

James Michael Maloney <jmm257@nyu.edu>

Re: Request re: 2:03-cv-00786-PKC-AYS

1 message

Support@nyed.uscourts.gov < Support@nyed.uscourts.gov>

Mon, Aug 3, 2015 at 6:48 AM

To: maritimelaw@nyu.edu

Cc: dorothy.nese@ag.ny.gov, "Ben-Sorek, Liora M" < lben-sorek@nassaucountyny.gov>

If the attorneys in question no longer wish to receive NEFs from this case, they can file a Notice on the case with the request to be terminated from the case.

Support

U.S. District Court, Eastern District of New York

https://www.nyed.uscourts.gov

-----James M Maloney <maritimelaw@nyu.edu> wrote: -----

To: support@nyed.uscourts.gov

From: James M Maloney <maritimelaw@nyu.edu>

Date: 08/02/2015 01:47PM

Cc: dorothy.nese@ag.ny.gov, "Ben-Sorek, Liora M" < lben-sorek@nassaucountyny.gov>

Subject: Request re: 2:03-cv-00786-PKC-AYS

## Dear EDNY ECF support personnel:

I am the *pro se* plaintiff (and also an attorney admitted to this court) in the referenced case. As the below "bounce" indicates, two attorneys who have moved on and are no longer representing actual or interested parties to this litigation are continuing to receive "bounces." Liora M. Ben-Sorek, Esq. and I are the only remaining attorneys representing actual parties. Dorothy O. Nese, Esq. of the State Attorney's General's office, is an interested party in that the constitutionality of a state statute is being challenged in this litigation. In the interest of transparency and to avoid the appearance of *ex parte* communication with the court, I have copied both on this email.

David Adam Tauster, Esq. and Tatum J. Fox, Esq., both former Nassau County Attorneys who appeared in this litigation at that time, have long since moved on to other positions. As their email domains indicate, and as I have today corroborated via the State's OCA database, Mr. Tauster is now at a private firm, while Ms. Fox is with the Nassau County Police Department.

Accordingly, it would not appear that either Mr. Tauster or Ms. Fox should still be receiving "bounces." I have no particular concern about Mr. Tauster's receiving them, but the fact that the Nassau County Police Department, via Ms. Fox, is continuing to receive them concerns me greatly. Although this litigation is, of course, public, giving the police automatic notice and a "free look" in a case that challenges the constitutionality of a state criminal statute that has been enforced against me, especially now that issues about potential further enforcement have come to the fore

(see Document 148, to which the below "bounce" relates), seems an inappropriate perguisite for the federal courts to provide.

Thank you for addressing this concern promptly by removing Ms. Fox from the distribution.

Yours.

James M. Maloney

------ Forwarded message ------From: <ecf\_bounces@nyed.uscourts.gov>

Date: Fri, Jul 31, 2015 at 4:46 PM

Subject: Activity in Case 2:03-cv-00786-PKC-AYS Maloney v. Rice Letter

To: nobody@nyed.uscourts.gov

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**U.S. District Court** 

## **Eastern District of New York**

## Notice of Electronic Filing

The following transaction was entered by Maloney, James on 7/31/2015 at 5:46 PM EDT and filed on 7/31/2015

Case Name: Maloney v. Rice

Case Number: 2:03-cv-00786-PKC-AYS
Filer: James M. Maloney

**Document Number: 148** 

**Docket Text:** 

Letter responsive to July 23 conference by James M. Maloney (Attachments: # (1) Appendix Slip Opinion (Nuccio v. Duve)) (Maloney, James)

## 2:03-cv-00786-PKC-AYS Notice has been electronically mailed to:

David Adam Tauster &nbsp &nbsp dtauster@kdvlaw.com

Dorothy O. Nese &nbsp &nbsp dorothy.nese@ag.ny.gov

James M. Maloney &nbsp &nbsp maritimelaw@nyu.edu

Liora M. Ben-Sorek &nbsp &nbsp lben-sorek@nassaucountyny.gov, ncao@nassaucountyny.gov

Tatum J. Fox &nbsp &nbsp tfox@pdcn.org

2:03-cv-00786-PKC-AYS Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:

**Document description:** Main Document

Original filename:n/a

**Electronic document Stamp:** 

[STAMP NYEDStamp\_ID=875559751 [Date=7/31/2015] [FileNumber=9956065-0] [461ff058f09664c872ad39c203b47d5dc2c1ccd49284f54c80c9bcee40d06e50c09ff cbd906879796c5239ecb4f6814add0d0b838d76d2c61fd815bf9c8cc9cd]]

Document description: Appendix Slip Opinion (Nuccio v. Duve)

Original filename:n/a

**Electronic document Stamp:** 

[STAMP NYEDStamp\_ID=875559751 [Date=7/31/2015] [FileNumber=9956065-1] [58743b653b1e2caf8dc120400ca63c465ab2e0e1145f6a9e1ed1d3fda8c4f939c956c f3a86e81a70b7c6924bd294a2980363dfb26e00a106d48a4ccdb71330d4]]