

New York Supreme Court, Albany County

Gerard Aprea,)	CASE NO. 7215-11
John Vidurek,)	
)	HON Judge <i>Joseph C. Teresi</i>
Plaintiffs;)	
)	
- vs -)	
)	
NEW YORK STATE BOARD OF ELECTIONS,)	
DUTCHESS COUNTY BOARD OF ELECTIONS,)	MEMORANDUM
GREEN COUNTY BOARD OF ELECTIONS,)	ANSWER TO JUDGES LETTER
Defendants.)	DATED JANUARY 6, 2012

PLAINTIFFS WHO ARE "NOT ATTORNEYS" OBJECT to the Defendant using ex-parte letters to the Judge to influence the will of the court outside of the pleadings.

1. Defendant's councils disregard for the rules of the court parallel the lawlessness of their client, see attached letter from Judge Teresi.
2. The contempt for the rule of law demonstrated their disdain for "the People" and "the law".
3. Plaintiffs object to the contents of defendant's ex-parte letters converted into pleadings.
4. Plaintiffs restate that there is a motion for default judgment that is presently before the court and that the court is "not" to interpret the contents of this memorandum as an action discarding said default.
5. Plaintiffs object to the defendant raising issues by proxy, using ex-parte letters to the judge.

6. Plaintiffs object to the court voicing on behalf of the defendant concerning a case similar, "a thing similar is not exactly the same thing".
7. Plaintiffs object to the court raising doubt of proof of service, defendant in pleadings should challenge the plaintiffs concerning proof of service, proof of service for all filings attached.
8. Plaintiffs have not sent any communications ex-parte, all parties including the court have been served on all issues.
9. Plaintiffs object to all ex-parte communications, such communications are hear-say.
10. Clearly the defendants council are taking undue advantage of the "unrepresented" plaintiffs of which this court has a duty to look into, and end.
11. The court is to call balls and strike, not pitch and hit.
12. Plaintiffs responded to the courts letter dated December 15, 2011, as to responding to the NYSBOE letter received by the court (time-stamped) December 14, 2011 but bizarrely dated November 28, 2011, in a memorandum dated 12-20-11.
13. Plaintiffs motion for summary judgment clearly had a return date of January 4, 2012 and the Memorandum and the supporting affidavit attached were both dated December 14, 2012, giving the defendant and the court 11 days to respond, well beyond the 8.
14. Plaintiffs called the judge's court clerk on January 6, 2012 to schedule a time for January 13, 2012 for a hearing on a motion to show cause. Plaintiffs did not request to talk to the Judge, nor had any desire to talk to the judge, that was the judge's decision to take the phone from the clerk, plaintiffs did not request a ex-parte meeting on January 13, 2012, see order to show cause and demand for authority dated January 5, 2012.

15. Plaintiffs would like to note, that this case was filed on November 16, 2011 which is 57 days ago and plaintiffs have "not" received from the defendant one written or verbal response by fax, phone or letter, thereby portraying their modus operandi and frames our case.

WHEREFORE: plaintiffs, object to the court's delaying this "time sensitive case" and ⁽¹⁾ moves this court to rule upon plaintiffs motion for Default Judgment placed before it on January 4, 2012 with supported memorandum dated 12-20-11, or ⁽²⁾ show cause why this court should refrain from ruling and by what authority or ⁽³⁾ show cause why this court will not rule in favor of the plaintiffs and by what authority.

All rights reserved,

DATE: The twelfth day of the first month of the Year of Our Lord two thousand twelve and the two hundred thirty-sixth Year of Our Independence.

John Vidurek, Sui Juris, unrepresented
Lead Plaintiff

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