

New York Supreme Court, Albany

Gerard Aprea,)	CASE No. 7215-11
John Vidurek,)	HON Judge <i>Joseph C. Teresi</i>
)	
Plaintiffs;)	
)	
- vs -)	
)	AFFIDAVIT OF John Vidurek
NEW YORK STATE BOARD OF ELECTIONS,)	in support of
DUTCHESS COUNTY BOARD OF ELECTIONS,)	default judgment
GREEN COUNTY BOARD OF ELECTIONS,)	
Defendant.)	

Dutchess County)
New-York, one of the Original Thirteen States of the Perpetual Union 1777)
united States of America, Anno Domini 1776)
The United States of America, Anno Domini 1777)
United States of America, Anno Domini 1787)

I John Vidurek, Affiant, being of lawful age, qualified and competent to testify to and having first hand knowledge of the following facts to hereby affirm that the following facts are true, correct and not misleading:

I AM A PETITIONER IN THE ABOVE ACTION, stating in support:

Default Judgment

1. On November 16th 2011 I filed with the Albany County Clerk and the Albany County Supreme Court a complaint with summons and two (2) supporting verified affidavits.

2. On November 16th 2011 I delivered a true copy of the complaint with summons and two (2) supporting verified affidavits to Servico, a professional process server, located in Albany NY for service upon the New York State Board of Elections located at 40 Steuben Street, Albany, NY..
3. On November 17th 2011 a true copy of the complaint with summons and two (2) supporting verified affidavits was served upon the New York State Board of Elections located at 40 Steuben Street, Albany, NY. by James Perone a professional process server.
4. The original Affidavit of service has been filed with the county clerk, a copy of which is attached to this affidavit.
5. The defendant was required to answer within twenty (20) days, the twentieth day (not including the day of service) was December 7th 2011.
6. Today December 14th 2011 is seven days past the summons deadline, therefore the defendant (NYSBOE) is in default.

VERIFICATION

BEFORE ME personally appeared John Vidurek who, being by me first duly sworn and identified in accordance with New York law, deposes and says:

1. My name is John Vidurek, plaintiff herein.
2. I have written and understood this affidavit filed herein, and each fact alleged therein is true and correct of my own personal knowledge.

FURTHER THE AFFIANT SAYETH NAUGHT.

All rights reserved,

John Vidurek, sui juris, unrepresented
Phone (845) 233-6560
Fax (888) 891-8977
600 Violet Ave, Suite 107
Hyde Park, New York

SIGNATURE VERIFICATION FOR WITNESS PURPOSES ONLY

Use of notary is for cognizance in foreign venue only and not meant to convey jurisdiction.

Subscribed before me, _____, a Notary Public, on this _____ day of the 12th month of the Year of our Lord two thousand eleven and two hundred thirty-fifth Year of our Independence.

Notary

My commission expires:
(Seal)