS MOOT.

THANK YOU KINDLY,



CAWEB L. MCGILLVARY
IN PROPRIA PERSONA

PROOF OF SERVICE

I, CAEB L. MCGILVARY THE UNDERSIGNED PRO SE PLAINTIFF, HEREBY DECLARE PURSUANT TO 28 USC 1746 THAT ON TODAY'S DATE I PLACED IN THE HANDS OF CORRECTIONAL OFFICERS HERE WHERE I AM CONFINED AT NJ STATE PRISON 3RD & FEDERAL STS. TRENTON, NJ 08625 WITH FIRST CLASS POSTAGE PREPAID TO BE SENT VIA USPS REGULAR MAIL THE ORIGINAL & 3 COPIES TO THE CLERK OF THE U.S. DISTRICT COURT AT 50 WALNUT ST. NEWARK, NJ 07102 FOR FILING; & A COPY TO RESPONDENT BRUCE DAVIS, ADMINISTRATOR NJSP'S COUNSEL AMANDA G. SCHWARTZ AT PO Box 086 25 MARKET ST. TRENTON, NJ 08625 FOR SERVICE; OF MY LETTER REQUEST TO WITHDRAW MY MOTION TO RECUSE JUDGE ROBERT A. KIRSCH.

I INVOKED THE PRISON MAILBOX RULE.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING STATEMENTS ARE TRUE & ACCURATE.

EXECUTED THIS 15TH DAY OF MAY, 2023

KAP

CAEB L. MCGILVARY, PRO SE
#1222665/SBI#1023176 NJSP
PO Box 861 TRENTON, NJ 08625

CALEB L. MCGILLVARY, PRO SE
#122665/SBI#1023176 NJSP
PO BOX 861 TRENTON, NJ 08625

MAY 15, 2023

HON. MADELINE COX-ARLEO, U.S.D.J.
U.S.D.C. - D.N.J.

50 WALNUT ST.

NEWARK, NJ 07102

RE: MCGILLVARY V. DAVIS

CIVIL ACTION NO. 2:22-CV-04185-MCA

DEAR JUDGE ARLEO;

PLEASE ACCEPT THIS LETTER REQUEST TO
WITHDRAW MY MOTION TO RECUSE JUDGE ROBERT A.
KIRSCH IN THE ABOVE-CAPTIONED MATTER. I
WAS FILED IT UNDER THE HONEST, YET MISTAKEN,
BELIEF THAT JUDGE KIRSCH HAD BEEN APPOINTED TO
FILL CHIEF JUDGE WOLFSON'S ROLE, NOT SIMPLY
HER VACANCY. MY CONCERN WAS THAT IT WOULD
CREATE AN APPEARANCE OF IMPROPRIETY, IF YOUR
HONOR WAS PUT IN THE UNENVIABLE POSITION OF
HAVING EVERY CASE ON YOUR DOCKET FROM HERE ON
OUT ASSIGNED TO YOU BY JUDGE KIRSCH. IN SUCH
A POSITION, A REASONABLE PERSON MIGHT QUESTION
IF A DECISION ON MY HABEAS PETITION WHICH OFFENDED
HIM WOULD CAUSE HIM TO ASSIGN THE WORST CASES TO YOU

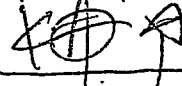
FOR THE REST OF YOUR TENURE, WHETHER OR NOT HE ACTUALLY WOULD WAS NOT THE ISSUE, ONLY THE APPEARANCE CREATED BY THAT POTENTIAL UNDER NJ L. CIV. R. 40.1.

I HAVE SINCE DISCOVERED THAT HON. RENEE MARIE BUMB IS THE NEW CHIEF JUDGE, THIS CLARIFIES THE AMBIGUITY OF WHAT I'D READ IN THE NJ LAW JOURNAL. I HAVE NO SUCH CONCERNS ABOUT CHIEF JUDGE BUMB, & SO I RESPECTFULLY ASK THE COURT TO WITHDRAW MY MOTION TO RECUSE JUDGE KIRSCH. I RESERVE THE RIGHT TO RENEW MY MOTION UNDER CLEMMONS V. WOLFE 377 F.3d 322 (CA3 2004) IF FOR ANY REASON MY CASE IS REASSIGNED TO JUDGE KIRSCH.

DATE: 5/15/23

CC: AMANDA G. SCHWARTZ
FILE

RESPECTFULLY SUBMITTED,



CALEB L. MCGILWRAY, PRO SE
#1222665/SB1 #1023174 NJSP
PO BOX 861 TRENTON, NJ
08625-0861

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<p>9590 9402 7079 1251 2918 48</p>		<p>3. Service Type</p> <table border="0"> <tr> <td><input checked="" type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Insured Mail</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> </tr> </table> <p><i>RETURN RECEIPT FOR MERCHANDISE</i></p>		<input checked="" type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Insured Mail	<input type="checkbox"/> Insured Mail	<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)
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<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery																
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Insured Mail																
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)																
<p>PS Form 3811, July 2020 PSN 7530-02-000-9053</p>		<p>Domestic Return Receipt</p>															

<p>USPS TRACKING#</p> <p>9590 9402 7079 1251 2918 48</p>	<p>First-Class Mail Postage & Fees Paid USPS Permit No. G-10</p>
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United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

CAVER MCGILL VAPY
#1222665/SBI#1023174
NJSP PO Box 861
TRENTON, NJ
08625

60R
81



CO-30 A

NEW JERSEY STATE PRISON
POSTAGE REMIT

Rev. 3/1/21

DATE: 5/23/23 LOCATION: (SR8)SBI NUMBER: 1023176INMATE NAME: CALEB MCGILLVARYINMATE SIGNATURE: [Signature]

TO: BUSINESS MANAGER

DATE MAILED: _____

(✓) Check Appropriate Box (s)

<input type="checkbox"/>	Legal Postage	\$ <u>84</u>
<input checked="" type="checkbox"/>	Certified Cert. # <u>702018107001555837139</u>	<u>4.15</u>
<input checked="" type="checkbox"/>	Return Receipt Requested	<u>3.35</u>
<input checked="" type="checkbox"/>	Postage Affixed; SEND DIRECT Legal Postage Only TO MAILROOM	<u>not attached</u>
<input type="checkbox"/>	Regular Postage or UPS Property	
<input type="checkbox"/>	Additional Insurance Amount \$	
<input type="checkbox"/>	No Postage Inter Office Mail	
Weight of Mail/Property <u>1.802</u>		Total Postage and Fees \$ <u>8.34</u>

SENT TO: CLERK, USDC-DNJADDRESS: PRINT 50 WALNUT ST.NEWARK, NJ 07102 ENCL: MTN TO WITHDRAWWITNESS: [Signature]PRINT
SIGNATURE: _____APPROVED BY: S/31

CHECK# _____

DATE: _____

CALEB L. MCGILLVARY, PRO SE
#122665/SBI# 1023174 NJSP
PO BOX 861 TRENTON, NJ 08625

MAY 23, 2023

CLERK, USDC - DNJ
MLU, JR. FED. BLDG. & US CT. HSE.
50 WALNUT ST.
NEWARK, NJ 07102

RE: MCGILLVARY V. DAVIS

CIVIL ACTION NO. 2:22-CV-04185-MCA

HON. MADELINE COX-ARLEO, USDJ

DEAR CLERK;

PLEASE FIND ENCLOSED & FILE ONTO THE DOCKET
MY LETTER MOTION TO WITHDRAW MY IFP APPLICATION
& EX PARTE MOTION FOR EXPERT ASSISTANCE IN THE
ABOVE CAPTIONED MATTER; & PROOF OF SERVICE THEREOF.

THANK YOU KINDLY,

~~KDP~~
CALEB L. MCGILLVARY
IN PROPRIA PERSONA

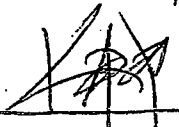
PROOF OF SERVICE

I, CAVER L. MCGILWARY, HEREBY DECLARE PURSUANT TO 28 USC 1746 THAT ON TODAY'S DATE I PLACED IN THE HANDS OF CORRECTIONAL OFFICERS HERE WHERE I'M CONFINED AT NJ STATE PRISON 3RD & FEDERAL STS TRENTON, NJ 08625 WITH FIRST CLASS POSTAGE PREPAID TO BE SENT VIA USPS REGULAR MAIL; THE ORIGINAL & 3 COPIES TO THE CLERK OF THE US DISTRICT COURT AT 50 WALNUT ST, NEWARK, NJ 07102 FOR FILING; & A COPY TO COUNSEL FOR RESPONDENT BRUCE DAVIS, AMANDA G. SCHWARTZ, AT PO BOX 086 25 MARKET ST. TRENTON, NJ 08625-0086; OF MY LETTER MOTION TO WITHDRAW MY IFP APPLICATION & EX PARTE MOTION FOR EXPERT ASSISTANCE IN 'MCGILWARY V. DAVIS' Dkt NO. 2:22-CV-04185-MCA.

I INVOKED THE PRISON MAILBOX RULE.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING STATEMENTS ARE TRUE & ACCURATE.

EXECUTED THIS 23RD DAY OF MAY, 2023


CAVER L. MCGILWARY, PRO SE
#1122665/SBI #1023174 NSSP
PO BOX 861 TRENTON, NJ 08625

CAROL L. MCGILLIVRAY, PRO SE
#122665/SBI #1023176 NJSP
PO BOX 861 TRENTON, NJ 08625

MAY 23, 2023

HON. MADELINE COX-ARLEO, USDS
VSDC-DNS MAIL, JR. FED. BLDG. & US CT. HSE.
50 WALNUT ST. NEWARK, NJ 07102
RE: MCGILLIVRAY V. DAVIS
CIVIL ACTION NO. 2:22-CV-04185-MCA

DEAR JUDGE ARLEO:

PLEASE ACCEPT THIS LETTER IN LIEU OF A MORE FORMAL MOTION TO WITHDRAW MY IFP APPLICATION IN THE ABOVE-CAPTIONED MATTER, & MY EX PARTE MOTION TO OBTAIN EXPERT ASSISTANCE IN THIS MATTER. AS GROUNDS FOR THIS MOTION, I URGE THE FOLLOWING:

- 1) I HAVE ALREADY PAID THE \$5 FILING FEE OUT-OF-POCKET;
- 2) I HAVE UNCOVERED EVIDENCE IN MCGILLIVRAY V. GALT Dkt. 2:21-CV-17121-MCA-CLW; THAT WILL ALLOW ME TO THOROUGHLY IMPEACH DR. ROBERT PANDINA & DR. JUNAID SHAIKH, THE DRUG EFFECT EXPERT & MEDICAL EXAMINER IN MY CRIMINAL CASE, RESPECTIVELY: TO WIT, \$150,000 EACH TO THEIR WORKPLACES FROM THE ESTATE OF THE RAPIST. I BELIEVE UPON INFORMATION THAT, IF I AM GRANTED DISCOVERY, I CAN SHOW FURTHER TRANSFERS TO INVESTIGATORS IN MY CASE THE ESTATE OF THE RAPIST, ESTABLISHING THE BAD FA

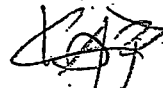
OF THE BADLY VIOLATION I'VE ALLEGED IN MY PETITION. I RESPECTFULLY REMIND THE COURT THAT RESPONDENT HAS WAIVED DEFENSE OF THE MATERIALITY, SUPPRESSION, & PREJUDICE PRONGS BY FAILING TO RAISE ARGUMENTS THEREFOR IN THEIR ANSWER, SEE FED. R. CIV. P. 8(b)(6); ECF 6 P.3:

3.) IN LIGHT OF "2", I WILL SIMPLY SUBPOENA DR. SHAMM, DR. PANDINA, AND THE RAPIST'S BROTHER. THIS WILL SAVE JUDICIAL RESOURCES, & IF THE FINANCIAL RECORDS OF THE RAPIST'S ESTATE DISCLOSE FURTHER WITNESSES, I WILL FILE THE APPROPRIATE MOTIONS AT THAT JUNCTURE.

FOR ALL THE FOREGOING REASONS, I RESPECTFULLY ASK THE COURT LEAVE TO WITHDRAW MY IFP APPLICATION & EX PARTE MOTION FOR EXPERT ASSISTANCE IN THIS MATTER.

DATE: 5/23/23

RESPECTFULLY SUBMITTED,



CALEB L. MCGILVARY

#122665/SBI #1023174

NJSP PO BOX 861

TRENTON, NJ 08625

EXHIBIT K

CAVES L. MCGILLVARY, PRO SE
#122665/SB1#1023176 NSSP
PO Box 861 TRENTON, NJ 08625

NOVEMBER 6, 2023

CLERK, USDC-DNJ
402 E. STATE ST.
CAMDEN, NJ 08101-2797

RE: IN RE CAVES L. MCGILLVARY
CIVIL ACTION NO. NOT YET ASSIGNED
ON PETITION UNDER RULE 27

DEAR CLERK;

PLEASE FIND ENCLOSED A FILE ONTO THE DOCKET
THE ORIGINAL & 3 COPIES OF MY JS-44; PETITION
TO PERPETUATE TESTIMONY UNDER RULE 27; DECLARATION
IN SUPPORT THEREOF; & IFP APPLICATION,
INITIATING AN ORIGINAL ACTION IN THIS COURT.

THANK YOU KINDLY,
~~CAVES L. MCGILLVARY~~
CAVES L. MCGILLVARY

CIVIL COVER SHEET

4 (Rev. 07/16)

JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM)

(a) PLAINTIFFS

CAROL L. MCILLVARY

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

MERCER, NJ

(c) Attorneys (Firm Name, Address, Email and Telephone Number)

 20 SE #122665/SB1#1023176 NJSP
 6 Box 861 TRENTON, NJ 08625

DEFENDANTS

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- (For Diversity Cases Only)
- | | | | | | |
|---|---------------------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FOREIGN JURISDICTION	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 246 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> Other: <input checked="" type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

FED. R. CIV. P 27

Brief description of cause:

DEPOSITION TO PERPETUATE TESTIMONY

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$ N/A

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

JOSEPHINE L. STATON

DOCKET NUMBER

2:22-cv-01195-JLS-S4

DATE

11/6/23

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IF

JUDGE

MAG. JUDGE

Caleb L. McGillvary, Pro Se
#1222665/SBI#102317G
New Jersey State Prison
Po Box 861
Trenton, New Jersey
08625-0861

United States District Court
For the District of New Jersey

In Re Caleb L. McGillvary
Petitioner

Civil Docket NO.

On Petition for Deposition Under Rule 27
Civil Action

Petition to Perpetuate Testimony Under Rule 27

Plaintiff Caleb L. McGillvary ("Plaintiff") hereby petitions the Court under Rule 27(a) for an order for a deposition; and for production of documents under Rules 30 and 34, and for issuance of Subpoenas under Rule 45 associated therewith; to perpetuate the testimony of James Galfy, Theodore Romankow, Junaid Shaikh, and Robert Pandina.

Paloo in 25

Grounds for Relief

Petitioner adopts by reference his attached declaration in support of this petition; pursuant to Fed. R. Civ. P. 10(c); and incorporates same as though fully set forth herein.

"A person who wants to perpetuate testimony about any matter cognizable in a United States court may file a verified petition in the district court for the district where any expected adverse party resides. The petition must ask for an order authorizing the petitioner to depose the named persons in order to perpetuate their testimony. The petition must be titled in the petitioners name and must show:

(A) that the petitioner expects to be a party to an action cognizable in a United States court but cannot presently bring it or cause it to be brought;

(B) the subject matter of the expected action and the petitioners interest;

(C) the facts that the petitioner wants to establish by the proposed testimony and the reasons to perpetuate it;

(D) the names or a description of the persons whom the petitioner expects to be adverse parties and their addresses, so far as known; and

(E) the name, address, and expected substance of the testimony of each deponent." Fed. R. Civ. P. 27(a)(1)

Plaintiff has set forth the name, address, and expected testimony of Theodore Romankow, Junaid Shaikh, and Robert Pandina in his

Declaration in support of this petition. To wit: Romankow is expected to testify about:

a.) Specific contributions to, communications with, and testimonial affairs attended with, Nicholas Scutari that are relevant to the appointment of Robert Andrew Kirsch as a Judge of the NJ Superior Court or the reappointment of Karen M. Cassidy as a Judge of the NJ Superior Court; or that are relevant to the Fort Monmouth Economic Revitalization Authority, the appointment of any officers thereof, or the requests for offers to purchase or bid selection decision thereof; or that are relevant to the introduction or passage or lobbying of or for any laws relating to local public contract laws; which is believed will show that Romankow engaged in unregistered lobbying with Scutari;

b.) Specific contributions to, communications with, and testimonial affairs attended with, Phil Murphy that are relevant to the appointment of Robert Andrew Kirsch as a Judge of the NJ Superior Court or the reappointment of Karen M. Cassidy as a Judge of the NJ Superior Court; or

that are relevant to the Fort Monmouth Economic Revitalization Authority, the appointment of any officers thereof, or the requests to offers to purchase or bid selection decision thereof; or that are relevant to the introduction or passage or lobbying of or for any laws relating to local public contract laws; which is believed will show that Romankow engaged in unregistered lobbying with Murphy;

c.) Specific contributions to, communications with, and testimonial affairs attended with, Rodemar Perez or any other employee of the Union County Jail or related health care providers thereat, during the period from May 12, 2013 to May 31, 2019, whether personally or indirectly through the Trinitas Board of Directors, or any officer or employee thereof; which is believed will show that Romankow engaged in public misconduct and violations of the bribery statute with Perez, causing Perez to use his office as Union County Jail Psychiatrist to fabricate reports to discredit Plaintiff;

d.) Specific Real Estate Business or any other transactions engaged in with Joseph J. Galfy, Jr. or the law firm of

Kochanski, Baron, and Galfy LLP whether personally or in any of his official capacities in the Union County or NJ State Governments; including, but not limited to, transactions between Joseph J. Galfy, Jr. or the law firm of Kochanski, Baron, and Galfy LLP and the Union County Improvement Authority, the Trinitas Regional Health Center, the Waterfront Commission, the Union County Prosecutor's Office, or the Union County Board of Chosen Freeholders at any time at which Romankow was an officer or employee of any of those agencies;

e.) Specific communications made with Netflix, RawTV, or any agents, employees, or contractors thereof or therewith; as well as any transactions, payments, payments in kind, or exchanges of benefits, promises, or promises in kind made between Romankow and such people or entities;

f.) Specific communications made with John Holl, Robert Henderson, Dean Marcantonio, Jeff Stricker, Gabriel Robert Sanchez, Collette Camden, Robert Miller, Sally Brindle, Bartholomew Layton, Michael Tevanney, or any other

person appearing in or who was interviewed or approached in relation to the Netflix Movie, "The Hatchet Wielding Hitchhiker";

g.) Specific communications made with the Fort Monmouth Economic Revitalization Authority, its Board, or any of its Committees, including but not limited to the Real Estate Committee and Audit Committee; or any agents, employees, or contractors thereof or therewith, including but not limited to Kara Kopach, Anthony Talerico, Jr., Jay Coffey, Regina McGrade, and Lillian Burry; as well as any transactions, payments, payments in kind, or exchanges of benefits, promises, or promises in kind made between Romankow and such people or entities;

h.) Specific communications made during the period from December 13-14, 2022 relevant to the release of the trailer for "The Hatchet Wielding Hitchhiker on Netflix, including but not limited to a list of all emails and phonecalls made by Romankow during that period;

i.) Specific communications made during the period from January 10-13, 2023 relevant to the release of "The Hatchet Wielding Hitchhiker on Netflix, including but not limited to a list of all emails and phonecalls made by Romankow during that period;

Shaikh is expected to testify about:

a.) Specific meetings with James Galfy, any communications between himself and James Galfy;

b.) A list of Specific improvements, benefits, and renovations to the facilities where he works at the University of Medicine and Dentistry of New Jersey for the period from May 14, 2013 to the present;

b.) The nature of his employment and associations with the University of Medicine and Dentistry of New Jersey for the period from May 14, 2013 to the present;

d.) the budget and list of Specific expenditures and accounts for his department at the University of Medicine and Dentistry of New Jersey for the period from May 14, 2013 to the present;

Pandina is expected to testify about:

- a.) Specific times at which he was contacted by the Union County Prosecutor's Office, or any officer, employee, or agent thereof, in relation to Caleb L. McGillvary, Joseph J. Galfy, Jr., or any proceeding involving either; and all communications between himself and said entities or individuals;
- b.) Specific times at which he was contacted by James Galfy, or any officer, employee, or agent thereof, in relation to Caleb L. McGillvary, Joseph J. Galfy, Jr., or any proceeding involving either; and all communications between himself and James Galfy;
- c.) The process by which contributions were made to the Rutgers University Center for Alcohol Studies during the period between April 1, 2015 and April 1, 2016;
- d.) A comprehensive list of expenditures, payments, salaries, and accounts for the Center of Alcohol Studies for the Period from April 1, 2015 until his retirement therefrom.

P. 97 Pa 107

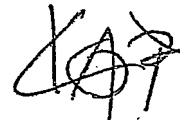
The reasons for perpetuating this testimony is also set forth in the Declaration: each of the aforementioned witnesses are over 71 years of age, and are not expected to live until they can be called as witnesses. See United States Life Tables, as developed by the United States Department of Health, Education, and Welfare. It is highly likely that they will be unavailable to testify if deposition is delayed. Plaintiff has set forth in his Declaration that each witness is over 71 years of age; and that the loss of any of their key testimony would result in a failure of justice. "The circumstance that '[The witness] is 71 years old' is quite meaningful. It would be ignoring the facts of life to say that a 71 year old witness will be available, to give his deposition or testimony, at an undeterminable future date when a pending criminal [...] action will have been 'determined', and the trial of a related civil action will subsequently take place." Texaco v Borda 383 F.2d 607, 609 (CA3 1967). The 3rd Circuit already having found a witness being 71 years old as making perpetuation of testimony necessary to "prevent a failure or delay of justice"; Galfy, Romankow, Shaikh, and Pandina each being over 71 years of age makes perpetuating their testimony that much more urgent and necessary.

CONCLUSION

For all the foregoing reasons, the petitioner respectfully requests the Court to grant this petition and order the deposition of James Galfy, Theodore Romankow, Junaid Shaikh, and Robert Pandina under Rule 27; and to order the production of documents under Rules 30 and 34, and for issuance of Subpoenas under Rule 45 associated therewith; to perpetuate testimony in this matter.

Respectfully Submitted,

Date: 11/6/23



Caleb L. McGillvary, Pro Se
#1222665/SBI#102317G
New Jersey State Prison
Po Box 861
Trenton, New Jersey
08625-0861

Caleb L. McGillvary, Pro Se
#1222665/SBI#102317G
New Jersey State Prison
Po Box 861
Trenton, New Jersey
08625-0861

United States District Court
For the District of New Jersey

In Re Caleb L. McGillvary
Petitioner

Civil Docket NO.

On Petition for Deposition Under Rule 27

Civil Action

Declaration in Support of Petition for
Deposition Under Fed. R. Civ. P. 27

I, the Undersigned, hereby declare pursuant to 28 USCS §1746 as
follows:

- 1.) I am the pro se petitioner to perpetuate testimony in the
above-captioned matter;
- 2.) In the currently pending related matter "McGillvary v
Davis" Dkt No. 2:22-cv-04185-MEF (DNJ), the NJ State
criminal conviction of Petitioner is being challenged;
- 3.) On July 28, 2022, the Court issued an order that was not
final in the related matter McGillvary v Galfy Dkt No. 2:21-

cv-17121-MCA-CLW (USDC-DNJ). An appeal followed, at McGillvary v Galfy App. No. 23-2188 (USCA-3rd Cir.); which was dismissed for lack of jurisdiction due to the non-finality of the order. In the interim, Plaintiff had filed a motion under Rule 27(b) to perpetuate the testimony of James Galfy because of his advanced age, which was expected under the NJ Life Expectancy Table to result in his death and unavailability if deposition were delayed. Inexplicably, Magistrate Judge Cathy L Waldor denied the motion, which was timely objected to by Petitioner. However, in the intervening time the appeal had been dismissed, so this Petition follows.

- 4.) The USDC-DNJ has already held that Petitioner has stated meritorious claims against James Galfy, the Estate of Joseph J. Galfy, Jr., Theodore Romankow, Junaid Shaikh, and Robert Pandina: for engaging in a conspiracy with each other to deprive Petitioner of his 5th and 14th amendment due process rights; using money from the Estate of Joseph J Galfy, Jr. to cause the absence or bias of witnesses at

Petitioner's criminal trial. It is res judicata that Petitioner's claims to this effect are nonfrivolous. See McGillvary v Galfy Dkt No. 2:21-cv-17121-MCA-CLW (USDC-DNJ), ECF 66.

5.) It is judicially noticeable that the average life expectancy in New Jersey is 74 years. This fact is listed in the life expectancy tables used in the NJ Courts. For this reason, it is judicially noticeable that James Galfy, Theodore Romankow, Junaid Shaikh, and Robert Pandina are not expected to live past 74 years of age.

6.) I intend to produce testimony by James Galfy in the event of further proceedings at such time my claims previously barred by Heck v Humphrey will accrue. As such, I expect him to be a party to an action cognizable in a U.S. Court but which cannot presently be brought. James Galfy is at least 73 years old, and is not expected to live much longer, according to the NJ Life Expectancy recognized by NJ Government and subject to judicial notice under F.R.E. 201(b). Delay of deposition may result in his permanent unavailability because of his death. I intend to produce

testimony by Theodore Romankow, Junaid Shaikh, and Robert Pandina in one or more actions cognizable in a U.S. Court, but which cannot presently be brought. The Court has already held, as stated in "3" above, that at least one such action will accrue in the indeterminable future;

- 7.) It is my belief that Theodore Romankow, Junaid Shaikh, and Robert Pandina are each at least 71 years old, and are therefore not expected to live much longer. Delay of deposition may result in their permanent unavailability because of their death;
- 8.) I intend to bring an action in the U.S. District Court, re-filing all claims found by the U.S.D.C. to be meritorious yet Heck-barred in McGillvary v Galfy Dkt No. 2:21-cv-17121-MCA-CLW ECF 66; as soon as my conviction is overturned. The testimony sought by this motion is both relevant and material to these claims. The loss of James Galfy, Theodore Romankow, Junaid Shaikh, or Robert Pandina's testimony would prejudice me in my litigation of claims, and would

cause a failure of justice. Deposing them expediently will prevent a failure of justice.

9.) James Galfy resides at 26 Emily Terrace, Warren, NJ 07059.

The substance of his testimony includes his use of the Estate of Joseph J Galfy, Jr. to tamper with witnesses, bribe investigators to destroy or misrepresent evidence, bribe Plaintiff's defense counsel at his criminal trial, and bribe the trial judge at Plaintiff's criminal trial, Robert A Kirsch, who is now a federal judge in the District of New Jersey. It is expected to show that transfers of money or other assets were made from account #381034636525 Bank #02120033 and/or other assets within control of the Estate or the Administrator thereof; to investigators, witnesses, parties, or judicial officers in Plaintiff's criminal trial, and/or entities or individuals in whose welfare such investigators, witnesses, parties, or judicial officers have an interest in. Specifically, Plaintiff believes on information that Dr. Junaid Shaikh's workplace received \$150,000; that Dr. Robert Pandina's workplace received \$150,000; that John G Cito's daughters'

trust accounts received an unknown amount, believed to be \$150,000; that an entity or individual in whose welfare Hon. Robert A. Kirsch, U.S.D.J. has an interest in received an unknown amount, believed to be \$150,000; and that investigators at the crime scene, including but not limited to Robert Henderson and Terrance Harrison, received currency, coins or ingots of gold or other precious metals from the Estate of Joseph J. Galfy, Jr., in furtherance of the conspiracy to deprive Plaintiff of his Due Process rights.

- 10.) I intend to bring an action in the U.S. District Court concerning Theodore Romankow's participation in a bid rigging scheme involving Netflix's acquisition of a 292 acre mega parcel from the Fort Monmouth Economic Revitalization Authority; which acquisition was made contingent on Netflix's conforming their production of the film "The Hatchet Wielding Hitchhiker" to a narrative imposed by Romankow and his co-conspirators, which include Nicholas Scutari. The testimony sought by this petition is both relevant and material to these claims.

11.) Theodore Romankow resides at

28 BRISTOL CT.

BERKELEY HEIGHTS, NJ 07922

The substance of his testimony includes, but is not limited to:

a.) Specific contributions to, communications with, and testimonial affairs attended with, Nicholas Scutari that are relevant to the appointment of Robert Andrew Kirsch as a Judge of the NJ Superior Court or the reappointment of Karen M. Cassidy as a Judge of the NJ Superior Court; or that are relevant to the Fort Monmouth Economic Revitalization Authority, the appointment of any officers thereof, or the requests for offers to purchase or bid selection decision thereof; or that are relevant to the introduction or passage or lobbying of or for any laws relating to local public contract laws; which is believed will show that Romankow engaged in unregistered lobbying with Scutari;

b.) Specific contributions to, communications with, and testimonial affairs attended with, Phil Murphy that are

relevant to the appointment of Robert Andrew Kirsch as a Judge of the NJ Superior Court or the reappointment of Karen M. Cassidy as a Judge of the NJ Superior Court; or that are relevant to the Fort Monmouth Economic Revitalization Authority, the appointment of any officers thereof, or the requests to offers to purchase or bid selection decision thereof; or that are relevant to the introduction or passage or lobbying of or for any laws relating to local public contract laws; which is believed will show that Romankow engaged in unregistered lobbying with Murphy;

c.) Specific contributions to, communications with, and testimonial affairs attended with, Rodemar Perez or any other employee of the Union County Jail or related health care providers thereat, during the period from May 12, 2013 to May 31, 2019, whether personally or indirectly through the Trinitas Board of Directors, or any officer or employee thereof; which is believed will show that Romankow engaged in public misconduct and violations of the bribery statute

with Perez, causing Perez to use his office as Union County Jail Psychiatrist to fabricate reports to discredit Plaintiff;

d.) Specific Real Estate Business or any other transactions engaged in with Joseph J. Galfy, Jr. or the law firm of Kochanski, Baron, and Galfy LLP whether personally or in any of his official capacities in the Union County or NJ State Governments; including, but not limited to, transactions between Joseph J. Galfy, Jr. or the law firm of Kochanski, Baron, and Galfy LLP and the Union County Improvement Authority, the Trinitas Regional Health Center, the Waterfront Commission, the Union County Prosecutor's Office, or the Union County Board of Chosen Freeholders at any time at which Romankow was an officer or employee of any of those agencies;

e.) Specific communications made with Netflix, RawTV, or any agents, employees, or contractors thereof or therewith; as well as any transactions, payments, payments in kind, or exchanges of benefits, promises, or promises in kind made between Romankow and such people or entities;

f.) Specific communications made with John Holl, Robert Henderson, Dean Marcantonio, Jeff Stricker, Gabriel Robert Sanchez, Collette Camden, Robert Miller, Sally Brindle, Bartholomew Layton, Michael Tevanney, or any other person appearing in or who was interviewed or approached in relation to the Netflix Movie, "The Hatchet Wielding Hitchhiker";

g.) Specific communications made with the Fort Monmouth Economic Revitalization Authority, its Board, or any of its Committees, including but not limited to the Real Estate Committee and Audit Committee; or any agents, employees, or contractors thereof or therewith, including but not limited to Kara Kopach, Anthony Talerico, Jr., Jay Coffey, Regina McGrade, and Lillian Burry; as well as any transactions, payments, payments in kind, or exchanges of benefits, promises, or promises in kind made between Romankow and such people or entities;

h.) Specific communications made during the period from December 13-14, 2022 relevant to the release of the trailer

for "The Hatchet Wielding Hitchhiker on Netflix, including but not limited to a list of all emails and phonecalls made by Romankow during that period;

i.) Specific communications made during the period from January 10-13, 2023 relevant to the release of "The Hatchet Wielding Hitchhiker on Netflix, including but not limited to a list of all emails and phonecalls made by Romankow during that period;

12.) Junaid Shaikh resides at

300 NORTH AVE E.
WESTFIELD, NJ 07090

The substance of his testimony includes, but is not limited to:

- a.) Specific meetings with James Galfy, any communications between himself and James Galfy;
- b.) A list of Specific improvements, benefits, and renovations to the facilities where he works at the University of Medicine and Dentistry of New Jersey for the period from May 14, 2013 to the present;

b.) The nature of his employment and associations with the University of Medicine and Dentistry of New Jersey for the period from May 14, 2013 to the present;

d.) the budget and list of Specific expenditures and accounts for his department at the University of Medicine and Dentistry of New Jersey for the period from May 14, 2013 to the present;

13.) Robert Pandina resides at

1011 MADDUX LN

GREENSBORO, GA 30642

The substance of his testimony includes, but is not limited to:

a.) Specific times at which he was contacted by the Union County Prosecutor's Office, or any officer, employee, or agent thereof, in relation to Caleb L. McGillvary, Joseph J. Galfy, Jr., or any proceeding involving either; and all communications between himself and said entities or individuals;

b.) Specific times at which he was contacted by James Galfy, or any officer, employee, or agent thereof, in relation to Caleb L. McGillvary, Joseph J. Galfy, Jr., or any proceeding involving either; and all communications between himself and James Galfy;

c.) The process by which contributions were made to the Rutgers University Center for Alcohol Studies during the period between April 1, 2015 and April 1, 2016;

d.) A comprehensive list of expenditures, payments, salaries, and accounts for the Center of Alcohol Studies for the Period from April 1, 2015 until his retirement therefrom.

14.) Although I have subsequently lost the document itself, and have been unable to find it despite reasonable due diligence including going through every single file folder in my cell, I incorporate my "certification in support of Plaintiff's motion for discovery and for subpoena to issue", ECF 51 in McGillvary v Galfy Dkt No. 2:21-cv-17121-MCA-CLW, and set forth same herein.

15.) I aver that it shows documents, the production of which is necessary to perpetuate the testimony of James Galfy and thereby prevent the failure of justice. The Court should grant my motion to perpetuate testimony under Rule 27 for all the foregoing reasons, and for all the reasons set forth in my motion.

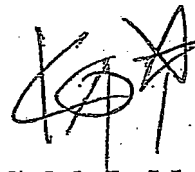
16.) For the foregoing reasons, it is necessary to issue Subpoenas Duces Tecum under Rule 45 as part of these proceedings under Rule 27(a), requiring the bank corresponding to Bank #02120033 to produce records of all transfers of money or other assets which were made from account #381034636525 Bank #02120033 and/or other assets within control of the Estate or the Administrator thereof; for the relevant period from 5/16/13-present.

I declare under penalty of perjury that the documents attached hereto are true copies of the originals.

I declare under penalty of perjury that the foregoing statements are true and accurate.

Dated:

11/6/23



Caleb L. McGillvary
#1222665/SBI#102317G
New Jersey State Prison
Po Box 861
Trenton, New Jersey
08625-0861

EXHIBIT L

CO-30 A

NEW JERSEY STATE PRISON
POSTAGE REMIT

Rev. 3/1/21

DATE:

4/6/23

LOCATION:

BR 81

SBI NUMBER:

1023176

INMATE NAME:

CHUB MCGILLVRA

INMATE SIGNATURE:

[Signature]

TO: BUSINESS MANAGER

DATE MAILED:

(✓) Check Appropriate Box (s)

✓	Legal Postage	\$ 9.95
✓	Certified Cert. #76120470000211381732	4.35
✓	Return Receipt Requested	3.85
	Postage Affixed; SEND DIRECT Legal Postage Only TO MAILROOM	
	Regular Postage or UPS Property	
	Additional Insurance Amount \$	
	No Postage Inter Office Mail	

Weight of Mail/Property

1LB 7.7

Total Postage
and Fees

\$ 17.85

SENT TO:

CLERK, USDC - DNJ

ADDRESS:

PRINT 407 E. STATE ST.

CAMDEN, NJ 08101-2717 ENCLIPEN-227

WITNESS:

J. Feldman

SIGNATURE:

[Signature]

CHECK#

DATE:

4/4/23

APPROVED BY

Pal26

0 11

EXHIBIT M

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CLERK, USDC-DNJ
402 E. STATE ST.
CAMDEN, NJ 08101-2797



9590 9402 4431 8248 7087 73

2. Article Number (Transfer from service label)

70120470000211386732

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

[Signature]

☐ Agent

☐ Addressee

B. Received by (Printed Name)

Nelson Ignaciovich

C. Date of Delivery

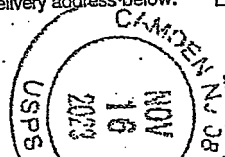
11/16/23

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No



3. Service Type

☒ Adult Signature

☐ Adult Signature Restricted Delivery

☒ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Insured Mail

☐ Insured Mail Restricted Delivery

(over \$500)

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☒ Return Receipt for Merchandise

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

Pa128

EXHIBIT N

CD-30 A

NEW JERSEY STATE PRISON

Rev. 3/1/21

POSTAGE REMIT

DATE:

9/25/24

LOCATION:

60281

SBI NUMBER:

1023176

INMATE NAME:

CALEB MCGILLVARY

INMATE SIGNATURE:



TO: BUSINESS MANAGER

DATE MAILED:

(✓) Check Appropriate Box (s)

<input checked="" type="checkbox"/>	Legal Postage	\$ 9.25
<input checked="" type="checkbox"/>	Certified Cert. # 7041350000409782235	4.85
<input checked="" type="checkbox"/>	Return Receipt Requested	4.10
<input type="checkbox"/>	Postage Affixed; SEND DIRECT Legal Postage Only TO MAILROOM	
<input type="checkbox"/>	Regular Postage or UPS Property	
<input type="checkbox"/>	Additional Insurance Amount \$	
<input type="checkbox"/>	No Postage Inter Office Mail	

Weight of Mail/Property

Total Postage
and Fees

\$ 18.20

SENT TO:

CLERK, USDC - DNJ

ADDRESS:

PRINT 474 1 COOPER STS CAMDEN, NJ 08101

ENC. MPET REWRIT. BIO NJ DEF. 1123-62605

WITNESS:

J. Feldman

SIGNATURE:



APPROVED

CHECK#

15302

DATE:

Pal30

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

CLERY VSDZ-DNJ
4TH & COOPER STS. CAMDEN, NJ
08101-2797
ENC: MEET REVENPORT'S MTD
BIO NS DEF'S MTD
1:23-CV-22605-JMY



9590 9402 4431 8248 6919 83

2. Article Number (Transfer from service label)

76041350000404782285

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

- ☐ Agent
- ☐ Addressee

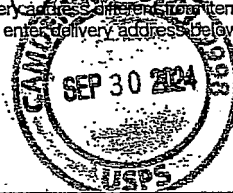
B. Received by (Printed Name)

Adela Zyparski

C. Date of Delivery

9/30/24

- D. Is delivery address different from item 1? ☐ Yes
- If YES, enter delivery address below: ☐ No



3. Service Type

- ☒ Adult Signature
- ☐ Adult Signature Restricted Delivery
- ☒ Certified Mail®
- ☐ Certified Mail Restricted Delivery
- ☐ Collect on Delivery
- ☐ Collect on Delivery Restricted Delivery
- ☐ Insured Mail
- ☐ Insured Mail Restricted Delivery (over \$500)
- ☐ Priority Mail Express®
- ☐ Registered Mail™
- ☐ Registered Mail Restricted Delivery
- ☒ Return Receipt for Merchandise
- ☐ Signature Confirmation™
- ☐ Signature Confirmation Restricted Delivery

PS Form 3811, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt

USPS TRACKING #



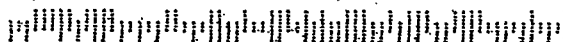
9590 9402 4431 8248 6919 83

United States
Postal Service

* Sender: Please print your name, address, and ZIP+4® in this box*

CALEB MCGILLVARY
#1222665/SB1#1023176
NISP PO BOX 861
TRENTON, NJ
08625-0861

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



Pal31

CO-30 A

NEW JERSEY STATE PRISON

Rev. 3/1/21

POSTAGE REMIT

DATE:

9/25/24

LOCATION:

6081

SBI NUMBER:

1023176

INMATE NAME:

CAROL MCGILLIVRAY

INMATE SIGNATURE:

[Signature]

TO: BUSINESS MANAGER

DATE MAILED:

(✓) Check Appropriate Box (s)

<input checked="" type="checkbox"/>	Legal Postage	\$ 9.25
<input checked="" type="checkbox"/>	Certified Cert. # 700413500004048213	4.85
<input checked="" type="checkbox"/>	Return Receipt Requested	4.10
<input type="checkbox"/>	Postage Affixed; Legal Postage Only	SEND DIRECT TO MAILROOM
<input type="checkbox"/>	Regular Postage or UPS Property	
<input type="checkbox"/>	Additional Insurance Amount \$	
<input type="checkbox"/>	No Postage Inter Office Mail	

Weight of Mail/Property

Total Postage and Fees

\$ 18.20

SENT TO:

HON. JOHN MILTON YOUNG, USDS

ADDRESS:

15613 USCHSE 601 MARKET ST.
PHILADELPHIA, PA 19106-1790

WITNESS:

J. J. [Signature]

SIGNATURE:

[Signature]

CHECK#

15.602

DATE

Pal 32

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

HON. JOHN MILTON YOUNG, USJ
15613 US HWY 601 MARKET ST.
PHILADELPHIA, PA 19106-1790
ENC: MEET R ELLENPORT MTD
BIO NJ DEFS MTD
1123-CV-22605-JMY



9590 9402 4431 8248 6919 76

2. Article Number (Transfer from service label)

70041350000404782278

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *[Signature]*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

John Young

C. Date of Delivery

9/21/12

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☐ No

3. Service Type

☒ Adult Signature

☐ Adult Signature Restricted Delivery

☒ Certified Mail®

☐ Certified Mail Restricted Delivery

☐ Collect on Delivery

☐ Collect on Delivery Restricted Delivery

☐ Insured Mail

☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☒ Return Receipt for Merchandise

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

Domestic Return Receipt

USPS TRACKING#



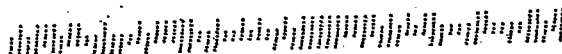
9590 9402 4431 8248 6919 76

United States
Postal Service

• Sender: Please print your name, address, and ZIP+4® in this box•

CAVER MCGILL VARY
#1222665/SBI #1023176
NJSP PO BOX 861
TRENTON, NJ
08625

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



Pa133

EXHIBIT O

CASE JACKET

User: 043462010, M.MILLER

Case Number: UNN-13-001703

Back

Create Summary Report

Case Caption: STATE OF NJ VS CALEB MCGILLVARY
Assigned To: Judge ROBERT A KIRSCH J.S.C.Case Initiation Date: 05/23/2013
Case Status: ACTIVE

Crime Type: CRIMINAL HOMICIDE

Case Detail

Prosecutor: SCOTT PETERSON
Address: 32 RAHWAY AVENUE, ELIZABETH, NJ 07202115Phone: (908) 527-4500
Email: SMPETERSON@UCNJ.ORG

Defendant: (001) CALEB L MCGILLVARY SBI #:102317G










































Case Actions

Filed Date	Defendant Name	Filings	Docket Text	Transaction ID	Entry Date
05/29/2014	MCGILLVARY, CALEB L		BRIEF CHANGE OF VENUE DEFENSE submitted by COURT	CRM2019422244	05/21/2019
06/12/2014	MCGILLVARY, CALEB L		VENUE TRANSFER BRIEF STATE submitted by COURT	CRM2019422224	05/21/2019
05/18/2016	MCGILLVARY, CALEB L		CONFIDENTIAL INDICTMENT SUBMITTED BY COURT - DISCOVERY IS AVAILABLE AT PROSECUTOR'S OFFICE	CRM2019422296	05/21/2019
05/23/2016	MCGILLVARY, CALEB L		ORDER - arraignment submitted by COURT	CRM2019422195	05/21/2019
05/25/2016	MCGILLVARY, CALEB L		NOTICE OF DEFENSE submitted by JOHN G CITO of JOHN G. CITO	CRM201676851	05/25/2016
06/09/2016	MCGILLVARY, CALEB L		Motion - CHANGE VENUE submitted by JOHN G CITO of JOHN G. CITO	CRM201687238	06/09/2016
07/18/2016	MCGILLVARY, CALEB L		CONFIRMING LETTER submitted by JOHN G CITO of JOHN G. CITO	CRM2016115796	07/18/2016
08/03/2016	MCGILLVARY, CALEB L		EXHIBIT G part 1, SUPPLEMENTAL BRIEF, EXHIBIT G part 2, EXHIBIT H submitted by JOHN G CITO of JOHN G. CITO re: CHANGE VENUE	CRM2016128191	08/03/2016
08/03/2016	MCGILLVARY, CALEB L		Motion - OTHER submitted by JOHN G CITO of JOHN G. CITO	CRM2016128216	08/03/2016
08/11/2016	MCGILLVARY, CALEB L		CERTIFICATION/AFFIDAVIT, CONFIRMING LETTER submitted by JOHN G CITO of JOHN G. CITO re: OTHER	CRM2016136114	08/11/2016
08/22/2016	MCGILLVARY, CALEB L		COVER LETTER STATE submitted by COURT	CRM2019422263	05/21/2019
09/15/2016	MCGILLVARY, CALEB L		Hearing is scheduled for 01:30 PM on 09/30/2016 with Judge Karen M Cassidy, A.J.s.c. re: CHANGE VENUE [CRM201687238]	CRM2016160608	09/15/2016
09/30/2016	MCGILLVARY, CALEB L		Motion Result: DENIED on 09/30/2016 re: CHANGE VENUE [CRM201687238]	CRM2016176548	10/03/2016
09/30/2016	MCGILLVARY, CALEB L		ORDER by Judge Karen M Cassidy, A.J.s.c. re: CHANGE VENUE [CRM201687238]	CRM2016176549	10/03/2016
10/03/2016	MCGILLVARY, CALEB L		NOTICE OF DEFENSE submitted by JOHN G CITO of JOHN G. CITO	CRM2016176713	10/03/2016
10/03/2016	MCGILLVARY, CALEB L		Motion - DISMISS INDICTMENT submitted by JOHN G CITO of JOHN G. CITO	CRM2016176724	10/03/2016
10/03/2016	MCGILLVARY, CALEB L		Motion - DISMISS INDICTMENT submitted by JOHN G CITO of JOHN G. CITO	CRM2016176734	10/03/2016
10/03/2016	MCGILLVARY, CALEB L		Motion - IN LIMINE submitted by JOHN G CITO of JOHN G. CITO	CRM2016176760	10/03/2016
10/03/2016	MCGILLVARY, CALEB L		CONFIRMING LETTER submitted by JOHN G CITO of JOHN G. CITO	CRM2016177102	10/03/2016
12/09/2016	MCGILLVARY, CALEB L		Hearing is scheduled for 09:00 AM on 03/27/2017 with Judge Karen M Cassidy, A.J.s.c. re: CHANGE VENUE [CRM201687238]	CRM2016233593	12/09/2016

Pa135

	L	<input checked="" type="checkbox"/>	Judge Regina Caulfield Jsc. re: DISMISS INDICTMENT [CRM2016176724]		
12/23/2016	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	NOTICE OF DEFENSE submitted by JOHN G CITO of JOHN G. CITO	CRM2016246477	12/23/2016
12/28/2016	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Motion - COMPEL DISCOVERY submitted by JOHN G CITO of JOHN G. CITO	CRM2016248451	12/28/2016
12/28/2016	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Motion - IN LIMINE submitted by JOHN G CITO of JOHN G. CITO	CRM2016248454	12/28/2016
12/29/2016	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	CONFIRMING LETTER, CERTIFICATION/AFFIDAVIT, EXHIBIT INDEX, EXHIBIT A, EXHIBIT B, EXHIBIT C, EXHIBIT D, EXHIBIT E, EXHIBIT F, EXHIBIT G, EXHIBIT H, EXHIBIT I, EXHIBIT J submitted by JOHN G CITO of JOHN G. CITO re: COMPEL DISCOVERY	CRM2016248947	12/29/2016
12/29/2016	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	CONFIRMING LETTER submitted by JOHN G CITO of JOHN G. CITO	CRM2016249212	12/29/2016
12/29/2016	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	EXHIBIT INDEX, BRIEF, EXHIBIT A, EXHIBIT B, EXHIBIT C, EXHIBIT D submitted by JOHN G CITO of JOHN G. CITO re: IN LIMINE	CRM2016249249	12/29/2016
12/30/2016	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	EXHIBIT INDEX, BRIEF, EXHIBIT A, EXHIBIT B, EXHIBIT C, EXHIBIT D, EXHIBIT E, EXHIBIT F, EXHIBIT G, EXHIBIT H, EXHIBIT I, EXHIBIT J, EXHIBIT K, EXHIBIT L, EXHIBIT M, EXHIBIT N, EXHIBIT O, EXHIBIT P submitted by JOHN G CITO of JOHN G. CITO re: IN LIMINE	CRM2016249458	12/30/2016
12/30/2016	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	CONFIRMING LETTER, EXHIBIT INDEX, EXHIBIT A, EXHIBIT B, EXHIBIT C1, EXHIBIT C2, EXHIBIT C3, EXHIBIT C4, EXHIBIT C5, EXHIBIT C6, EXHIBIT C7, EXHIBIT C8, EXHIBIT C9, EXHIBIT D, EXHIBIT E, EXHIBIT F, EXHIBIT G, EXHIBIT H, EXHIBIT I, EXHIBIT J, EXHIBIT K, EXHIBIT L, EXHIBIT M submitted by JOHN G CITO of JOHN G. CITO re: DISMISS INDICTMENT	CRM2016249511	12/30/2016
01/09/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	BRIEF submitted by JOHN G CITO of JOHN G. CITO re: DISMISS INDICTMENT	CRM20175899	01/09/2017
01/16/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	CERTIFICATION/AFFIDAVIT, CONFIRMING LETTER submitted by JOHN G CITO of JOHN G. CITO re: OTHER	CRM201712313	01/16/2017
02/15/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	CONFIRMING LETTER submitted by JOHN G CITO of JOHN G. CITO	CRM201748405	02/15/2017
02/23/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Response to Motion - BRIEF - submitted by SCOTT MICHAEL PETERSON of UNION COUNTY PROSECUTORS OFFICE on behalf of the State of NJ re: DISMISS INDICTMENT	CRM201758175	02/23/2017
02/27/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	CORRECTION: Motion - OTHER submitted by JOHN G CITO of JOHN G. CITO was changed to Motion - SUPPRESSION re: [CRM2016128216]	CRM2016257995	02/27/2017
04/28/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Motion Result: DENIED on 04/28/2017 re: MOTION - DISMISS INDICTMENT [CRM2016176724]	CRM2016263685	05/24/2017
04/28/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	ORDER by Judge Regina Caulfield Jsc re: MOTION - DISMISS INDICTMENT [CRM2016176724]	CRM2016263686	05/24/2017
04/28/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	CORRECTION: Motion Result modified to DENIED on 04/28/2017 re: DISMISS INDICTMENT [CRM2016176734] - Original was Entered in Error	CRM2016269225	04/06/2018
04/28/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	ORDER by Judge Regina Caulfield Jsc re: DISMISS INDICTMENT [CRM2016176734]	CRM2016269226	04/06/2018
04/28/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	CONFIDENTIAL DECISION ON MO TO DM IND submitted by COURT	CRM2017183510	05/24/2017
05/10/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	LETTER AS TO OUTSTANDING DISCOVERY REQUEST submitted by JOHN G CITO of JOHN G. CITO	CRM2017163958	05/10/2017
05/12/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Motion for Leave to Appeal filed with Appellate Division AM-000563-16	APC20172521	05/12/2017
05/17/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Amended Motion for Leave to Appeal filed with Appellate Division AM-000563-16	APC20172544	05/17/2017
06/02/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Motion - COMPEL DISCOVERY submitted by JOHN G CITO of JOHN G. CITO	CRM2017196923	06/02/2017
06/19/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	APPELLATE MO DECISION submitted by COURT	CRM2017228510	06/22/2017
07/19/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Motion Result: GRANTED IN PART on 07/19/2017 re: MOTION - IN LIMINE [CRM2016176724] 0053a	CRM2016266798	09/05/2017

07/19/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	ORDER by Judge Regina Caulfield Jsc re: MOTION - IN LIMINE [CRM2016176760]	CRM2016266799	09/05/2017
07/19/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Motion Result: GRANTED IN PART on 07/19/2017 re: COMPEL DISCOVERY [CRM2016248451]	CRM2016270192	08/24/2018
07/19/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	ORDER by Judge Regina Caulfield Jsc re: COMPEL DISCOVERY [CRM2016248451]	CRM2016270193	08/24/2018
07/20/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	ORDERS - CRM2016176760 submitted by COURT	CRM2017345639	09/05/2017
08/14/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	CONFIRMING LETTER submitted by JOHN G CITO of JOHN G. CITO	CRM2017311812	08/14/2017
09/07/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Hearing is scheduled for 09:00 AM on 09/18/2017 with Judge William A Daniel J.s.c. re: SUPPRESSION [CRM2016128216]	CRM2016266862	09/07/2017
09/07/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Hearing is scheduled for 09:00 AM on 09/18/2017 with Judge Regina Caulfield Jsc. re: DISMISS INDICTMENT [CRM2016176734], SUPPRESSION [CRM2016128216]	CRM2016266864	09/07/2017
09/14/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Hearing is scheduled for 09:00 AM on 09/18/2017 with Judge Regina Caulfield Jsc. re: COMPEL DISCOVERY [CRM2016248451], DISMISS INDICTMENT [CRM2016176734], SUPPRESSION [CRM2016128216]	CRM2016267005	09/14/2017
09/14/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Hearing is rescheduled for 09:00 AM on 09/18/2017 with Judge William A Daniel J.s.c. re: COMPEL DISCOVERY [CRM2016248451], DISMISS INDICTMENT [CRM2016176734], SUPPRESSION [CRM2016128216]	CRM2016267006	09/14/2017
09/14/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Hearing is scheduled for 09:00 AM on 09/18/2017 with Judge William A Daniel J.s.c. re: IN LIMINE [CRM2016248454], DISMISS INDICTMENT [CRM2016176734], COMPEL DISCOVERY [CRM2016248451], SUPPRESSION [CRM2016128216]	CRM2016267007	09/14/2017
09/14/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Hearing is scheduled for 09:00 AM on 09/18/2017 with Judge William A Daniel J.s.c. re: COMPEL DISCOVERY [CRM2017196923], DISMISS INDICTMENT [CRM2016176734], COMPEL DISCOVERY [CRM2016248451], IN LIMINE [CRM2016248454], SUPPRESSION [CRM2016128216]	CRM2017363308	09/14/2017
12/01/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Motion - CHANGE VENUE submitted by JOHN G CITO of JOHN G. CITO	CRM2017497730	12/01/2017
12/04/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	DELETED Hearing is rescheduled for 09:00 AM on 12/14/2017 with Judge Regina Caulfield Jsc. re: SUPPRESSION [CRM2016128216], DISMISS INDICTMENT [CRM2016176734], COMPEL DISCOVERY [CRM2016248451], IN LIMINE [CRM2016248454], COMPEL DISCOVERY [CRM2017196923]	CRM2016267885	12/04/2017
12/21/2017	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	SUPPLEMENTAL BRIEF submitted by JOHN G CITO of JOHN G. CITO re: CHANGE VENUE	CRM2017539361	12/21/2017
01/10/2018	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	CONFIRMING LETTER submitted by JOHN G CITO of JOHN G. CITO	CRM201812667	01/10/2018
01/23/2018	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	CONFIRMING LETTER, PROPOSED FORM OF ORDER submitted by JOHN G CITO of JOHN G. CITO re: IN LIMINE	CRM201834143	01/23/2018
01/24/2018	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Motion - COMPEL DISCOVERY submitted by JOHN G CITO of JOHN G. CITO	CRM201836398	01/24/2018
01/25/2018	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	BRIEF, CERTIFICATION/AFFIDAVIT, EXHIBIT INDEX, EXHIBIT A, EXHIBIT B, EXHIBIT C, EXHIBIT D, EXHIBIT E, EXHIBIT F submitted by JOHN G CITO of JOHN G. CITO re: CHANGE VENUE	CRM201839822	01/25/2018
01/25/2018	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	PLEADINGS INDEX, PLEADINGS A, PLEADINGS B, PLEADINGS C, PLEADINGS D, PLEADINGS E, PLEADINGS F, PLEADINGS G submitted by JOHN G CITO of JOHN G. CITO re: CHANGE VENUE	CRM201839828	01/25/2018
01/29/2018	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	COURTESY COPY TO JUDGE CAULFIELD submitted by JOHN G CITO of JOHN G. CITO	CRM201845047	01/29/2018
01/31/2018	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	SUPPLEMENTAL BRIEF, EXHIBIT INDEX, EXHIBIT A submitted by JOHN G CITO of JOHN G. CITO re: COMPEL DISCOVERY	CRM201849758	01/31/2018
02/22/2018	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Motion Result: DENIED on 02/22/2018 re: MOTION - CHANGE VENUE [CRM2017497730]	CRM2017586471	07/25/2018
02/22/2018	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	ORDER by Judge Judge Out Of County Transf re: MOTION - CHANGE VENUE [CRM2017497730]	CRM2017586472	07/25/2018

02/23/2018	MCGILLVARY, CALEB L	 	CONFIRMING LETTER, 02/22/18 ORDER OF JUDGE RVAS submitted by JOHN G CITO of JOHN G. CITO re: CHANGE VENUE	CRM201893889	02/23/2018
02/28/2018	MCGILLVARY, CALEB L		Motion for Leave to Appeal filed with Appellate Division AM-000374-17	APC2018942	02/28/2018
02/28/2018	MCGILLVARY, CALEB L		Case Information Statement filed with Appellate Division AM-000374-17	APC2018943	02/28/2018
03/01/2018	MCGILLVARY, CALEB L	 	Letters from Defense Expert submitted by JOHN G CITO of JOHN G. CITO re: COMPEL DISCOVERY	CRM2018107658	03/01/2018
03/06/2018	MCGILLVARY, CALEB L	 	CONFIRMING LETTER submitted by JOHN G CITO of JOHN G. CITO	CRM2018115213	03/06/2018
03/22/2018	MCGILLVARY, CALEB L	 	NOTICE OF DEFENSE submitted by JOHN G CITO of JOHN G. CITO	CRM2018144857	03/22/2018
03/22/2018	MCGILLVARY, CALEB L	 	NOTICE OF DEFENSE submitted by JOHN G CITO of JOHN G. CITO	CRM2018144969	03/22/2018
03/26/2018	MCGILLVARY, CALEB L		Motion Result: GRANTED on 03/26/2018 re: IN LIMINE [CRM2016248454]	CRM2016269517	05/04/2018
04/06/2018	MCGILLVARY, CALEB L		CORRECTION: Hearing scheduled for 09:00 AM on 12/14/2017 with Judge Robert A Kirsch. re: DISMISS INDICTMENT [CRM2016176734] - Scheduled in Error	CRM2016269224	04/06/2018
04/12/2018	MCGILLVARY, CALEB L		Appellate decision filed AM-000374-17 re: Motion for Leave to Appeal [APC2018942]	APC20181765	04/12/2018
04/12/2018	MCGILLVARY, CALEB L	 	CONFIRMING LETTER, PROPOSED FORM OF ORDER, ACKNOWLEDGEMENT/AGREEMENT submitted by JOHN G CITO of JOHN G. CITO re: PROTECTIVE ORDER	CRM2018186826	04/12/2018
05/04/2018	MCGILLVARY, CALEB L	 	ORDER by Judge Robert A Kirsch re: IN LIMINE [CRM2016248454]	CRM2016269518	05/04/2018
05/04/2018	MCGILLVARY, CALEB L		ORDER - ORDER submitted by COURT	CRM2018259266	05/17/2018
05/04/2018	MCGILLVARY, CALEB L		ORDER - witness testify submitted by COURT	CRM2019422183	05/21/2019
05/15/2018	MCGILLVARY, CALEB L	 	REVISED PROTECTIVE ORDER submitted by JOHN G CITO of JOHN G. CITO	CRM2018254550	05/15/2018
05/17/2018	MCGILLVARY, CALEB L		Motion Result: GRANTED on 05/17/2018 re: COMPEL DISCOVERY [CRM2017196923]	CRM2017580504	05/17/2018
05/17/2018	MCGILLVARY, CALEB L	 	ORDER by Judge Robert A Kirsch re: COMPEL DISCOVERY [CRM2017196923]	CRM2017580505	05/17/2018
05/17/2018	MCGILLVARY, CALEB L		Motion Result: GRANTED on 05/17/2018 re: MOTION - COMPEL DISCOVERY [CRM201836398]	CRM2018257747	05/17/2018
05/17/2018	MCGILLVARY, CALEB L	 	ORDER by Judge Robert A Kirsch re: MOTION - COMPEL DISCOVERY [CRM201836398]	CRM2018257748	05/17/2018
05/17/2018	MCGILLVARY, CALEB L		ORDER - PROTECTIVE ORDER submitted by COURT	CRM2018259284	05/17/2018
08/24/2018	MCGILLVARY, CALEB L		Motion Result: WITHDRAWN on 08/24/2018 re: SUPPRESSION [CRM2016128216]	CRM2016270205	08/27/2018
12/27/2018	MCGILLVARY, CALEB L	 	DELETED Motion - DISMISS INDICTMENT submitted by COURT	CRM2018822401	12/27/2018
12/27/2018	MCGILLVARY, CALEB L	 	DELETED BRIEF submitted by COURT re: DISMISS INDICTMENT	CRM2018822465	12/27/2018
01/07/2019	MCGILLVARY, CALEB L		PRETRIAL MEMORANDUM submitted by COURT	CRM201975736	01/29/2019
01/08/2019	MCGILLVARY, CALEB L		ORDER submitted by COURT	CRM201919913	01/09/2019
01/08/2019	MCGILLVARY, CALEB L		ORDER submitted by COURT.	CRM201919931	01/09/2019
01/08/2019	MCGILLVARY, CALEB L		ORDER - SCHEDULING ORDER submitted by COURT	CRM201939212	01/16/2019
01/10/2019	MCGILLVARY, CALEB L	 	CORRECTION - re: DISMISS INDICTMENT, PROPOSED FORM OF ORDER, PROOF OF SERVICE, CERTIFICATION/AFFIDAVIT, BRIEF [CRM2018822401] submitted on 12/27/2018 by 000055a	CRM201924411	01/10/2019

			COURT has been deleted as ordered by Judge ROBERK KIRSCH JSC - MISTAKEN ENTRY ON E-COURTS		
01/10/2019	MCGILLVARY, CALEB L	<input type="checkbox"/> <input checked="" type="checkbox"/>	CORRECTION - re: BRIEF [CRM2018822465] submitted on 12/27/2018 by COURT has been deleted as ordered by Judge ROBERT KIRSCH JSC - MISTAKEN ENTRY ON ECOURTS	CRM201924416	01/10/2019
01/31/2019	MCGILLVARY, CALEB L	<input type="checkbox"/> <input checked="" type="checkbox"/>	Motion - IN LIMINE submitted by JOHN G. CITO of JOHN G. CITO	CRM201981637	01/31/2019
02/07/2019	MCGILLVARY, CALEB L	<input type="checkbox"/> <input checked="" type="checkbox"/>	NOTICE OF DEFENSE submitted by JOHN G. CITO of JOHN G. CITO	CRM2019104367	02/07/2019
02/11/2019	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Hearing is scheduled for 01:30 PM on 03/04/2019 with Judge Robert A Kirsch. re: IN LIMINE [CRM201981637]	CRM2019111334	02/11/2019
02/14/2019	MCGILLVARY, CALEB L	<input type="checkbox"/> <input checked="" type="checkbox"/>	EXHIBIT - Expert Report and C.V. submitted by JOHN G. CITO of JOHN G. CITO re: IN LIMINE	CRM2019124056	02/14/2019
02/19/2019	MCGILLVARY, CALEB L	<input type="checkbox"/> <input checked="" type="checkbox"/>	Response to Motion - BRIEF - submitted by SCOTT MICHAEL PETERSON of UNION COUNTY PROSECUTORS OFFICE on behalf of the State of NJ re: DISMISS INDICTMENT	CRM2019131991	02/19/2019
03/05/2019	MCGILLVARY, CALEB L	<input type="checkbox"/> <input checked="" type="checkbox"/>	CERTIFICATION AS TO INSIDE EDITION submitted by JOHN G. CITO of JOHN G. CITO	CRM2019172455	03/05/2019
03/05/2019	MCGILLVARY, CALEB L	<input type="checkbox"/> <input checked="" type="checkbox"/>	PROPOSED JURY CHARGES submitted by JOHN G. CITO of JOHN G. CITO	CRM2019173829	03/05/2019
03/07/2019	MCGILLVARY, CALEB L	<input type="checkbox"/> <input checked="" type="checkbox"/>	CONFIRMING LETTER submitted by JOHN G. CITO of JOHN G. CITO	CRM2019184167	03/07/2019
03/18/2019	MCGILLVARY, CALEB L	<input type="checkbox"/> <input checked="" type="checkbox"/>	CONFIRMING LETTER submitted by JOHN G. CITO of JOHN G. CITO	CRM2019218078	03/18/2019
03/19/2019	MCGILLVARY, CALEB L	<input type="checkbox"/> <input checked="" type="checkbox"/>	CONFIRMING LETTER submitted by JOHN G. CITO of JOHN G. CITO	CRM2019220528	03/19/2019
03/22/2019	MCGILLVARY, CALEB L	<input type="checkbox"/> <input checked="" type="checkbox"/>	PROPOSED JURY CHARGE SUPPLEMENT submitted by JOHN G. CITO of JOHN G. CITO	CRM2019231499	03/22/2019
03/22/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	ORDER submitted by COURT	CRM2019235339	03/22/2019
03/22/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	ORDER - seal opinion submitted by COURT	CRM2019338108	04/24/2019
04/01/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	C1-A JURY VOIR DIRE submitted by COURT	CRM2019358743	05/01/2019
04/01/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	CONFIDENTIAL WITNESS LIST submitted by COURT	CRM2019358903	05/01/2019
04/04/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	CONFIDENTIAL JUROR PANEL submitted by COURT	CRM2019358889	05/01/2019
04/16/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	C3 - LETTER FROM CALEB MCGILLVARY submitted by COURT	CRM2019358767	05/01/2019
04/16/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	CONFIDENTIAL C4 - UNION COUNTY CORRECTIONS submitted by COURT	CRM2019358792	05/01/2019
04/18/2019	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Motion Result: DENIED on 04/18/2019 re: MOTION - IN LIMINE [CRM201981637]	CRM2019321578	04/18/2019
04/18/2019	MCGILLVARY, CALEB L	<input type="checkbox"/> <input checked="" type="checkbox"/>	ORDER by Judge Robert A Kirsch re: MOTION - IN LIMINE [CRM201981637]	CRM2019321579	04/18/2019
04/23/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	CONFIDENTIAL C7 BLANK VERDICT SHEET submitted by COURT	CRM2019358809	05/01/2019
04/23/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	CONFIDENTIAL C8 LETTER FROM CALEB MCGILLVARY submitted by COURT	CRM2019358821	05/01/2019
04/23/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	CONFIDENTIAL C9 JURY NOTE submitted by COURT	CRM2019358834	05/01/2019
04/23/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	CONFIDENTIAL C10 JURY NOTE submitted by COURT	CRM2019358844	05/01/2019
04/23/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	CONFIDENTIAL C11 - JUDGES NOTE TO JURORS submitted by COURT	CRM2019358852	05/01/2019
04/24/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	CONFIDENTIAL OPINION ON MEDIA ACCESS submitted by COURT	CRM2019337924	04/24/2019
04/24/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	ORDER - unseal opinion submitted by COURT 000056a	CRM2019338097	04/24/2019

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04/24/2019	MCGILLVARY, CALEB L		JURY INSTRUCTIONS submitted by COURT	CRM2019341029	04/25/2019
04/24/2019	MCGILLVARY, CALEB L		CONFIDENTIAL VERDICT SHEET submitted by COURT	CRM2019341037	04/25/2019
04/24/2019	MCGILLVARY, CALEB L		CONFIDENTIAL C12 - JURY NOTE submitted by COURT	CRM2019358859	05/01/2019
04/24/2019	MCGILLVARY, CALEB L		CONFIDENTIAL C13 JURY NOTE submitted by COURT	CRM2019358864	05/01/2019
04/24/2019	MCGILLVARY, CALEB L		CONFIDENTIAL C14 - JURY NOTE submitted by COURT	CRM2019358875	05/01/2019
04/25/2019	MCGILLVARY, CALEB L		Motion - NEW TRIAL submitted by JOHN G CITO of JOHN G. CITO	CRM2019342092	04/25/2019
04/29/2019	MCGILLVARY, CALEB L		CONFIRMING LETTER submitted by JOHN G CITO of JOHN G. CITO	CRM2019351857	04/29/2019
04/30/2019	MCGILLVARY, CALEB L		ORDER - SCHEDULING ORDER submitted by COURT	CRM2019423167	05/21/2019
05/01/2019	MCGILLVARY, CALEB L		ORDER - Transfer Order from March 2018 submitted by COURT	CRM2019357925	05/01/2019
05/01/2019	MCGILLVARY, CALEB L		ORDER - Sentencing Scheduling Order submitted by COURT	CRM2019359188	05/01/2019
05/01/2019	MCGILLVARY, CALEB L		CONFIRMING LETTER submitted by JOHN G CITO of JOHN G. CITO	CRM2019359452	05/01/2019
05/02/2019	MCGILLVARY, CALEB L		LETTER FROM C. MCGILLVARY submitted by COURT	CRM2019374520	05/06/2019
05/07/2019	MCGILLVARY, CALEB L		Hearing is scheduled for 01:30 PM on 06/03/2019 with Judge Robert A Kirsch. re: NEW TRIAL [CRM2019342092]	CRM2019376425	05/07/2019
05/10/2019	MCGILLVARY, CALEB L		Response to Motion - BRIEF - submitted by SCOTT MICHAEL PETERSON of UNION COUNTY PROSECUTORS OFFICE on behalf of the State of NJ re: NEW TRIAL	CRM2019392546	05/10/2019
05/14/2019	MCGILLVARY, CALEB L		Hearing is rescheduled for 10:00 AM on 05/23/2019 with Judge Robert A Kirsch. re: NEW TRIAL [CRM2019342092]	CRM2019399245	05/14/2019
05/20/2019	MCGILLVARY, CALEB L		LETTER FROM C. MCGILLVARY submitted by COURT	CRM2019423171	05/21/2019
05/21/2019	MCGILLVARY, CALEB L		Motion - OTHER submitted by CALEB L MCGILLVARY	CRM2019436317	05/24/2019
05/21/2019	MCGILLVARY, CALEB L		CONFIRMING LETTER submitted by CALEB L MCGILLVARY	CRM2019436737	05/24/2019
05/21/2019	MCGILLVARY, CALEB L		Motion - NEW TRIAL submitted by CALEB L MCGILLVARY	CRM2019436746	05/24/2019
05/21/2019	MCGILLVARY, CALEB L		BRIEF submitted by CALEB L MCGILLVARY re: OTHER	CRM2019436828	05/24/2019
05/21/2019	MCGILLVARY, CALEB L		BRIEF, BRIEF submitted by CALEB L MCGILLVARY re: NEW TRIAL	CRM2019436867	05/24/2019
05/21/2019	MCGILLVARY, CALEB L		MODIFIED Motion - OTHER submitted by CALEB L MCGILLVARY	CRM2019437745	05/24/2019
05/21/2019	MCGILLVARY, CALEB L		BRIEF submitted by CALEB L MCGILLVARY re: OTHER	CRM2019437869	05/24/2019
05/21/2019	MCGILLVARY, CALEB L		Motion - NEW TRIAL submitted by CALEB L MCGILLVARY	CRM2019437886	05/24/2019
05/22/2019	MCGILLVARY, CALEB L		A NEWER VERSION IS AVAILABLE - CONFIDENTIAL Presentence Investigation Report (PSI) - Approved for Sentencing	CRM2019428710	05/22/2019
05/22/2019	MCGILLVARY, CALEB L		A NEWER VERSION IS AVAILABLE - CONFIDENTIAL Presentence Investigation Report (PSI) - Approved for Sentencing	CRM2019428738	05/22/2019
05/23/2019	MCGILLVARY, CALEB L		ORDER submitted by COURT	CRM2019434004	05/23/2019
05/23/2019	MCGILLVARY, CALEB L		Motion Result: DENIED on 05/23/2019 re: MOTION - NEW TRIAL [CRM2019342092]	CRM2019434041	05/23/2019

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05/23/2019	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	ORDER by Judge Robert A Kirsch re: MOTION - NEW TRIAL [CRM2019342092]	CRM2019434042	05/23/2019
05/23/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	ORDER submitted by COURT	CRM2019437383	05/24/2019
05/23/2019	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Motion Result: DENIED on 05/23/2019 re: MOTION - NEW TRIAL [CRM2019437886]	CRM2019437931	05/24/2019
05/23/2019	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	ORDER by Judge Robert A Kirsch re: MOTION - NEW TRIAL [CRM2019437886]	CRM2019437932	05/24/2019
05/23/2019	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Motion Result: DENIED on 05/23/2019 re: MOTION - PRO SE [CRM2019437745]	CRM2019437959	05/24/2019
05/23/2019	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	ORDER by Judge Robert A Kirsch re: MOTION - PRO SE [CRM2019437745]	CRM2019437960	05/24/2019
05/24/2019	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	CONFIRMING LETTER submitted by JOHN G CITO of JOHN G. CITO	CRM2019437640	05/24/2019
05/24/2019	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	CORRECTION: Motion - OTHER submitted by CALEB L MCGILLVARY was changed to Motion - PRO SE re: [CRM2019437745]	CRM2019437948	05/24/2019
05/29/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	ORDER - Seal submitted by COURT	CRM2019448282	05/29/2019
05/29/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	DEFENSE COUNSEL SENTENCING MEMORANDUM submitted by COURT	CRM2019448293	05/29/2019
05/29/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	ORDER - Seal - corrected submitted by COURT	CRM2019448409	05/29/2019
05/30/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	NOTICE OF APPEAL RIGHTS submitted by COURT	CRM2019452287	05/30/2019
05/30/2019	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	CONFIDENTIAL Presentence Investigation Report (PSI) - Final	CRM2019453734	05/30/2019
05/30/2019	MCGILLVARY, CALEB L	<input checked="" type="checkbox"/>	Judgment of Conviction & Order for Commitment	CRM2019455002	05/30/2019
06/06/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	LETTER submitted by COURT	CRM2019475591	06/06/2019
06/20/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	Notice of Appeal filed with Appellate Division A-004519-18	APC20193461	06/20/2019
07/18/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	Transcript Request Form filed with Appellate Division A-004519-18	APC20194079	07/18/2019
07/19/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	Transcript Request Form filed with Appellate Division A-004519-18	APC20194112	07/19/2019
07/30/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	Transcript Request Form filed with Appellate Division A-004519-18	APC20194252	07/30/2019
10/10/2019	MCGILLVARY, CALEB L	<input type="checkbox"/>	Transcript Request Form filed with Appellate Division A-004519-18	APC20195701	10/10/2019

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