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APPENDIX A

Opinion of the United States Court of Appeals for the
Third Circuit, filed June 11, 2026

NOT PRECEDENTIAL

**UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT**

No. 25-3309

TONY PING YEW, Executor of Estate of John Y Wei,
Appellant

v.

ATTORNEY GENERAL NEW JERSEY; HON.
DENNIS NIEVES, J.S.C.; HON. JOSEPH REA,
J.S.C.; HON. RICHARD J. GEIGER, J.A.D.; HON.
MARITZA BERDOTE BYRNE, J.A.D.; HON.
PHILLIP PALEY, J.S.C.; RONAN TUZZIO &
GIANNONE, Attorney for Robert Wood Johnson
University Hospital

On Appeal from the United States District Court for
the District of New Jersey

(D.C. Civil Action No. 3:24-cv-06851)

District Judge: Honorable Zahid N. Quraishi

Submitted Pursuant to Third Circuit LAR 34.1(a) -

May 21, 2026

Before: MATEY, MONTGOMERY-REEVES, and

NYGAARD, Circuit Judges

(Opinion filed: June 11, 2026)

OPINION*

PER CURIAM

* This disposition is not an opinion of the full Court and
pursuant to I.O.P. 5.7 does not constitute binding precedent.

Appellant Tony Yew appeals from the District
Court's dismissal of his complaint. For the following
reasons, we will affirm the District Court's judgment.

I.

This case arises from the dismissal of state
medical malpractice and wrongful death claims.

Beginning in 2018, Yew filed a series of five complaints in New Jersey Superior Court in both an individual capacity and as executor of the Estate of John Wei. Each complaint raised the same medical-malpractice and/or wrongful death claims related to Wei's death while he was hospitalized at Robert Wood Johnson University Hospital ("RWJUH"). The trial courts dismissed the complaints for a variety of reasons, including lack of standing and res judicata, and Yew unsuccessfully appealed to the New Jersey Supreme Court.

Yew then filed a complaint in the District Court for the District of New Jersey. As noted by the District Court, the complaint is "atypical" and difficult to decipher. Yew explained that, because "[t]his is an already adjudicated complaint in the state courts," the Federal Rules of Civil Procedure—particularly Rule 8—"do not apply." ECF 1 at 36. Therefore, he filed "an appeal like brief with a table of contents, table of authorities, and exhibits list to plead as Points instead of Counts." *Id.* at 38. In the complaint, Yew argued that the named state court judges erred as a matter of law in numerous ways while handling his cases and that the Attorney General is liable under a theory of respondeat superior.

He also alleged that Appellee Ronan, Tuzzio, & Giannone ("RTG"), in its representation of RWJUH in state court, made misrepresentations that resulted in the dismissal of his cases.

Defendants filed motions to dismiss the complaint. After the District Court granted the motions to dismiss, Yew filed a motion for recusal, a motion for reconsideration, and a "letter motion for clarification." The District Court denied all three motions, and Yew timely appealed.

II.

We have jurisdiction under 28 U.S.C. § 1291. Our review of a district court's dismissal for lack of subject matter jurisdiction is de novo. See *Great W. Mining & Min. Co. v. Fox Rothschild LLP*, 615 F.3d 159, 163 (3d Cir. 2010). We review an order denying a motion for reconsideration for abuse of discretion. *United States ex rel. Schumann v. Astrazeneca Pharms. L.P.*, 769 F.3d 837, 848 (3d Cir. 2014). Likewise, the denial of a motion for recusal is reviewed for abuse of discretion. See *Jones v. Pittsburgh Nat'l Corp.*, 899 F.2d 1350, 1356 (3d Cir. 1990).

¹ The judicial defendants and the Attorney General constitute the "State Appellees."

III.

We agree with the District Court that Yew's claims are barred under the Rooker-Feldman doctrine. See *Rooker v. Fid. Trust Co.*, 263 U.S. 413 (1923); *D.C. Ct. of Appeals v. Feldman*, 460 U.S. 462 (1983). While we acknowledge that the doctrine is "narrow," *In re Adams*, 151 F.4th 144, 152 (3d Cir. 2025), Yew's unusual pleading falls squarely within it.

Rooker-Feldman applies when: "(1) the federal plaintiff lost in state court; (2) the plaintiff complains of injuries caused by the state-court judgments; (3) those judgments were rendered before the federal suit was filed; and (4) the plaintiff is inviting the district court to review and reject the state judgments." *Great W. Mining & Min. Co.*, 615 F.3d at 166 (citation modified). Those elements are all present here: Yew lost his claims in state court; he contends that he was denied the monetary damages he sought as a result; the state court rulings were all rendered before Yew commenced this federal action;

and Yew asked the District Court to remand the matter based on alleged legal errors, which would have certainly required review and either annulment or modification of state-court orders.

Yew contends that the District Court erred in its analysis of the second and fourth elements of the doctrine. He is incorrect. First, Yew argues that he did not allege injury caused by the state-court judgment because “the source of his injury” is the alleged medical malpractice committed by RWJUH. See C.A. Doc. 7 at 42. This argument is belied by the content of his complaint, which states that “[t]he injury is Plaintiff was denied monetary damage relief against” RWJUH. See ECF 1 at 4.

² Yew also challenges the District Court’s determination regarding Eleventh Amendment sovereign immunity.

However, we need not address that argument here because the Rooker-Feldman doctrine is dispositive of Yew’s claims.

Notably, Yew does not seek recovery from State Appellees or RTG for alleged medical malpractice. Furthermore, he could not recover from any of the appellees for medical malpractice allegedly committed by RWJUH, which he expressly notes was not named as a defendant. Instead, Yew’s “claim is against orders of state trial and appellate judges” who “misinterpreted, misapplied court rules, citations, [and] statutes[,]” which “caused [the] denial of monetary relief Plaintiff had sought in the state courts.” *Id.* at 3-4. It is clear from his pleadings that Yew complains “of injury produced by a state-court judgment and not simply ratified, acquiesced in, or left unpunished by it.” *Great W. Mining & Min. Co.*, 615 F.3d at 167 (emphasis added).

³ Yew raises a claim that RTG made “misrepresentations to the court” warranting remand. However, he has not sought damages or some independent relief against RTG; he has

asked for only relief against the state judgments.

Second, Yew argues that he did not seek “appellate-type” review of the state-court judgments because he sought remand of a “declaratory [] nature” that would leave the state courts “to act—or not act—as they deemed appropriate.” C.A. Doc. 7 at 43. However, it strains reason to suggest that the District Court could “remand . . . preferably to a three judge Appellate Division panel with new judges, with instruction to rule on” three of Yew’s previously dismissed complaints without review and reversal of the underlying judgments. ECF 1 at 4 (emphasis added). It is of no consequence that Yew expressly stated that he did not invite the District Court to review and reject the state judgments, as “the relief requested effectively would reverse a state court decision.” See *Taliaferro v. Darby Tp. Zoning Bd.*, 458 F.3d 181, 192 (3d Cir. 2006); see also Edward H. Cooper, 18B Federal Practice & Procedure § 4469.2 (3d ed.) (“[J]urisdiction also must be denied when the requested relief amounts to reversal in thin disguise.”).

⁴ Critically, for this analysis, Yew seeks relief that is plainly unavailable. Review of state-court decisions in this context can be had only in the Supreme Court. See 28 U.S.C. § 1257. And while a district court can “remand” a removed case to state court, this case was originally filed in federal court. See *Levin v. Commerce Energy, Inc.*, 560 U.S. 413, 428 (2010).

Yew contends that the District Court improperly failed to distinguish between the claims raised in his capacity as an individual plaintiff and as the executor of Wei's estate. We are satisfied that the District Court recognized that Yew raised claims both individually and as an executor.

Yew also challenges the District Court's denial of his motions for reconsideration and sanctions. We discern no abuse of discretion. The District Court properly denied the motion for reconsideration because Yew failed to raise any recognized grounds for relief. See *Max's Seafood Café ex rel. Lou-Ann, Inc. v. Quinteros*, 176 F.3d 669, 677 (3d Cir. 1999) (discussing the standards for granting a motion for reconsideration).

⁵ Yew also challenges the District Court's denial of his "letter motion for clarification" and asks this Court to issue "supervisory dicta clarifying that a district court may not moot or dispose of a procedural letter motion without addressing the issues raised" within. For the reasons discussed below, the District Court did not err, and properly dismissed Yew's claims. To the extent Yew argues that the District Court committed reversible error by denying any of his motions with text orders on the docket, he is incorrect. See *Witasick v. Minn. Mut. Life Ins. Co.*, 803 F.3d 184, 189 (3d Cir. 2015).

The court also properly denied the recusal motion, as "a party's displeasure with legal rulings does not form an adequate basis for recusal." *Securacomm Consulting, Inc. v. Securacomm Inc.*, 224 F.3d 273, 278 (3d Cir. 2000); see *Arrowpoint Cap. Corp. v. Arrowpoint Asset Mgmt., LLC*, 793 F.3d 313, 330 (3d Cir. 2015) (explaining that "adverse rulings . . . are not in themselves proof of prejudice or bias").

Accordingly, we will affirm the District Court's judgment. We deny RTG's motions to expand the record and for sanctions.

⁶ RTG's motion for leave to file a supplemental appendix, which

has been construed also as a motion to expand the record, is denied because the documents in the supplemental appendix are unnecessary to decide the appeal. See generally *Acumed LLC v. Advanced Surgical Servs., Inc.*, 561 F.3d 199, 226 (3d Cir. 2009) (noting the “exceptional circumstances” necessary to justify supplementing the record on appeal). RTG’s motion for sanctions under 28 U.S.C. § 1927 is denied because, even assuming that the statute applies to pro se parties, it does not appear that Yew filed this federal action in bad faith. See *LaSalle Nat’l Bank v. First Conn. Holding Grp., LLC*, 287 F.3d 279, 289 (3d Cir. 2002) (“[S]anctions may not be imposed under § 1927 absent a finding that counsel’s conduct resulted from bad faith, rather than misunderstanding, bad judgment, or well-intentioned zeal”).

APPENDIX B

Judgment of the United States Court of Appeals for
the Third Circuit, filed June 11, 2026

**UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT**

No. 25-3309

TONY PING YEW, Executor of Estate of John Y Wei,
Appellant

v.

ATTORNEY GENERAL NEW JERSEY; HON.
DENNIS NIEVES, J.S.C.; HON. JOSEPH REA,
J.S.C.; HON. RICHARD J. GEIGER, J.A.D.; HON.
MARITZA BERDOTE BYRNE, J.A.D.; HON.
PHILLIP PALEY, J.S.C.; RONAN TUZZIO &
GIANNONE, Attorney for Robert Wood Johnson
University Hospital

On Appeal from the United States District Court for
the District of New Jersey

(D.C. Civil Action No. 3:24-cv-06851)

Submitted Pursuant to Third Circuit LAR 34.1(a),
May 21, 2026

Before: MATEY, MONTGOMERY-REEVES, and
NYGAARD, Circuit Judges

JUDGMENT

Filed June 11, 2026

This cause came to be considered on the record
from the United States District Court for the District
of New Jersey and was submitted pursuant to Third
Circuit LAR 34.1(a) on May 21, 2026.

On consideration whereof, it is now hereby
ORDERED and ADJUDGED by this Court that the
pending motions are denied and the judgment of the
District Court entered November 6, 2025, be and the
same is hereby affirmed. Costs taxed against the
Appellant. All of the above in accordance with the
opinion of this Court.

ATTEST:

s/ Patricia S. Dodszuweit
Clerk

Dated: June 11, 2026

APPENDIX C

Order of the United States Court of Appeals for the
Third Circuit denying panel rehearing and rehearing
en banc, filed July 13, 2026

**UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT**

No. 25-3309

TONY PING YEW, Executor of Estate of John Y Wei,
Appellant

v.

ATTORNEY GENERAL NEW JERSEY; HON.
DENNIS NIEVES, J.S.C.; HON. JOSEPH REA,
J.S.C.; HON. RICHARD J. GEIGER, J.A.D.; HON.
MARITZA BERDOTE BYRNE, J.A.D.; HON.
PHILLIP PALEY, J.S.C.; RONAN TUZZIO &
GIANNONE, Attorney for Robert Wood Johnson
University Hospital

(D. N.J. No. 3:24-cv-06851)

SUR PETITION FOR REHEARING

Present: CHAGARES, Chief Judge; HARDIMAN,
SHWARTZ, KRAUSE, RESTREPO, BIBAS,
PORTER, MATEY, PHIPPS, FREEMAN,
MONTGOMERY-REEVES, CHUNG, BOVE,
MASCOTT, and NYGAARD, Circuit Judges.

¹ Judge Nygaard's vote is limited to panel rehearing.

The petition for rehearing filed by Appellant in the above-entitled case having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the judges of the circuit in regular service not having voted for rehearing, the petition for rehearing by the panel and the Court en banc is denied.

BY THE COURT,

s/ Tamika R. Montgomery-Reeves
Circuit Judge
Dated: July 13, 2026
JK/cc: Tony Ping Yew
All Counsel of Record

APPENDIX D

Opinion of the United States District Court for the
District of New Jersey, filed March 27, 2025

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT

DISTRICT OF NEW JERSEY

TONY PING YEW, Plaintiff,

v.

ATTORNEY GENERAL STATE OF NEW JERSEY,
et al., Defendants.

Civil Action No. 24-6851 (ZNQ) (JTQ)

OPINION

Filed March 27, 2025

QURAISHI, District Judge. THIS MATTER comes before the Court upon the following submissions: Motion to Dismiss filed by Defendant law firm Ronan, Tuzzio & Giannone, P.C. ("RTG") (ECF No. 11); pro se Plaintiff Tony Ping Yew's Cross-Motion for Default Judgment (ECF No. 12); and a Motion to Dismiss filed by Defendants Attorney General of New Jersey, Hon. Dennis Nieves, J.S.C., Hon. Joseph Rea, J.S.C., Hon. Richard Geiger, J.A.D., Hon. Maritza Berdote Byrne, J.A.D., and Hon. Philip Paley, J.S.C. (collectively, "State Defendants") (ECF No. 14). The Court has carefully considered the parties' submissions and decides the Motions without oral argument pursuant to Federal Rule of Civil Procedure 78 and Local Civil Rule 78.1. For the reasons set forth below, the Court will GRANT Defendants' Motions and DENY Plaintiff's Cross-Motion.

I. BACKGROUND AND PROCEDURAL HISTORY

This matter arises out of state medical malpractice and wrongful death suits. Plaintiff, pro se and as Executor of the Estate for John Wei,

appealed from a series of Superior Court of New Jersey, Law Division, orders that dismissed his complaints with prejudice and denied reconsideration. The Superior Court of New Jersey, Appellate Division, affirmed, and the Supreme Court of New Jersey denied certification.

Plaintiff then filed the instant action against Defendant RTG as well as the Attorney General for the State of New Jersey and several state trial and appellate judges. This litigation began in 2018 following the death of Plaintiff's godfather during his hospitalization at Robert Wood Johnson University Hospital. Plaintiff filed two pro se complaints in the Superior Court, Middlesex County, MID-L-7564-18 and MID-L-7569-18, which were consolidated and dismissed with prejudice by Defendant Judge Paley for lack of standing to bring a wrongful death claim as a nonblood relative of the decedent and for Plaintiff's failure to obtain a licensed attorney within 30 days of the court's order.

Judge Paley explained that Plaintiff could not represent the estate of decedent pro se under New Jersey Court Rule 1:21-1(a) and additionally because Plaintiff would necessarily have to testify as a witness. (Id. at 311-312.) According to Plaintiff, Judge Paley erred and misidentified Plaintiff as an "Executor Attorney of the Estate" and improperly dismissed the action on that basis. (Id. at 316.) Judge Paley denied Plaintiff's motion for reconsideration. (Id. at 322.)

The Appellate Division denied Plaintiff's motion for leave to appeal and leave to represent the decedent's estate, stating that Plaintiff "is not a licensed attorney authorized to practice law in New Jersey, and so is not permitted to represent the estate of decedent under Rule 1:21(a). The motion for

leave to appeal is denied as there are motions pending in the trial court in the consolidated trial court matter.” (Id. at 475.) Plaintiff did not file an appeal in the ordinary course.

In June 2021, Plaintiff filed two more pro se civil complaints, MID-L-3502-21 and MID-L-3506-21, raising identical claims. Defendant Judge Rea dismissed both civil complaints pursuant to res judicata and denied reconsideration. (Id. at 79-82.) Plaintiff filed a third pro se complaint with additional defendants, MID-L-5456-21. Defendant Judge Nieves dismissed the third complaint and denied reconsideration as well as Plaintiff’s motion for his recusal. (Id. at 75-76.) Plaintiff appealed from the dismissals and the three actions were consolidated. On December 12, 2022, the Appellate Division affirmed dismissal of Plaintiff’s complaints with prejudice. (Id. at 743.)

On June 7, 2024, Plaintiff filed the instant action. Even upon first glance, the Complaint is atypical. Plaintiff proffers that because “[t]his is an already adjudicated complaint in the state courts,” Federal Rule of Civil Procedure 8 “do[es] not apply.” (Compl. 36.) Instead, Plaintiff, in his own words, filed “an appeal like brief with a table of contents, table of authorities and exhibits list to plead as Points instead of Counts.” (Id. at 38.) From what the Court can discern, Plaintiff alleges that Defendant RTG, in its representation of Robert Wood Johnson University Hospital and its nurses in the underlying medical malpractice action, made certain misrepresentations to the court which resulted in the dismissals of his actions. (Id. at 95.)

Plaintiff further alleges, among other things, that Judges Rea and Nieves erred as a matter of law in their dismissals of Plaintiff’s complaints for lack of

standing and res judicata and the Appellate Division's (Judges Geiger and Berdote Byrne) consolidation of his actions on appeal was in error. (Id. at 53, 77.) Plaintiff additionally contends that the Attorney General is liable under a theory of respondeat superior. (Id. at 3.) Plaintiff ultimately seeks relief under Rule 60(b). (Id. at 8.) That is, Plaintiff seeks "relief from a judgment or order" due to "mistake, inadvertence, surprise, or excusable neglect," under Rule 60(b)(1), and due to deprivation of due process which, Plaintiff argues, renders the state judgments "void" under Rule 60(b)(4). (Id. at 9.) Plaintiff frames his requested relief as "remand to the state court, preferably to a three judge Appellate Division panel with new judges, with instruction to rule on each of the three separate dockets in the second action for redetermination." (Id. at 4.)

Defendant RTG argues that the Complaint should be dismissed with prejudice for failure to state a claim under Rule 12(b)(6), contending that Plaintiff's requested relief is improper ("RTG Moving Br." at 4). State Defendants similarly argue that the Complaint be dismissed with prejudice for Plaintiff's failure to "plead a short and plain statement" as required by Rule 8 and that Plaintiff's claims are precluded by the Rooker-Feldman doctrine and Eleventh Amendment immunity. ("State Defs Moving Br." at 2-3.)

II. SUBJECT MATTER JURISDICTION

Plaintiff's asserted basis for this Court's jurisdiction is 28 U.S.C. § 1331. As discussed below, however, this Court lacks subject matter jurisdiction over Plaintiff's case under the Rooker-Feldman doctrine.

III. LEGAL STANDARD

"Under [Rule] 12(b)(1), a court must grant a

motion to dismiss if it lacks subject-matter jurisdiction to hear a claim.” In re Schering Plough Corp. Intron/Temodar Consumer Class Action, 678 F.3d 235, 243 (3d Cir. 2012). Application of the Rooker-Feldman doctrine to deprive the Court of subject matter jurisdiction is an appropriate basis for dismissal under Rule 12(b)(1). Gary v. Braddock Cemetery, 517 F.3d 195, 206 (3d Cir. 2008). Eleventh Amendment immunity may also be invoked through a 12(b)(1) motion as depriving the Court of subject matter jurisdiction. Blanciak v. Allegheny Ludlum Corp., 77 F.3d 694, n.2 (3d Cir. 1996) (citing Pennhurst State Sch. & Hosp. v. Halderman, 465 U.S. 89, 98-100 (1984)).

Plaintiff in this matter is proceeding pro se. “The obligation to liberally construe a pro se litigant’s pleadings is well-established.” Higgs v. Atty. Gen. of the U.S., 655 F.3d 333, 339 (3d Cir. 2011) (citing Estelle v. Gamble, 429 U.S. 97, 106 (1976)); Haines v. Kerner, 404 U.S. 519, 520-21 (1972). “Courts are to construe complaints so ‘as to do substantial justice,’ keeping in mind that pro se complaints in particular should be construed liberally.” Alston v. Parker, 363 F.3d 229, 234 (3d Cir. 2004) (citation omitted). “Liberal construction does not, however, require the Court to credit a pro se plaintiff’s ‘bald assertions’ or ‘legal conclusions.’” Grohs v. Yatauro, 984 F. Supp. 2d 273, 282 (D.N.J. 2013) (quoting Morse v. Lower Merion Sch. Dist., 132 F.3d 902, 906 (3d Cir. 1997)). “[T]here are limits to [the courts’] . . . flexibility. . . . [P]ro se litigants still must allege sufficient facts in their complaints to support a claim.” Mala v. Crown Bay Marina, Inc., 704 F.3d 239, 245 (3d Cir. 2013). “Even a pro se complaint may be dismissed for failure to state a claim if the allegations set forth by the plaintiff cannot be construed as supplying facts

to support a claim entitling the plaintiff to relief.” Grohs, 984 F. Supp. 2d at 282 (citing *Milhouse v. Carlson*, 652 F.2d 371, 373 (3d Cir. 1981)).

IV. DISCUSSION

The Complaint essentially asks the Court to remand fully litigated matters to state court to allow for reconsideration of its prior orders and judgments. For the reasons set forth below, the Court finds that the Complaint must be dismissed for lack of jurisdiction.

A. ROOKER-FELDMAN DOCTRINE

The Court finds that the Rooker-Feldman doctrine precludes it from exercising jurisdiction over the instant action, and accordingly dismisses the Complaint without prejudice and without further leave to amend. See, e.g., *Manu v. Nat’l City Bank of Ind.*, 471 F. App’x 101, 105 (3d Cir. 2012) (affirming district court’s dismissal pursuant to the Rooker-Feldman doctrine for lack of subject-matter jurisdiction under Rule 12(b)(1)). Under the Rooker-Feldman doctrine, “federal district courts lack jurisdiction over suits that are essentially appeals from state-court judgments.” *Great W. Mining & Mineral Co. v. Fox Rothschild LLP*, 615 F.3d 159, 165 (3d Cir. 2010). Put differently, the Rooker-Feldman doctrine bars a suit where “a favorable decision in federal court would require negating or reversing the state-court decision.” *Id.* at 170 n.4 (citations omitted).

The doctrine will bar a claim in federal court when: “(1) the federal plaintiff lost in state court; (2) the plaintiff complain[s] of injuries caused by [the] state-court judgments; (3) those judgments were rendered before the federal suit was filed; and (4) the plaintiff is inviting the district court to review and reject the state judgments.” *Id.* at 166 (quoting

Exxon Mobil Corp. v. Saudi Basic Indus. Corp., 544 U.S. 280, 284 (2005)). “The second and fourth requirements are the key to determining whether a federal suit presents an independent, nonbarred claim” and they are “closely related.” *Id.* at 166, 168.

Here, Plaintiff seeks relief that is barred by the Rooker-Feldman doctrine. Crucially, all four criteria are met: (1) Plaintiff lost in state court by unsuccessfully opposing dismissal of his complaints, (2) Plaintiff complains of a loss of monetary relief that was foreclosed by the state-court judgments, (3) the state court judgments preceded the instant action, and (4) Plaintiff has asked the Court to review those judgments and remand the matter to be heard anew. In sum, Plaintiff’s request that this Court reexamine and overturn or vacate the state court judgments and ultimately “remand” the case plainly implicates the Rooker-Feldman doctrine. See *McCall v. Glendale Uptown Home/GS Operator LP*, Civ. No. 20-1281, 2020 WL 5602525, at *4 (E.D. Pa. Sept. 18, 2020).

Despite Plaintiff’s argument that “remand relief” does not require the Court to vacate any state court judgments—under the theory that “remand relief do[es] not void a state judgment”—remand relief is plainly not available here as a procedural matter because this case has not been removed. Additionally, the Court lacks jurisdiction to direct state courts to reopen matters or conduct further proceedings. Accordingly, the Court finds that it lacks subject matter jurisdiction over the Complaint. It is therefore unnecessary for the Court to address Defendants’ other non-jurisdictional grounds for dismissal, including judicial immunity. See *Tauro v. Baer*, 395 F. App’x 875, 877 (3d Cir. 2010). The Complaint will therefore be dismissed pursuant to

Rule 12(b)(1). Given that the Court determined it does not have jurisdiction to hear this matter, the Court will deny Plaintiff's Motion for Default Judgment.

B. ELEVENTH AMENDMENT IMMUNITY

State Defendants additionally argue that even if the Complaint is not barred under Rooker-Feldman, the Complaint must be dismissed because these Defendants, sued in their official capacity, are entitled to Eleventh Amendment immunity. To the extent that Plaintiff does not seek what amounts to an appeal from underlying judgments but rather alleges a violation of Plaintiff's rights and seeks to collect money damages for injuries allegedly caused by State Defendants, the Court finds that it additionally lacks jurisdiction as to the State Defendants pursuant to sovereign immunity.

The Eleventh Amendment bars civil lawsuits against states, "but also suits for damages against 'arms of the State'—entities that, by their very nature, are so intertwined with the State that any suit against them renders the State the 'real, substantial party in interest.'" *Maliandi v. Montclair State Univ.*, 845 F.3d 77, 83 (3d Cir. 2016) (citation omitted). State court judges are considered "arms" of the state, and therefore immune from suit, both monetary and equitable, for conduct that occurred while serving in their official capacity as a judge. See *Dongon v. Banar*, 363 F. App'x 153, 156 (3d Cir. 2010); see also *ASAH v. N.J. Dep't of Educ.*, Civ. No. 16-3935, 2017 WL 2829648, at *8 (D.N.J. June 30, 2017); *Reardon v. New Jersey*, Civ. No. 13-5363, 2014 WL 2921030, at *4 (D.N.J. June 27, 2014); *Smith v. Smith*, Civ. No. 20-9120, 2020 WL 4199782, at *4 (D.N.J. July 22, 2020).

Given the foregoing, the Court further finds that it

would be futile to provide Plaintiff with an opportunity to amend his complaint. See *Grayson v. Mayview State Hosp.*, 293 F.3d 103, 108 (3d Cir. 2002); see also *Ajjahnon v. The State*, 238 F. App'x 769, 771 (3d Cir. 2007) (affirming dismissal without leave to amend of action barred by Rooker-Feldman doctrine).

V. CONCLUSION

For the reasons stated above, the Court will GRANT Defendants' motions to dismiss (ECF Nos. 11 and 14). Plaintiff's Cross-Motion for Default Judgment (ECF No. 12) will be DENIED AS MOOT. The Complaint will be DISMISSED WITHOUT PREJUDICE and without further leave to amend.

Date: March 27, 2025

s/ Zahid N. Quraishi

ZAHID N. QURAISHI

UNITED STATES DISTRICT JUDGE

APPENDIX E

Order of the United States District Court for the
District of New Jersey, filed March 27, 2025

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

TONY PING YEW, Plaintiff,

v.

ATTORNEY GENERAL STATE OF NEW JERSEY,
et al., Defendants.

Civil Action No. 24-6851 (ZNQ) (JTQ)

ORDER

Filed March 27, 2025

QURAIISHI, District Judge. THIS MATTER comes before the Court upon the following submissions: Motion to Dismiss filed by Defendant law firm Ronan, Tuzzio & Giannone, P.C. ("RTG") (ECF No. 11); pro se Plaintiff Tony Ping Yew's Cross-Motion for Default Judgment (ECF No. 12); and a Motion to Dismiss filed by Defendants Attorney General of New Jersey, Hon. Dennis Nieves, J.S.C., Hon. Joseph Rea, J.S.C., Hon. Richard Geiger, J.A.D., Hon. Maritza Berdote Byrne, J.A.D., and Hon. Philip Paley, J.S.C. (collectively, "State Defendants") (ECF No. 14). For the reasons set forth in the accompanying Opinion, IT IS on this 27th day of March 2025, ORDERED that Defendant RTG's Motion to Dismiss (ECF No. 11) is hereby GRANTED; it is further ORDERED that State Defendants' Motion to Dismiss (ECF No. 14) is hereby GRANTED; it is further ORDERED that Plaintiff's Cross-Motion for Default Judgment (ECF No. 12) is hereby DENIED AS MOOT; it is further ORDERED that the Complaint is hereby DISMISSED WITHOUT PREJUDICE and without leave to further amend; and it is further ORDERED that the Clerk's Office is hereby instructed to mark

this matter CLOSED.

s/ Zahid N. Quraishi

ZAHID N. QURAISHI

UNITED STATES DISTRICT JUDGE

APPENDIX F

Text Order of the United States District Court for
the District of New Jersey denying recusal, entered
November 6, 2025

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

TONY PING YEW, Plaintiff,

v.

ATTORNEY GENERAL STATE OF NEW JERSEY,
et al., Defendants.

Civil Action No. 3:24-cv-06851-ZNQ-JTQ

TEXT ORDER

Entered November 6, 2025

TEXT ORDER that the Court has reviewed Plaintiff's Motion for Recusal [22]. Plaintiff's arguments seem to equate adverse rulings with bias, but "judicial rulings alone almost never constitute a valid basis for a bias or partiality motion." In re James, 826 Fed. Appx. 254, 256 (3d Cir. 2020) (per curiam) (quoting Liteky v. United States, 510 U.S. 540, 555 (1994)). More to the point, the undersigned does not harbor any biases or prejudices toward Plaintiff or the merits of his claims, has not participated in this case outside his role as a judge, and has no financial interest in this matter. See 28 U.S.C. § 455(b). Plaintiff has failed to demonstrate a legitimate reason necessitating disqualification, and because the Court itself finds none, the Motion for Recusal [22] is hereby DENIED. So Ordered by Judge Zahid N. Quraishi on 11/06/2025. (Gonzalez, P)

APPENDIX G

Text Order of the United States District Court for
the District of New Jersey denying reconsideration,
entered November 6, 2025

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

TONY PING YEW, Plaintiff,

v.

ATTORNEY GENERAL STATE OF NEW JERSEY,
et al., Defendants.

Civil Action No. 3:24-cv-06851-ZNQ-JTQ

TEXT ORDER

Entered November 6, 2025

TEXT ORDER that the Court has reviewed Plaintiff's Motion for Reconsideration [23]. For the reasons set forth below, that Motion is DENIED. Reconsideration is an "extraordinary remedy" that is rarely granted. *Interfaith Cmty. Org. v. Honeywell Int'l, Inc.*, 215 F. Supp. 2d 482, 507 (D.N.J. 2002) (citations omitted). The purpose of a motion for reconsideration "is to correct manifest errors of law or fact or to present newly discovered evidence." *Max's Seafood Cafe ex rel. Lou-Ann, Inc. v. Quinteros*, 176 F.3d 669, 677 (3d Cir. 1999) (citing *Harsco Corp. v. Zlotnicki*, 779 F.2d 906, 909 (3d Cir. 1958)). Accordingly, a motion for reconsideration must rely on one of the following three grounds: "(1) an intervening change in the controlling law; (2) the availability of new evidence that was not available when the court granted the motion [to dismiss]; or (3) the need to correct a clear error of law or fact or to prevent manifest injustice." *Id.* (citing *North River Ins. Co. v. CIGNA Reinsurance Co.*, 52 F.3d 1194, 1218 (3d Cir. 1995)).

To demonstrate a clear error, a party must do more than allege that portions of a ruling were

erroneous in order to obtain reconsideration of that ruling; it must demonstrate that the holdings on which it bases its request (1) were without support in the record, or (2) would result in manifest injustice if not addressed. See *Leja v. Schmidt Mfg., Inc.*, 743 F. Supp. 2d 444, 456 (D.N.J. 2010). Importantly, courts will “entertain” motions for reconsideration “[o]nly where the court has overlooked matters that, if considered by the court, might reasonably have resulted in a different conclusion.” *United States v. Compaction Sys. Corp.*, 88 F. Supp. 2d 339, 345 (D.N.J. 1999). Mere “disagreement with the Court’s decision” is also insufficient. *P. Schoenfeld Asset Mgmt., LLC v. Cendant Corp.*, 161 F. Supp. 2d 349, 352 (D.N.J. 2001). Here, the Motion merely seeks to rehash arguments he previously raised and that the Court rejected in its Opinion [20]. Accordingly, Plaintiff has not met the standard for reconsideration. The Motion for Reconsideration [23] is therefore DENIED. So Ordered by Judge Zahid N. Quraishi on 11/06/2025. (Gonzalez, P)

APPENDIX H

Text Order of the United States District Court for
the District of New Jersey denying clarification,
entered November 6, 2025

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

TONY PING YEW, Plaintiff,

v.

ATTORNEY GENERAL STATE OF NEW JERSEY,
et al., Defendants.

Civil Action No. 3:24-cv-06851-ZNQ-JTQ

TEXT ORDER

Entered November 6, 2025

TEXT ORDER that the Court has reviewed Plaintiff's "Letter Motion for Clarification and Preservation of the Record Regarding Judicial Misstatements" [27]. The Letter Motion disputes the factual and legal bases for the three underlying suits in Superior Court, Middlesex County. It repeats Plaintiff's demands for relief in his Complaint, which this Court has already dismissed in its Order [21]. In light of the dismissal of this matter, the Court hereby DENIES AS MOOT the Letter Motion [27]. So Ordered by Judge Zahid N. Quraishi on 11/06/2025. (Gonzalez, P)

APPENDIX I

Relevant excerpts from Petitioner's Motion for Reconsideration (ECF No. 23), filed April 7, 2025
The following excerpts reproduce the material grounds relevant to the petition. Spelling, capitalization, and grammar are as filed; record citations are retained.

ECF No. 23, PageID 929 (Point I - Rooker-Feldman):

"First, Plaintiffs note Your Honor completely ignored argument against Rooker-Feldman for dismissal. ECF No. 1 PageID: 122-126. By overlooking Plaintiffs arguments, of course Rooker-Feldman basis for dismissal follow. Your Honor is required to debunk, by law, Plaintiffs arguments for each of the four elements of Rooker-Feldman to justify dismissal."

ECF No. 23, PageID 930-934 (source of injury / element two):

The motion quoted Great Western Mining & Mineral Co. v. Fox Rothschild LLP, 615 F.3d 159, 166-167 (3d Cir. 2010), and argued that the source of injury was Defendant RTG client RWJUH rather than the state-court judgments. It further argued that every element of Rooker-Feldman must be proven as met and that the District Court had not explained why the pleaded source-of-injury theory failed.

"The adverse state court judgment was only a result, not the cause of Plaintiff injury.... This injury happened before the state court Order. It is the source of injury, not the state court Orders. Thus, element (2) injury was not satisfied to invoke Rooker-Feldman."

ECF No. 23, PageID 936-937 (asserted arm-of-the-State omission):

After reproducing the District Court's Eleventh

Amendment discussion, the motion specifically invoked the Fitchik factor concerning payment from the state treasury and argued that the Court had overlooked petitioner's position.

ECF No. 23, PageID 938-940 (separately pleaded Executor plaintiff):

The motion separately captioned "POINT III YOUR HONOR OVERLOOKED PLAINTIFF EXECUTOR AND ADDRESS ONLY PLAINTIFF PRO SE." It reproduced the federal complaint caption identifying "TONY PING YEW, EXECUTOR OF ESTATE OF JOHN Y WEI; TONY PING YEW PRO SE, PLAINTIFFS" and argued that the District Court had overlooked the first listed plaintiff.

APPENDIX J

Relevant excerpts from Petitioner's Motion for
Recusal (ECF No. 22), filed April 7, 2025

The following excerpts reproduce the material § 455(a) grounds relevant to the petition. Spelling, capitalization, and grammar are as filed; record citations are retained.

ECF No. 22, PageID 913 (objective § 455(a) standard):

The motion quoted 28 U.S.C. § 455(a) and stated that the test is "whether a reasonable person, with knowledge of all the facts, would conclude that the judge's impartiality might reasonably be questioned," citing *In re Kensington International Ltd.*, 353 F.3d 211, 220 (3d Cir. 2003). It further cited authority explaining that § 455(a) promotes public confidence and does not require proof of actual bias.

ECF No. 22, PageID 917-919 (appearance ground actually asserted):

The motion argued that the District Court's opinion and caption treated petitioner only as "pro se Plaintiff Tony Ping Yew" despite the complaint's separate listing of "TONY PING YEW, EXECUTOR OF ESTATE OF JOHN Y WEI" and "TONY PING YEW, PRO SE." It asserted that this treatment repeated the basis used in the state dismissals and stated: "Without according due process to Plaintiff Tony Ping Yew, Executor, Your Honor impartiality might reasonably be questioned." ECF No. 22, PageID 917-918.

The motion concluded: "Your Honor selective ruling show impartiality may reasonably be questioned. Plaintiff respectfully request his motion for recusal be granted." ECF No. 22, PageID 919.

APPENDIX K

Federal Complaint caption and party-identification
pages, filed June 7, 2024 (ECF No. 1, pp. 1-2)

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**TONY PING YEW, EXECUTOR OF ESTATE OF
JOHN Y WEI;
TONY PING YEW PRO SE,
PLAINTIFFS,**

v.

**ATTORNEY GENERAL STATE OF NEW JERSEY;
HON. DENNIS NIEVES J.S.C.; HON. JOSEPH REA
J.S.C.; HON. RICHARD J. GEIGER J.A.D.; HON.
MARITZA BERDOTE BYRNE J.A.D.; HON.
PHILLIP PALEY J.S.C.; RONAN, TUZZIO &
GIANNONE ATTORNEY FOR ROBERT WOOD
JOHNSON UNIVERSITY HOSPITAL,
DEFENDANTS.**

COMPLAINT

I. Parties in this complaint:

Plaintiff No 1

**TONY PING YEW, EXECUTOR OF ESTATE OF
JOHN Y WEI,
36 FRANKO AVE, PISCATAWAY NEW JERSEY
08854**

Plaintiff No 2

**TONY PING YEW, PRO SE,
36 FRANKO AVE, PISCATAWAY NEW JERSEY
08854**

APPENDIX L

Relevant excerpts from the Federal Complaint pleading RTG misrepresentation, fraud upon the court, and Fed. R. Civ. P. 60(b)(3)

The following excerpts are reproduced to show the RTG allegations actually pleaded. Spelling, capitalization, and grammar are substantially as filed; record citations are retained.

C.A. App. A117 (separate Point XII against RTG):

POINT XII

DEFENDANT RTG MISREPRESENTATION TO THE COURT WARRANT

FED. R. CIV. P. 60(B)(3) REMAND RELIEF.

C.A. App. A120-A121 (fraud allegation directed to RTG conduct):

The complaint alleged that RTG repeatedly represented that petitioner had pleaded as Executor in the initial state action when petitioner maintained that no Executor party appeared in that caption. It then stated: "Defendant RTG committed a fraud on the court for this most egregious misconduct directed to the court itself. It is egregious because misidentifying Plaintiff is the root cause of Plaintiff erroneous dismissal." It further alleged that RTG, "as an officer of the court," was required to plead with candor.

C.A. App. A122 (Rule 60(b)(3) allegation):

"Defendant RTG misrepresentation warrant Fed. R. Civ. P. 60(b)(3) remand relief."

C.A. App. A123 (fraud-upon-the-court allegation):

The complaint alleged that RTG made a conscious effort to misrepresent petitioner's pleading and stated: "Defendant RTG misrepresentation is a clever fraud upon the court that warrant Fed. R. Civ.

P. 60(b)(3) remand relief.”

C.A. App. A125 (capacity / caption allegation):

The complaint further alleged that RTG’s caption treatment caused the courts to see petitioner as pro se only and stated that the alleged conscious misrepresentation “warrant Fed. R. Civ. P. 60(b)(3); (4) remand relief,” with Rule 60(b)(6) also invoked. These excerpts are included to establish preservation only; the petition does not ask this Court to decide their truth or ultimate legal sufficiency.