

ORIGINAL

EASTERN DISTRICT OF NEW YORK

-----X  
Carthen, Tyrone Laval

Plaintiff,

-against-

The City of New York Police Department  
79th Precinct

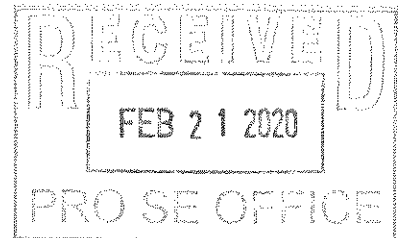
Defendants.  
-----X

AMENDED  
COMPLAINT

19 CV -6392 (BMC) (LB)

"See Attached" Names in Personal Capacity:

- (1) The City of New York Police Department 79th Precinct (Agency) 263 Tompkins Avenue, Brooklyn, New York 11216
- (2) Ortiz, Juana
- (3) Chase, Kamron
- (4) Doe, John aka Hunter, Shield No 21769
- (5) Gonzalez, Eric
- (6) Mckellar, Shaneka
- (7) Birbach, Stuart
- (8) Dechalus, Henry
- (9) Schroeder, Mark J.F
- (10) Yavinsky, Michael
- (11) Novillo, Edwin
- (12) Archana, Rao
- (13) Gubbay, Joseph
- (14) Gingold, Hilary
- (15) Smoot, James
- (16) Doe, John aka Joe, Shield No. 265
- (17) Napollitano, Terry
- (18) Julian, K.
- (19) Williams, Kimberly
- (20) Jenkins, Monica
- (21) Jeffries, Raniesha
- (22) Znamenshchikova, Anna
- (23) Cummings, Dalila
- (24) Maccormack, Nathan
- (25) Vidals, Kimberly



Judges:  
 Michael Yavinsky, Rao Archana  
 Edwin Novillo, Hilary Gingold  
 Joseph Gubbay

Case #  
 CR-005657-19KN

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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NEW YORK

Carthen, Tyrone Laval

*(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

-against-

The city of New York Police  
Department 79 precinct.  
See Attached

*(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)*

**Complaint for Violation of Civil Rights**

(Non-Prisoner Complaint)

Case No. \_\_\_\_\_

*(to be filled in by the Clerk's Office)*

Jury Trial:  Yes  No  
*(check one)*

**NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed *in forma pauperis*.

Judges: micheal Yavinsky, Rao Archana  
Edwin Novillo, Hilary Gingold  
Joseph Gubbay

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**I. The Parties to This Complaint**

**A. The Plaintiff(s)**

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Carthen, Tyrone Laval  
 Street Address 257 Nostrand Avenue # 525  
 City and County Brooklyn, Kings  
 State and Zip Code New York 11205  
 Telephone Number 347) 447 - 2930  
 E-mail Address \_\_\_\_\_

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known) and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1

Name The City of New York Police Department 79th Precinct  
 Job or Title (if known) Agency  
 Street Address 263 Tompkins Avenue  
 City and County Brooklyn, Kings  
 State and Zip Code New York, 11216  
 Telephone Number \_\_\_\_\_  
 E-mail Address (if known) \_\_\_\_\_

Judges:

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Defendant No. 2

Name Chase Kamron #11421  
 Job or Title Police officer  
 (if known)  
 Street Address 263 Tompkins Avenue  
 City and County Brooklyn, Kings  
 State and Zip Code New York, 11216  
 Telephone Number \_\_\_\_\_  
 E-mail Address \_\_\_\_\_  
 (if known)

Defendant No. 3

Name Ortiz Juana #8870  
 Job or Title Police officer  
 (if known)  
 Street Address 263 Tompkins Avenue  
 City and County Brooklyn, Kings  
 State and Zip Code New York, 11216  
 Telephone Number \_\_\_\_\_  
 E-mail Address \_\_\_\_\_  
 (if known)

Defendant No. 4

Name Doe, John AKA Hunter #21769  
 Job or Title Police officer  
 (if known)  
 Street Address 263 Tompkins Avenue  
 City and County Brooklyn, Kings  
 State and Zip Code New York, 11216  
 Telephone Number \_\_\_\_\_  
 E-mail Address \_\_\_\_\_  
 (if known)

Judges:

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II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against (*check all that apply*):

- State or local officials (a § 1983 claim)
- Federal officials (a *Bivens* claim)

B. Section 1983 allows claims alleging the “deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws].” 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

SEE ATTACHED

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?



Judges:

- Michael Yavinsky
- Edwin Novillo
- Joseph Gubbay
- Rao Archana
- Hilary Gingold

D. Section 1983 allows defendants to be found liable only when they have acted “under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia.” 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

SEE ATTACHED

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III. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

Brooklyn, New York, Nostrand Avenue  
and Herkimer Street

B. What date and approximate time did the events giving rise to your claim(s) occur?

On February 9, 2019 Time: 4:25 pm

C. What are the facts underlying your claim(s)? (For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)

See Attached

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IV. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

See Attached

V. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Judges:

Hilary Gingold See Attached  
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VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 02-<sup>21</sup>15, 2020

Signature of Plaintiff Carthen, Tyrone Laval

Printed Name of Plaintiff Carthen, Tyrone Laval

Subscribed and sworn to before me  
this 15 day of February 2020  
Classie Dockery  
Notary Public

**CLASSIE DOCKERY**  
COMMISSIONER OF DEEDS  
City of New York -No.212903  
Qualified in Kings County  
Commissioner Expires December 1, 20 20

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Judges: Micheal Yavinsky  
Edwin Novillo  
Joseph Gubbay  
Rao Archana  
Hilary Gingold

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**"See Attached" Names in Personal Capacity:**

**(1) The City of New York Police Department 79th Precinct (Agency)**

263 Tompkins Avenue, Brooklyn, New York 11216

(2) **Ortiz, Juana** is an employee for The city New York.

(3) **Chase, Kamron** is an employee for The city New York.

(4) **Doe, John aka Hunter, Shield # 21769** is an employee for The city New York.

(5) **Gonzalez, Eric** is an employee for The city of New York.

(6) **Mckellar, Shaneka** is an employee for The city of New York.

(7) **Birbach, Stuart** is an employee for The city of New York.

(8) **Dechalus, Henry** is an employee for The city of New York.

(9) **Schroeder, Mark J.F.** is an employee for New York State.

(10) **Yavinsky, Michael** is an employee for The city of New York.

(11) **Novillo, Edwin** is an employee for The city of New York.

(12) **Rao, Archana** is an employee for The city of New York.

(13) **Gubbay, Joseph** is an employee for The city of New York.

(14) **Gingold, Hilary** is an employee for The city of New York.

(15) **Smoot, James** is an employee for The city of New York.

(16) **Doe, John aka Joe Shield # 265** is an employee for The city of New York.

(17) **Napollitano, Terry Shield # Unknown** is an employee for The city of New York.

(18) **Julian, K** is an employee for The city of New York.

(19) **Williams, Kimberly** is an employee for The city of New York.

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(20) **Jenkins, Monica** is an employee for The city of New York.

(21) **Jeffries, Raniesha** is an employee for The city of New York.

(22) **Znamenshchikova, Anna** is an employee for The city of New York.

(23) **Cummings, Dalila** is an employee for The city of New York..

(24) **Maccormack, Nathan** is an employee for The city of New York.

(25) **Vidals, Kimberly** is an employee for The city of New York.

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Joseph Gubbay, Rao Archana

Hilary Gingold

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**II Basis for jurisdiction (attachment)**

**B.**

**Violations of:**

Title 18 United States Code section 4  
Title 18 United States Code sections 241, 242, 245(b)(2)(B),  
Title 18 United States Code section 1028A(a)(1)(c)(4),  
Title 18 United States Code section 1341,  
Title 18 United States Code section 1001(1)(2)(3),  
Title 42 United States Code section 1981(a)(c),  
Title 42 United States Code section 1985(2)(3),  
Title 42 United States Code section 1986,  
The Constitution of the State of New York  
Bill of Rights violations: Article 1 sections 1, 2, 4, 6, 7, 8, 11, 12, Article 13 section 1,  
United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3,  
Bill of Rights Amendments 1, 4, 5, 6, 8, 13th Amendment, 14th Amendment section 1.

**D.**

**(1) The City of New York Police Department 79th Precinct** and it's employees has violated my civil rights and was therefore acting under color of law, assault, false arrest, sexual abuse, kidnap, sexual assault, identity theft, depriving plaintiff from his liberty to travel, due process of law, and equal protection of the laws, fraud, defraud, false statements, violations of Title 18 United States Code sections 241, 242, 245(b)(2)(B), Title 18 United States Code section 1341, Title 18 United States Code section 1001(1)(2)(3), Title 18 United States Code section 1028A(a)(1)(c)(4), Title 42 United States Code section 1985(3), The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7,8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 8, 13th Amendment, 14th Amendment section 1.

**(2) Ortiz, Juana** is an employee for The city of New York and was therefore acting under color of law, identity theft, Constitutional violations depriving plaintiff from his liberty to travel, due process of law, equal protection of the laws, false arrest, sexual abuse, kidnap, sexual assault, fraud, defraud, false statements, defamation of character, Title 18 United States Code sections 241, 242, 245(b)(2)(B), Title 18 United States Code section 1028A(a)(1)(c)(4), Title 42 United States Code section 1985(3), The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendment 1, 4, 5, 6, 8, 13th Amendments, 14th Amendment section 1.

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(3) **Chase, Kamron** is an employee for The city of New York and was therefore acting under color of law, identity theft, Constitutional violations depriving plaintiff from his liberty to travel, due process of law, false arrest, sexual abuse, kidnap, sexual assault, equal protection of the laws, fraud, defraud, false statements, defamation of character, Title 18 United States Code sections 241, 242, 245(b)(2)(B), Title 18 United States Code section 1028A(a)(1)(c)(4), Title 42 United States Code section 1985(3), The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendment 1, 4, 5, 6, 8, 13th Amendments, 14th Amendment section 1.

(4) **Doe, John aka Hunter, Shield # 21769** is an employee for The city of New York and was therefore acting under color of law, identity theft, Constitutional violations depriving plaintiff from his liberty to travel, due process of law, equal protection of the laws, false arrest, sexual abuse, kidnap, sexual assault, fraud, defraud, false statements, defamation of character, Title 18 United States Code sections 241, 242, 245(b)(2)(B), Title 18 United States Code section 1028A(a)(1)(c)(4), Title 42 United States Code section 1985(3), The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 8, 13th Amendment, 14th Amendment section 1.

(5) **Gonzalez, Eric** is an employee for The city of New York and was therefore acting under color of law, depriving plaintiff from his liberty to travel, due process of law, equal protection of the laws, identity theft, fraud, defraud, false statements, defamation of character, malicious prosecution, Title 18 United States Code sections 241, 242, 245(b)(2)(B), Title 18 United States Code section 1028A(a)(1)(c)(4), Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 8, 14th Amendment section 1.

(6) **Mckellar, Shaneka** is an employee for The city of New York and was therefore acting under color of law, depriving plaintiff from his liberty to travel, due process of law, equal protection of the laws, identity theft, fraud, defraud, false statements, defamation of character, malicious prosecution, Title 18 United States Code sections 241, 242, 245(b)(2)(B), Title 18 United States Code section 1028A(a)(1)(c)(4), Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 8, 14th Amendment section 1.

(7) **Birbach, Stuart** is an employee for The city of New York and was therefore acting under color of law, depriving plaintiff from his liberty to travel, waving rights, due process of law,

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equal protection of the laws, identity theft, fraud, defraud, false statements, defamation of character, malicious prosecution, Title 18 United States Code sections 241, 242, 245(b)(2)(B), Title 18 United States Code section 1028A(a)(1)(c)(4), Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 8, 8, 14th Amendment section 1.

(8) **Dechalus, Henry** is an employee for The city of New York and was therefore acting under color of law, depriving plaintiff from his liberty to travel, waving rights, due process of law, equal protection of the laws, identity theft, fraud, defraud, false statements, defamation of character, malicious prosecution, Title 18 United States Code sections 241, 242, 245(b)(2)(B), Title 18 United States Code section 1028A(a)(1)(c)(4), Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 8, 14th Amendment section 1.

(9) **Schroeder, Mark J.F.** is an employee for New York State and was therefore acting under color of law, depriving plaintiff from his liberty to travel, due process of law, equal protection of the laws, identity theft, fraud, defraud, false statements, defamation of character, Title 18 U.S. Code section 1001(a)(1)(2)(3) Title 18 United States Code sections 241, 242, 245(b)(2)(B), Title 18 United States Code section 1028A(a)(1)(c)(4), Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 8, 14th Amendment section 1.

(10) **Yavinsky, Micheal** is an employee for The city of New York and was therefore acting under color of law, depriving plaintiff from his liberty to travel, due process of law, equal protection of the laws, identity theft, fraud, defraud, false statements, defamation of character, malicious prosecution, Title 18 United States Code sections 241, 242, 245(b)(2)(B), Title 18 United States Code section 1028A(a)(1)(c)(4), Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 8, 14th Amendment section 1.

(11) **Novillo, Edwin** is an employee for The city of New York and was therefore acting under color of law, depriving plaintiff from his liberty to travel, due process of law, equal protection of the laws, identity theft, fraud, defraud, false statements, defamation of character, malicious prosecution, Title 18 United States Code sections 241, 242, 245(b)(2)(B), Title 18 United States

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Code section 1028A(a)(1)(c)(4), Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 8, 14th Amendment section 1.

(12) **Rao, Archana** is an employee for The city of New York and was therefore acting under color of law, depriving plaintiff from his liberty to travel, due process of law, equal protection of the laws, identity theft, fraud, defraud, false statements, defamation of character, malicious prosecution, Title 18 United States Code sections 241, 242, 245(b)(2)(B), Title 18 United States Code section 1028A(a)(1)(c)(4), Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 8, 14th Amendment section 1.

(13) **Gubbay, Joseph** is an employee for The city of New York and was therefore acting under color of law, depriving plaintiff from his liberty to travel, due process of law, equal protection of the laws, identity theft, fraud, defraud, false statements, defamation of character, malicious prosecution, Title 18 United States Code sections 241, 242, 245(b)(2)(B), Title 18 United States Code section 1028A(a)(1)(c)(4), Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 8, 14th Amendment section 1.

(14) **Gingold, Hilary** is an employee for The city of New York and was therefore acting under color of law, depriving plaintiff from his liberty to travel, due process of law, equal protection of the laws, identity theft, fraud, defraud, false statements, defamation of character, malicious prosecution, Title 18 United States Code sections 241, 242, 245(b)(2)(B), Title 18 United States Code section 1028A(a)(1)(c)(4), Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 8, 14th Amendment section 1.

(15) **Smoot, James** is an employee for The city of New York and was therefore acting under color of law, depriving plaintiff from his liberty to travel, due process of law, equal protection of the laws, Title 18 United States Code section 4, identity theft, fraud, defraud, false statements, defamation of character, malicious prosecution, Title 18 United States Code sections 241, 242, 245(b)(2)(B), Title 18 United States Code section 1028A(a)(1)(c)(4), Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 8, 14th

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Rao Archana, Hilary Gingold case#  
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Amendment section 1.

(16) **Doe, John aka Joe Shield # 265** is an employee for The city of New York and was therefore acting under color of law, identity theft, defamation of character, malicious prosecution, Constitutional violations depriving plaintiff from due process of law, equal protection of the laws, Title 18 United States Code section 4, Title 18 United States Code sections 241, 242, 245(b)(2)(B), Title 42 United States Code sections 1985(2), 1986. The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 8, 14th Amendment section 1.

(17) **Napollitano, Terry Shield # Unknown** is an employee for The city of New York and was therefore acting under color of law, identity theft, defamation of character, malicious prosecution, Constitutional violations depriving plaintiff from due process of law, equal protection of the laws, Title 18 United States Code section 4, Title 18 United States Code sections 241, 242, 245(b)(2)(B), Title 42 United States Code sections 1985(2), 1986. The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 8, 14th Amendment section 1.

(18) **Julian, K** is an employee for The city of New York and was therefore acting under color of law, defamation of character, malicious prosecution, depriving plaintiff from due process of law, equal protection of the laws and violation of Title 18 United States Code section 4, Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 14th Amendment section 1.

(19) **Williams, Kimberly** is an employee for The city of New York and was therefore acting under color of law, defamation of character, malicious prosecution, depriving plaintiff from due process of law, equal protection of the laws and violation of Title 18 United States Code section 4, Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 14th Amendment section 1.

(20) **Jenkins, Monica** is an employee for The city of New York and was therefore acting under color of law, defamation of character, malicious prosecution, depriving plaintiff from due process of law, equal protection of the laws and violation of Title 18 United States Code section 4, Title 42 United States Code section 1986, The Constitution of the State of New York Bill of

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Rao Arhana, Hilary Gingold. Case #  
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Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 14th Amendment section 1.

(21) **Jeffries, Raniesha** is an employee for The city of NewYork and was therefore acting under color of law, defamation of character, malicious prosecution, depriving plaintiff from due process of law, equal protection of the laws and violation of Title 18 United States Code section 4, Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 14th Amendment section 1.

(22) **Znamenshchikova, Anna** is an employee for The city of NewYork and was therefore acting under color of law, defamation of character, malicious prosecution, depriving plaintiff from due process of law, equal protection of the laws and violation of Title 18 United States Code section 4, Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 14th Amendment section 1.

(23) **Cummings, Dalila** is an employee for The city of NewYork and was therefore acting under color of law, defamation of character, malicious prosecution, depriving plaintiff from due process of law, equal protection of the laws and violation of Title 18 United States Code section 4, Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 14th Amendment section 1.

(24) **Maccormack, Nathan** is an employee for The city of NewYork and was therefore acting under color of law, defamation of character, malicious prosecution, depriving plaintiff from due process of law, equal protection of the laws and violation of Title 18 United States Code section 4, Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 14th Amendment section 1.

(25) **Vidals, Kimberly** is an employee for The city of NewYork and was therefore acting under color of law, defamation of character, malicious prosecution, depriving plaintiff from due process of law, equal protection of the laws and violation of Title 18 United States Code section 4, Title 42 United States Code section 1986, The Constitution of the State of New York Bill of

Judges: Michael Yavinsky, Edwin Navillo, Joseph Gubbay,  
Rao Archana, Hilary Gingold Case# CR-005657-19KN  
15



Rights violations: Article 1 sections 1, 2, 6, 7, 8, 11, 12, Article 13 section 1, United States  
Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights  
Amendments 1, 4, 5, 6, 14th Amendment section 1.

Judges: Michael Yavinsky, Edwin Navillo, Joseph Gubbay,  
Rao Archana, Hilary Gingold

Case #

CR-005657-19KN

**AMENDED COMPLAINT**

**III Statement of Claim**

**A.**

Brooklyn, New York, Nostrand Avenue and Herkimer Street.

**B.**

On February 9, 2019, Time: 4:25 pm

**C.**

I was traveling on Fulton Street and made a right turn onto Nostrand Avenue and Officer's Chase, Kamron shield number 11421 and Ortiz, Juana shield number 8870 stop me on Nostrand Avenue and Herkimer Street and told me I made an illegal turn, and then asked me for license and registration and my response was that I'm a traveler not a driver or operator which my tag in the rear upper left corner of the window exhibited, TRAVELER-NOT-4-HIRE A Traveler not a driver/operator or employed by an employer, the officers acted as if they didn't understand so I asked the officers to call a lieutenant or captain down to the scene so I could explain to them that I am not functioning within commerce and as I was speaking to officer Chase, Kamron shield number 11421 and officer Hunter shield number 21769, officer Ortiz, Juana shield number 8870 enter my private property from the rear door attempting to place me in the chokehold then officer Chase, Kamron shield number 11421 and officer Hunter shield number 21769 began to grab and coerce me out the front seat of my private property against my free will, my children's mother Joyner, Marquita and her friend Mooney, Lillian was present to witness the Officers assaulted me, sexually abused me, and then was kidnapped by Hunter shield number 21769 and one unknown female officer who took me to The City of New York Police Department 79TH Precinct were they further sexually assaulted me and held me hostage for hours against my will. Gonzalez, Eric and Mckellar, Shaneka for The Brooklyn District Attorney's Office and Associates, maliciously tried to prosecute me without a valid contract. Schroeder, Mark J.F. for The State of New York Department of Motor Vehicles made false statements (defamation of character) that led to me being unlawfully arrested. Micheal Yavinsky Supervising Judge for Kings County Criminal Court neglected to prevent his fellow Judges Novillo, Edwin, Gubbay, Joseph, Archana, Rao and Gingold, Hilary for Kings County Criminal Court from violating me and my civil rights along with Smoot, James for Kings County Criminal Court Clerk's Office administered the fraudulent case and tried to force their lawyers **Birbach, Stuart and Dechalus, Henry Philip** on me waving my rights and I still haven't received the entire case file which has been requested several times and refused, and using intimidation tactics by Court Officer's Joe Shield #265 and Napollitano Terry shield # unknown threatening to lock me up if me and my family didn't leave the court room because I refused services from their lawyers, for speaking for myself to Judge Novillo, Edwin, I was kicked out by the court officers who said that they would call me back in when they recalled my case, but instead they had court without me while I was

Judges: Michael Yavinsky, Edwin Novillo, Joseph Gubbay,  
Rao Archana, Hilary Gingold 17 Case#  
CR-005657-19KN

waiting in the hallway for the court to recall my case a couple of times this happened and on 09-12-2019 the case was dismissed and I was told to pick up the disposition the next day and on my return to retrieve the disposition, I learned I had a warrant issued for my arrest for failure to appear shown in exhibit 5 page 28, the courts maliciously prosecuted me for almost a year with Gonzalez, Eric and Mckellar, Shaneka for The Brooklyn District Attorney's Office and Associates who dismissed the case on January 14, 2020, The city of New York and the above mentioned employees are in violation of my civil rights, due process of law, equal protection of the laws, defamation of character, liberty to travel, identity theft, false statements, fraud, defraud, malicious prosecution, acts under color of law. The Stenographers are in violation of Title 18 U.S. Code Section 4, and Title 42 United States Code section 1986. Defendants are in violations of Title 18 United States Code section 4, Title 18 United States Code section 241, 242, 245(b)(2)(B), Title 18 United States Code section 1028A(a)(1)(c)(4), Title 18 United States Code section 1341, Title 18 United States Code section 1001(1)(2)(3), Title 42 United States Code section 1985(2)(3), Title 42 United States Code section 1986, The Constitution of the State of New York Bill of Rights violations: Article 1 sections 1, 6, 7, 8, 11, 12, Article 13 section 1. United States Constitution violations: Article 1 section 9 paragraph 3, Article 6 paragraph 3, Bill of Rights Amendments 1, 4, 5, 6, 8, 13th Amendment, 14th Amendment section 1.

Judges: Michael Yavinsky, Edwin Novillo, Joseph Gubbay,  
Rao Archana, Hilary Ginzold  
Casett  
CR-005657-19KN

#### IV. Injuries

I am a victim of false arrest, attempted assault, assault, sexual abuse, kidnap, sexual assault, identity theft, false statements, defamation of character, unlawful imprisonment, due process of law, equal protection of the laws, fraud, defraud, waving rights, malicious prosecution, emotional pain and suffering, emotional distress, mental anguish, civil rights violations.

#### V. Relief

I am suing for damages in the amount for Five Hundred Million on the grounds for false arrest, identity theft, attempted assault, assault, sexual abuse, sexual assault, kidnap, defamation of character, unlawful imprisonment, waving rights, fraud, defraud, due process of law, equal protection of the laws, conspiracy to interfere with civil rights, trying to force their services on me with an officer of the court against my will, emotional pain and suffering, emotional distress, mental anguish, malicious prosecution, fraud on the court and all defendants are hereby notice that failure to appear and defend will result in a default judgment against the defendants for the relief demanded in the complaint. The defendants shall appear on the date and time the Judge put the case on the calendar.

Judges: Michael Yavinsky, Edwin Novillo, Joseph Gubbay,  
Rao Archana, Hilary Ginzgold

Case #

CR-005657-19KN

# EXHIBIT 1

Judges:

Michael Yavinsky  
Edwin Novillo  
Joseph Gubbay  
Zao Archana  
Hilary Gingold

Case #

CR-005657-19KN

**Criminal Court of the City of New York**

Part APAR County of Kings

THE PEOPLE OF THE STATE OF NEW YORK  
V.  
TYRONE GARTHEN

State of New York  
County of Kings

Defendant

Police Officer Juana Ortiz, shield number 8870, says that on or about February 9, 2019 at approximately 4 21 PM at FULTON STREET / NOSTRAND AVENUE, County of Kings, State of New York, the defendant committed the offenses of:

- VTL 509(1) UNLICENSED OPERATOR
- VTL 511(1)(A) AGGRAVATED UNLICENSED OPERATION OF A MOTOR VEHICLE IN THE THIRD DEGREE
- VTL 511(2)(A)(IV) AGGRAVATED UNLICENSED OPERATION OF A MOTOR VEHICLE IN THE SECOND DEGREE

in that the defendant did:  
OPERATE OR DRIVE A MOTOR VEHICLE UPON A PUBLIC HIGHWAY OF THIS STATE OR UPON AN SIDEWALK OR TO OR FROM ANY LOT ADJACENT TO A PUBLIC GARAGE, SUPERMARKET, SHOPPING CENTER OR CAR WASHING ESTABLISHMENT OR TO OR FROM OR INTO A PUBLIC GARAGE OR CAR WASHING ESTABLISHMENT WITHOUT BEING DULY LICENSED PURSUANT TO THE PROVISIONS OF THIS CHAPTER; OPERATE A MOTOR VEHICLE UPON A PUBLIC HIGHWAY WHILE KNOWING OR HAVING REASON TO KNOW THAT SUCH PERSON'S LICENSE OR PRIVILEGE OF OPERATING SUCH MOTOR VEHICLE IN THIS STATE OR PRIVILEGE OF OBTAINING A LICENSE TO OPERATE SUCH MOTOR VEHICLE ISSUED BY THE COMMISSIONER WAS SUSPENDED, REVOKED OR OTHERWISE WITHDRAWN BY THE COMMISSIONER; COMMIT THE OFFENSE OF AGGRAVATED UNLICENSED OPERATION OF A MOTOR VEHICLE IN THE THIRD DEGREE AS DEFINED IN SECTION FIVE HUNDRED ELEVEN SUBDIVISION ONE SUBDIVISION A OF THE VEHICLE AND TRAFFIC LAW, AND DEFENDANT HAD IN EFFECT THREE OR MORE SUSPENSIONS IMPOSED ON AT LEAST THREE SEPARATE DATES, FOR FAILURE TO ANSWER, APPEAR OR PAY A FINE.

The source of deponent's information and the ground for deponent's belief are as follows.

The deponent is informed by the sworn statement of Police Officer Kamron Chase, shield number 11421, that at the above-listed time and place, the informant observed the defendant operate a motor vehicle, specifically a 1997 NISSAN MAXIMA, N/A State License plate N/A, in that informant observed the defendant sitting in the driver's seat of that vehicle, which was stopped on the above-mentioned street, a public highway, with its engine running.

The deponent is further informed by the above-mentioned sworn statement of the informant that the informant conducted a review of the official records of the New York State Department of Motor Vehicles, and that it is the business of the Department to make such records, which are made and maintained in the regular course of business by persons under a legal obligation to make accurate entries within a reasonable time of the events or occurrences that those records describe, and that the ZFinest printout, attached to the sworn statement, reveals that at the above-mentioned time, the defendant's license to operate/privilege to operate/privilege of obtaining a license to operate a motor vehicle was suspended for failure to answer or appear in response to a summons or pay a fine and that, specifically, defendant had in effect 8 total suspensions (6 on 4 date(s)).

The deponent is further informed by the above-mentioned sworn statement of the informant that the basis for believing that the defendant had reason to know that defendant's privilege was suspended or revoked as detailed above is as follows: The defendant was unable to produce a valid license, and that the Department of Motor Vehicles routinely sends notification of suspensions or revocations to a motorist at the last address supplied by the motorist and that, if a privilege is suspended for failure to answer a traffic summons, the notice of suspension is mailed to the address supplied to the police officer by the motorist at the time the summons was issued.

The deponent is further informed by the above-mentioned sworn statement of the informant that the defendant stated, in sum and substance, that the defendant resides at 235 TOMPKINS AVE.

False statement made in this document are punishable as a class A misdemeanor pursuant to section 210.45 of the Penal Law

February 09 2019

*[Handwritten signature]*

Judges

Michael Yavinsky  
Edoin Novillo  
Joseph Gubbay  
Rao Archana  
Tilman

CR-005657-19KN  


K19607760 Arrested 02/09/19 16:25  
casett  
CR-005657-19KN

# EXHIBIT 2

Judges:  
Michael Yavinsky  
Edwin Novillo  
Joseph Gubbay  
Rao Archana  
Hilary Gingold

Case#  
CR-005657-19KN

CRIMINAL COURT OF THE CITY OF NEW YORK

Docket Number \_\_\_\_\_ Arraignment Date \_\_\_\_\_ Arraigning Judge \_\_\_\_\_

You are to appear in Court on 3/1 by 9:50 A.M. at Part located at 120 Schermerhorn Street, Brooklyn, N.Y. 11201.

Your bail has been fixed at \$ \_\_\_\_\_ Insurance Company Bail Bond.  
or  
\$ \_\_\_\_\_ Cash Bail.

If you are released and you fail to appear at the time, date, and place indicated above, a warrant for your arrest will be issued.

Your Bail, if any, will be forfeited.

You may be charged with the crime of Bail Jumping.

If you are committed

You have the right to communicate with relatives or friends by letter or telephone free of charge.

You have the right to the aid of counsel at every stage of the proceedings.

If you desire counsel and are financially unable to obtain counsel, counsel shall be assigned to you.

PLEASE BRING THIS NOTICE WITH YOU WHENEVER YOU APPEAR IN COURT.

CRC 3021 (8/52)

(over) (signature)

Judges:

- Michael Yovinsky
- Edwin Novillo
- Joseph Gubbay
- Rao Archana
- Hilary Gringold

Case #:

CR-005657-19KN



# EXHIBIT 3

Judges:

Michael Yavinsky  
Edwin Novillo  
Joseph Gubbay  
Rao Archana  
Hilary Gingold

Case#

CR-005657-19KN

Carthony Tyrone

CRIMINAL COURT OF THE CITY OF NEW YORK

CR-005657-19KN

Docket Number

Arraignment Date

Arraignment Judge

June 5

APJ

You are to appear in Court on June 5 by 9:30 A.M. at Pat located at 120 Schermerhorn Street, Brooklyn, N.Y. 11201.

Your bail has been fixed at \$ \_\_\_\_\_ Insurance Company Bail Bond  
or \$ \_\_\_\_\_ Cash Bail.

If you are released and you fail to appear at the time, date, and place indicated above,  
A Warrant for your Arrest will be issued.  
Your Bail, if any, will be forfeited.  
You may be charged with the crime of Bail Jumping.

If you are committed:  
You have the right to communicate with relatives or friends by letter or telephone free of charge.  
You have the right to the aid of counsel at every stage of the proceedings.

If you desire counsel and are financially unable to obtain counsel, counsel shall be assigned to you.

**PLEASE BRING THIS NOTICE WITH YOU WHENEVER YOU APPEAR IN COURT.**

CRC 3021 (8/92)

(over) (signature)

Judges:  
Michael Yavinsky  
Edwin Novillo  
Joseph Gubbay  
Rao Archana  
Hillary Gingold

Case#  
CR-005657-19KN

# EXHIBIT 4

Judges:

Michael Yavinsky  
Edwin Neville  
Joseph Cubbay  
Kao Arhana  
Hilary Gingold

Case #

CR-005657-19KN

241513

CORTE CRIMINAL DE LA CIUDAD DE NUEVA YORK

7-30-19 TR-1

Numero de Inscripcion

Fecha

Juez

Usted debe comparecer en la corte en el \_\_\_\_\_ a las 9:30 A.M. en la Parte \_\_\_\_\_ situada en 120 Schermerhorn Street, Brooklyn, N.Y. 11201.

Se le ha fijado una fianza de \_\_\_\_\_ un (uno) de \$ \_\_\_\_\_ de una Compañia Aseguradora. \$ \_\_\_\_\_ fianza en efectivo.

Si lo sueltas a Usted y Usted deja de comparecer a esa hora y fecha, y en el sitio indicado.

Una Orden de Arresto sera expedida en contra suya.

Su Fianza, si la hay, se perdera.

Podria ser acusado del delito de haber violado las condiciones de su libertad.

Si lo encarcelan:

Usted tiene el derecho de comunicarse con sus parientes o sus amigos por carta o por telefono gratis.

Usted tiene el derecho a la ayuda de un abogado en cada etapa de los procedimientos.

Si Usted desea un abogado y sus condiciones economicas no le permiten obtener un abogado, se le asignara un abogado.

**POR FAVOR TRAIGA ESTE AVISO CUANDO COMPAREZCA EN LA CORTE.**

CRC 3021 (8/92)

(over) (sigue)

Judges:

- Micheal Yavinsky
- Edwin Novillo
- Joseph Gubbay
- Rao Archana
- Hilary Gingold

Case#

CR-005657-19KN

# EXHIBIT 5

Judges:

Michael Yavinsky  
Edwin Novillo  
Joseph Gubray  
Rac Archana  
Hillary Ginzeld

Case #

CR-CC-5657-19KN

CRIMINAL COURT OF THE CITY OF NEW YORK

Docket Number \_\_\_\_\_ Arraignment Date \_\_\_\_\_ Arraignment Judge \_\_\_\_\_

You are to appear in Court on 9-12-19 by 9:30 A.M. at Part TRP-A located at  
120 Schermerhorn Street, Brooklyn, N.Y. 11201.

Your bail has been fixed at \$ \_\_\_\_\_ Insurance Company Bail Bond.  
or \$ \_\_\_\_\_ Cash Bail.

If you are released and you fail to appear at the time, date, and place indicated above,

A Warrant for your Arrest will be issued.

Your Bail, if any, will be forfeited.

You may be charged with the crime of Bail Jumping.

If you are committed:

You have the right to communicate with relatives or friends by letter or telephone free of charge.

You have the right to the aid of counsel at every stage of the proceedings.

If you desire counsel and are financially unable to obtain counsel, counsel shall be assigned to you.

**PLEASE BRING THIS NOTICE WITH YOU WHENEVER YOU APPEAR IN COURT.**

CRC 3021 (8/92)

(over) (sigue)

Judges:

Michael Yavinsky  
Edwin Novillo  
Joseph Gubbay  
Rac Archana  
Hilary Gingold

Case #

CR - 005657 - 19KN

AH02  
COUNTY: KINGS

CRIMS APPEARANCE HISTORY  
APPEARANCE DATES

09/16/2019  
8090

OPTION SELECTED: LAST 2 + NEXT APPEARANCES

NAME: CARTER, TYRONE

DOCKET: CR-005657-19KN

CCN:

NYSID #: 07350933 L

ARREST #: K19607760

09/12/2019 (OPEN) TRP-1  
WO, TRP-1

JDG: NOVILLO, E

RPTR: JEFFRIES, RANIESHA NT

07/30/2019 (OPEN) TRP-1  
PC

JDG: NOVILLO, E

RPTR: JULIAN, K. NT C

COMMAND:

MESSAGE:

*PT*  
*TRP-1*  
*AM 5-4*  
*[Signature]*

*Case was dismissed  
on 9-12-2019  
More Fraud and intentional  
Negligence.*

Judges:

Case #

- Micheal Yavinsky
- Edwin Novillo
- Joseph Gubbay
- Rao Archana
- Milani Binaobi

CR-005657-19KN

# EXHIBIT 6

Judges:

Michael Yavinsky  
Edwin Novillo  
Joseph Subban  
Rao Archana  
Hilary Goldberg

Case #

CR-005657-19KN



CRIMINAL COURT OF THE CITY OF NEW YORK

Docket Number \_\_\_\_\_ Arraignment Date \_\_\_\_\_ Arraignment Judge \_\_\_\_\_

You are to appear in Court on 10/18 by 9:30 A.M. at Part TRP-1 located at  
120 Schermerhorn Street, Brooklyn, N.Y. 11201.

Your bail has been fixed at \$ \_\_\_\_\_ Insurance Company Bail Bond.  
or  
\$ \_\_\_\_\_ Cash Bail.

If you are released and you fail to appear at the time, date, and place indicated above.

A Warrant for your Arrest will be issued.

Your Bail, if any, will be forfeited.

You may be charged with the crime of Bail Jumping.

If you are committed:

You have the right to communicate with relatives or friends by letter or telephone free of charge.

You have the right to the aid of counsel at every stage of the proceedings.

If you desire counsel and are financially unable to obtain counsel, counsel shall be assigned to you.

**PLEASE BRING THIS NOTICE WITH YOU WHENEVER YOU APPEAR IN COURT.**

CRC 3021 (8/92)

(over) (sigue)

Judges:

- Micheal Yavinsky
- Edwin Novillo
- Joseph Gubbay
- Rao Archana
- Hilary Gingold

Case #

CR-005657-19KN

# EXHIBIT 7

Judges:  
Michael Yavinsky  
Edwin Novillo  
Joseph Gubbay  
Francis McMahon  
Hilary Changelak

Case #  
CR-005657-19KN

AH05  
CLERK: KINGS

CRIMS APPEARANCE HISTORY  
FELONY DATA

03/19/2019  
6242

OPTION SELECTED: ALL APPEARANCES

NAME: CAR HEN, TYSONE  
DOB:

DOCKET: CR 025057 19KN

NYSDA #: 00140822 1 INDEX #: K1920760

LANGUAGE:

INTERPRETER:

DEF. ATTY NAME: BIRBACH, STEPHAN

ATTY CNT: 001 OF 001

ATTORNEY TYPE: 3 188

DATE ASSIGNED: 02/10/2019

PART ASSIGNED: APARA

FIRM:

PHONE: ( 718 ) 208 - 6094

STREET: 270 MADISON AVE, 13TH FL

CITY: NEW YORK

STATE: NY

ZIP: 10016 -

ASST. DIST ATTY: KINGS COUNTY DISTRICT ATTORNEY,

ADA CNT: 001 Of 001

ADA BUREAU:

DATE ASSIGNED: 02/10/2019

COMMAND: MESSAGE:

*Judge:*  
*Michael J. Smith of*  
*Ethel M. Neville*  
*Joseph C. Smith*  
*Ron. Anderson*  
*Henry C. Smith*

*Case #*  
*CR-CC 5657-19KN*

AD02  
COUNTY: KINGS

CRIM APPEARANCE HISTORY  
APPEARANCE DATES

03/19/2019  
0342

OPTION SELECTED: ALL APPEARANCES

NAME: CARTHEN, TYRONE

BOOK#: CR-0000011980

CCS:

NYSID #: 0735093. 1

ARREST #: K19507760

03/27/2019 (OPEN) AP2

02/10/2019 (OPEN) APAR4  
C ROR

JDG: GUBBAL, J

RPT: MACCORMACK, NATHAN ARR: RE

COMMAND:

MESSAGE:

*Judges*

*Michael Yaminiky  
Edwin Noville  
Joseph Crowley  
Rae Abraham  
Helen G. Murphy*

*Case 11*

*CR 00-5657-19KN*

AL02 CRIMS APPEARANCE HISTORY 07/31/2019  
COUNTY: KINGS APPEARANCE DATES VI68

OPTION SELECTED: ALL APPEARANCES

NAME: CARMEN, TYRONE

DOCKET: CR-005657-19KN

ARREST #: K19607760

CCN:

NYSID #: 07350933

03/27/2019 (OPEN) AP2  
PC

JDG:RAO,A

RPTR:JENKINS,M. NT C

02/10/2019 (OPEN) APAR4  
C ROR

JDG:GUBDAY,C

RPTR:MACCORMACK,NATHAN ARR:RE

PF7/PF8 TO VIEW MORE APPEARANCES

COMMAND: MESSAGE:

Judges:  
Michael Yavinsky  
Edwin Neville  
Joseph Cribbany  
Rae Archana  
Hilary Gringold

Case #  
CR-005657-19KN

AP02  
COUNTY: KINGS

CRIMS APPEARANCE HISTORY  
APPEARANCE DATES

07/31/2019  
VI68

OPTION SELECTED: ALL APPEARANCES

NAME: CARTHEX, TYRONE

BOOKING CR: 005637-19KN

ARREST #: K19607760

DOB: NYSID #: 07350933

09/12/2019 (OPEN) TRP-1

07/30/2019 (OPEN) TRP-1  
PC

JDG: NOV. LEO, E.

RPTR: JULIAN, K. NT C

06/14/2019 (OPEN) AP2  
PC

JDG: RAO, A

RPTR: JULIAN, K. NT C

06/05/2019 (OPEN) AP2  
C PC

JDG: RAO, A

RPTR: MACCORMACK, NATHAN NT

04/30/2019 (OPEN) AP2  
C PC

JDG: GINGOLD, H

RPTR: WILLIAMS, KIMBERLY NT

PF7/PF8 TO VIEW MORE APPEARANCES

COMMAND: MESSAGE: DEFENDANT HISTORY CREATED

*Erlyce!*  
*Michael Yavinsky*  
*Edwin Neville*  
*Joseph Gunkay*  
*Rao Archana*  
*Hilary Bingold*

*Case 11*  
*CR-005637-19KN*

# EXHIBIT 8

Judges.

Michael Yavinsky

Edwin Neville

Joseph Gubbay

Rae Arhama

Hilary Gungelb

Case #

CR-CC 5657-19KN

07/31/2019  
V168

CRIMS APPEARANCE HISTORY  
PERSONAL INFORMATION

AH04  
COUNTY: KINGS

OPTION SELECTED: ALL APPEARANCES

DOCKET: CR-005657-19KN

CJTN:

NYSID #: 07350933 L

ARREST #: K19607760

ARREST DATE: 02/09/2019

ARREST TIME: 16 : 25

INCIDENT DATE: 02/09/2019

INCIDENT TIME:

NAME TYPE: I

NAME : CARTHEN, TYRONE

AKA #1 :

AKA #2 :

DOB: 01/16/1972

RACE: B

ETHNIC: N

SSN:

HGT: 5 10

WGT: 198

EYES: BRO

HAIR: BLK

BLOOD ALCOHOL LEVEL:

SHIELD # :

APO NAME :

AGENCY: NYPD

COMMAND:

TAX REG # :

COMMAND:

MESSAGE:

Judges:

Michael Yavinsky

Edwin Novillo

Joseph Gubbay

Rao Archana

Hilary Gingold

Case #

CR-005657-19KN



AB08  
COUNTY: KINGS

CRIMS APPEARANCE HISTORY  
VEHICLE INFORMATION

07/31/2019  
V168

NAME: CARTER, TYRONE  
DOCKET: CR-008657-LIKK

TYP: I

ARREST TYPE: PATROL  
VEHICLE MAKE: NISS  
VEHICLE ID #:

YEAR: 1997

PLATE #: STATE: YY  
VEHICLE TYPE: PASS TYPE CODE: PASS

DATE REGISTRATION EXPIRES: / /

NOTORIS ID: DATE & COUNTY ISSUED: / /  
LICENSE CLASS: DLS DOT NUMBER:

NAME OF VEHICLE OWNER:  
IS OPERATOR OF VEHICLE THE OWNER?: N

LICENSE STATUS: REGISTRATION STATUS:  
REGISTRATION SUSP TIME:

COMMAND: MESSAGE:

Judges:  
Michael Yavinsky  
Edwin ~~Farber~~ Novillo  
Joseph Cabbay  
Rae Archana  
Hilary Eingetel

Case #  
CR-008657-LIKK

ALSO: CRIMINAL APPEARANCE HISTORY (R01 11)  
 COUNTY: KINGS CHARGES / DISPOSITION 01/31/2019  
 V168

OPTION SELECTED: ALL APPEARANCES

NAME: CARTNER, TYRON

DOCKET: CR 20087-19KN

CON:

NYSID #: 07350933 T

ARREST NUM: 81960760

A	A	A				SS	W	CRIMINAL COURT	ADDED
P	R	T				CE	/	DISPOSITION /	APPEAR
R	G	I	SEQ	LAW	CODE/SECTION	DC	WT	SENTENCE	DATE
Y	Y	Y	001	VTL	509.1	01	L	001	
Y			002	VTL	401.1A	1A	F	001	UNATTACHED COUNTS
Y			003	VTL	312.1	01	F	001	UNATTACHED COUNTS
Y			004	VTL	511.1	01	UM	001	UNATTACHED COUNTS
Y			005	VTL	1110.A	0A	T	001	UNATTACHED COUNTS
Y	Y	Y	006	VTL	511.1A	1A	UM	001	
Y	Y	Y	007	VTL	511.A4	A4	UM	001	

TOP CHARGE: 006

COMMAND: MESSAGE:

Judges:

Michael Javinsky  
 Edwin Novillo  
 Joseph Gubbay  
 Rae Archana  
 Hilary Cingola

Case #1

CR 20087-19KN

AH05  
COUNTY: KINGS

CRIMS APPEARANCE HISTORY  
ATTORNEY DATA

07/31/2019  
V168

OPTION SELECTED: ALL APPEARANCES

NAME: CARWEN, TYRONNE

DOCKET: CR-005657-19KA

CCN:

NYSID #: 07350933 L ARREST #: K19607760

LANGUAGE:

INTERPRETER:

DEF. ATTY NAME: DEOBALUS, HENRY PHILIP

ATTY CNT: 002 OF 002

ATTORNEY TYPE: 3 788

DATE ASSIGNED: 03/27/2019

PART ASSIGNED: AD2

FIRM:

PHONE: ( 718 ) 206 - 9995

STREET: 137 MONTAGUE STREET

CITY: BROOKLYN

STATE: NY

ZIP: 11201

ASST. DIST ATTY: KINGS COUNTY DISTRICT ATTORNEY,

ADA CNT: 001 OF 001

DA BUREAU:

DATE ASSIGNED: 02/10/2019

PF7/PF8 TO VIEW MORE INFO

COMMAND:

MESSAGE:

Judges:

Michael Yavinsky  
Edwin Novillo  
Joseph Crabtree  
Rae Archana  
Hikary Gonzalez

Case #

CR-00-5657-19KA

# EXHIBIT 9

Judges:

Michael Mavinsky  
Edwin Neville  
Joseph Cuddihy  
Rao Abraham  
Hilary Gingold

Case#

CR-005657-19KN

ABSTRACT OF DRIVING RECORD

Document # LRBR0001

Total Fee Paid \$10.00

PRINT DATE: 09/06/2019 TIME: 15:37:46 OPERATOR: RBR OFFICE: BRK

CARTHEN, TYRONE, L  
235 TOMPKINS AVE 4-A  
BROOKLYN NY 11216

CLIENT ID#: 203437233  
DOB: 01/16/1972 SEX: M  
HEIGHT: 5-7 EYE COLOR: BROWN  
COUNTY: KING  
MI #: C01659 97075 320950-72

NAME ON LICENSE/ID: CARTHEN  
TYRONE, L

ID-ONLY

EXPIRATION: 01/16/2022

SUSP/REV SUMMARY: TOTAL 8 (SCOFFS 6 ON 4 DATES) JUDGEMENT \$ 1383

\*\*\*\*\* SUSPENSIONS/REVOCATIONS \*\*\*\*\*

REVOCATION: 07/15/2000 OPER W/O INS INF ORDER #: A0006160000A  
COMPLIED ON: 07/15/2000

SUSPENSION: 02/04/2016 OPERAT W/O A LICENSE ORDER #: B1601060000  
COMPLIED ON: 02/04/2016

SUSPENSION: 02/03/2016 FAILURE TO PAY FINE ORDER #: K781224  
LOCATION: KINGS COUNTY, BROOKLYN NORTH ADM. ADJ.  
JUDGMENT AMOUNT: 223 COUNTY: KINGS

SUSPENSION: 02/03/2016 FAILURE TO PAY FINE ORDER #: K781235  
LOCATION: KINGS COUNTY, BROOKLYN NORTH ADM. ADJ.  
JUDGMENT AMOUNT: 370 COUNTY: KINGS

SUSPENSION: 06/15/2000 FAILURE TO PAY FINE ORDER #: K474274  
LOCATION: KINGS COUNTY, BROOKLYN NORTH ADM. ADJ.  
JUDGMENT AMOUNT: 225 COUNTY: KINGS

*Judges: Michael Yavinsky,  
Edwin Neville, Joseph Gubbay,  
Rao Arachana, Hilary Gingold*

*Case #  
CR-CC-5657-19KW*

This is to certify that this document is a true and complete copy of an electronic record on file in the New York State Department of Motor Vehicles, Albany, New York. The record was made in regular course of New York State Department of Motor Vehicles daily business. It is the business of the New York State Department of Motor Vehicles to create and maintain the records of drivers in the state of New York. Entries in this document are made at the time the recorded transactions or events took place or within a reasonable time thereafter. The person who reports the information is under a business duty to do so accurately.

Continued Page 2

ABS-3 (01/19)

*Mark J.F. Schweder*

COMMISSIONER OF MOTOR VEHICLES

ABSTRACT OF DRIVING RECORD

Document # LRBR0001

Total Fee Paid \$10.00

PRINT DATE: 09/06/2019 TIME: 15:37:46 OPERATOR: RBR OFFICE: BRK

CLIENT ID#: 203437233

CARTHEN, TYRONE, L  
235 TOMPKINS AVE 4-A  
BROOKLYN NY 11216

DOB: 01/16/1972 SEX: M  
HEIGHT: 5-7 EYE COLOR: BROWN  
COUNTY: KING  
MI #: C01659 97075 320950-72

SUSPENSION: 05/16/2000 FAILURE TO PAY FINE ORDER #: K048367  
LOCATION: KINGS COUNTY, BROOKLYN NORTH ADM. ADJ.  
JUDGMENT AMOUNT: 225 COUNTY: KINGS

SUSPENSION: 05/15/2000 FAILURE TO PAY FINE ORDER #: K428785  
LOCATION: KINGS COUNTY, BROOKLYN SOUTH ADMINISTRATIVE ADJ.  
JUDGMENT AMOUNT: 115 COUNTY: KINGS

SUSPENSION: 05/15/2000 FAILURE TO PAY FINE ORDER #: K428797  
LOCATION: KINGS COUNTY, BROOKLYN SOUTH ADMINISTRATIVE ADJ.  
JUDGMENT AMOUNT: 225 COUNTY: KINGS

\*\*\*\*\* CONVICTIONS/BAIL FORFEITURES \*\*\*\*\*

CONVICTION: OPERAT W/O A LICENSE  
VIOLATION: 01/04/2016 CONVICTED ON: 01/05/2016  
LOCATION: KINGS COUNTY, BROOKLYN NORTH ADM. ADJ.  
PENALTY: FINE- \$300  
COMM VEH: NO HAZMAT: NO

CONVICTION: OP MV PORT ELEC DEV  
VIOLATION: 01/04/2016 CONVICTED ON: 01/05/2016  
LOCATION: KINGS COUNTY, BROOKLYN NORTH ADM. ADJ.  
PENALTY: FINE- \$65 POINTS: 5  
COMM VEH: NO HAZMAT: NO

\*\*\* END OF RECORD \*\*\*

Judges: Micheal Yavinsky,  
Edwin Novillo, Joseph Gudray,  
Kae Archana, Hilary Gungold

Case #  
CR-005637-19KN

This is to certify that this document is a true and complete copy of an electronic record on file in the New York State Department of Motor Vehicles, Albany, New York. The record was made in regular course of New York State Department of Motor Vehicles daily business. It is the business of the New York State Department of Motor Vehicles to create and maintain the records of drivers in the state of New York. Entries in this document are made at the time the recorded transactions or events took place or within a reasonable time thereafter. The person who reports the information is under a business duty to do so accurately.

Mark J.F. Schroeder

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF KINGS

CERTIFICATE OF DISPOSITION  
NUMBER: 747839

THE PEOPLE OF THE STATE OF NEW YORK  
VS

CARTHEN, TYRONE  
Defendant

01/16/1972  
Date of Birth

583 PARK AVENUE  
Address

\_\_\_\_\_  
NYSID Number

BROOKLYN                      NY 11206  
City                                      State      Zip

02/25/1998  
Date of Arrest/Issue

Docket Number: 98K024048

Summons No:

VTL 511.1 01 UM,  
Arraignment Charges

Case Disposition Information:

Date	Court Action	Judge	Part
10/30/2000	RESENTENCED RESENT VTL 509.1 01 I IMPRISONMENT=TS	GUBBAY, J	AP9

*Judges: Michael Yavinsky,  
Edwin Noville, Joseph Gubbay,  
Rac Arachana, Hilary Gingold.*

NO FEE CERTIFICATION

Case#

GOVERNMENT AGENCY      COUNSEL ASSIGNED

CR-05657-19KN

NO RECORD OF ATTORNEY READILY AVAILABLE. DEFENDANT STATES COUNSEL WAS ASSIGNED

SOURCE      ACCUSATORY INSTRUMENT      DOCKET BOOK/CRIMS      CRC3030 [CRS963]

I HEREBY CERTIFY THAT THIS IS A TRUE EXCERPT OF THE RECORD ON FILE IN THIS COURT.

WILLIAMS, S  
COURT OFFICIAL, SIGNATURE AND SEAL

11/04/2019  
DATE

FEE: NONE

Marijuana convictions under PL 221.05 or PL 221.10 are vacated, dismissed and expunged as of August 28, 2019. The court system is in the process of updating its records, but in the meantime, it is an unlawful discriminatory practice unless specifically required or permitted by statute, for any entity to make any inquiry about an expunged conviction or to use an expunged conviction adversely, whether in any form of application or otherwise, against such individual.

Pursuant to section 70.15 of the Penal Law, any misdemeanor sentence with a jail term of "1 year", "12 months", or "365 days" is, by operation of law, deemed to be a sentence of 364 days. Any Certificate of Disposition indicating a jail sentence of "1 year", "12 months", "52 weeks", or "365 days" for a misdemeanor conviction shall be interpreted as a sentence of 364 days.

*4/6*

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF KINGS

CERTIFICATE OF DISPOSITION  
NUMBER: 747840

THE PEOPLE OF THE STATE OF NEW YORK  
VS

CARTHEN, TYRONE A  
Defendant

01/16/1972  
Date of Birth

235 TOMPKINS AVENUE  
Address

7350933L  
NYSID Number

BROOKLYN NY 11216  
City State Zip

11/03/2005  
Date of Arrest/Issue

Docket Number: 2005KN071240

Summons No:

PL 170.20 00 AM, VTL 319.1 01 I, VTL 355 00 UM, VTL 375.12 12 I, VTL 509.1 01 I,  
VTL 511.1A 1A UM,

-----  
Arraignment Charges

Case Disposition Information:

<u>Date</u>	<u>Court Action</u>	<u>Judge</u>	<u>Part</u>
12/05/2005	PLED GUILTY & SENTENCE IMPOSED PG VTL 509.1 01 I \$100/15D	MCGUIRE, W	AP6
02/07/2006	EXECUTION OF SENTENCE PAID	SCIARRINO, M	AP6
Judges: Michael Yavinsky, Rao Arachana Edwin Neville, Hilary Einigold Joseph Crabbay			Case # CR-005657-19KN

NO FEE CERTIFICATION

GOVERNMENT AGENCY       COUNSEL ASSIGNED

NO RECORD OF ATTORNEY READILY AVAILABLE. DEFENDANT STATES COUNSEL WAS ASSIGNED

SOURCE  ACCUSATORY INSTRUMENT     DOCKET BOOK/CRIMS     CRC3030 [CRS963]

I HEREBY CERTIFY THAT THIS IS A TRUE EXCERPT OF THE RECORD ON FILE IN THIS COURT.

WILLIAMS, S  
COURT OFFICIAL/SIGNATURE AND SEAL

11/04/2019  
DATE

FEE: NONE

Marijuana convictions under PL 221.05 or PL 221.10 are vacated, dismissed and expunged as of August 28, 2019. The court system is in the process of updating its records, but in the meantime, it is an unlawful discriminatory practice unless specifically required or permitted by statute, for any entity to make any inquiry about an expunged conviction or to use an expunged conviction adversely, whether in any form of application or otherwise, against such individual.

Pursuant to section 70.15 of the Penal Law, any misdemeanor sentence with a jail term of "1 year", "12 months", or "365 days" is, by operation of law, deemed to be a sentence of 364 days. Any Certificate of Disposition indicating a jail sentence of "1 year", "12 months", "52 weeks", or



CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF KINGS

CERTIFICATE OF DISPOSITION  
NUMBER: 747838

THE PEOPLE OF THE STATE OF NEW YORK  
VS

CARTHEN, TYRONE L  
Defendant

01/16/1972  
Date of Birth

235 TOMPKINS AVE  
Address

7350933L  
NYSID Number

BROOKLYN NY  
City State Zip

04/07/2014  
Date of Arrest/Issue

Docket Number: 2014KN024263

Summons No:

VTL 511.2 02 UM,  
Arraignment Charges

Case Disposition Information:

<u>Date</u>	<u>Court Action</u>	<u>Judge</u>	<u>Part</u>
04/08/2014	PLED GUILTY & SENTENCE IMPOSED PG VTL 509.1 01 I \$200	HUDSON, S	APAR3
05/30/2014	EXECUTION OF SENTENCE PAID	TEST, A	CASHIER

*Judges: Michael Javinsky, Rao Arachana, Edwin Novillo, Hilary Gingold, Joseph Gubbay*

*Case # CR-005657-19K*

NO FEE CERTIFICATION

GOVERNMENT AGENCY  COUNSEL ASSIGNED

NO RECORD OF ATTORNEY READILY AVAILABLE. DEFENDANT STATES COUNSEL WAS ASSIGNED

SOURCE  ACCUSATORY INSTRUMENT  DOCKET BOOK/CRIMS  CRC3030 [CRS963]

I HEREBY CERTIFY THAT THIS IS A TRUE EXCERPT OF THE RECORD ON FILE IN THIS COURT.

WILLIAMS, S   
COURT OFFICIAL/SIGNATURE AND SEAL

11/04/2019  
DATE FEE: NONE

Marijuana convictions under PL 221.05 or PL 221.10 are vacated, dismissed and expunged as of August 28, 2019. The court system is in the process of updating its records, but in the meantime, it is an unlawful discriminatory practice unless specifically required or permitted by statute, for any entity to make any inquiry about an expunged conviction or to use an expunged conviction adversely, whether in any form of application or otherwise, against such individual.

Pursuant to section 70.15 of the Penal Law, any misdemeanor sentence with a jail term of "1 year", "12 months", or "365 days" is, by operation of law, deemed to be a sentence of 364 days. Any Certificate of Disposition indicating a jail sentence of "1 year", "12 months", "52 weeks", or "365 days" for a misdemeanor conviction shall be interpreted as a sentence of 364 days.

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF KINGS

CERTIFICATE OF DISPOSITION  
NUMBER: 747837

THE PEOPLE OF THE STATE OF NEW YORK  
VS

CARTHEN, TYRONE L  
Defendant

01/16/1972  
Date of Birth

235 TOMPKINS AVENUE  
Address

7350933L  
NYSID Number

BROOKLYN NY  
City State Zip

06/27/2014  
Date of Arrest/Issue

Docket Number: 2014KN047997

Summons No:

VTL 511.2 02 UM,  
Arraignment Charges

Case Disposition Information:

Date	Court Action	Judge	Part
06/28/2014	PLED GUILTY & SENTENCE IMPOSED PG VTL 509.1 01 I \$150/15D	RODRIGUEZ, R	APAR3A
12/08/2014	EXECUTION OF SENTENCE PAID	ANTIGNANI, S	CASHIER

*Judges: Michael Yavinsky, Joseph Gubbay, Edwin Novillo, Hilary Gingold, Rao Archana*

*Case# CR-005657-19KN*

NO FEE CERTIFICATION

GOVERNMENT AGENCY \_\_\_\_\_ COUNSEL ASSIGNED

NO RECORD OF ATTORNEY READILY AVAILABLE. DEFENDANT STATES COUNSEL WAS ASSIGNED

SOURCE \_\_\_\_\_ ACCUSATORY INSTRUMENT \_\_\_\_\_ DOCKET BOOK/CRIMS \_\_\_\_\_ CRC3030 [CRS963]

I HEREBY CERTIFY THAT THIS IS A TRUE EXCERPT OF THE RECORD ON FILE IN THIS COURT.

WILLIAMS, S   
COURT OFFICIAL SIGNATURE AND SEAL

11/04/2019  
DATE

FEE: NONE

Marijuana convictions under PL 221.05 or PL 221.10 are vacated, dismissed and expunged as of August 28, 2019. The court system is in the process of updating its records, but in the meantime, it is an unlawful discriminatory practice unless specifically required or permitted by statute, for any entity to make any inquiry about an expunged conviction or to use an expunged conviction adversely, whether in any form of application or otherwise, against such individual.

Pursuant to section 70.15 of the Penal Law, any misdemeanor sentence with a jail term of "1 year", "12 months", or "365 days" is, by operation of law, deemed to be a sentence of 364 days. Any Certificate of Disposition indicating a jail sentence of "1 year", "12 months", "52 weeks", or "365 days" for a misdemeanor conviction shall be interpreted as a sentence of 364 days.

CRIMINAL COURT OF THE CITY OF NEW YORK  
COUNTY OF KINGS

CERTIFICATE OF DISPOSITION  
NUMBER: 747851

THE PEOPLE OF THE STATE OF NEW YORK  
VS

CARTHEN, TYRONE  
Defendant

01/16/1972  
Date of Birth

235 TOMPKINS AVENUE  
Address

7350933L  
NYSID Number

BROOKLYN NY  
City State Zip

07/08/2015  
Date of Arrest/Issue

Docket Number: 2015KN044159

Summons No:

VTL 509.1 01 I, VTL 511.1A 1A UM, VTL 511.2AIV 02 UM,  
Arraignment Charges

Case Disposition Information:

Date	Court Action	Judge	Part
07/09/2015	PLED GUILTY & SENTENCE IMPOSED PG VTL 509.1 01 I \$150/15D	CAMPANELLI, J	APAR2
09/28/2015	EXECUTION OF SENTENCE PAID	MONTALBANO, R	CASHIER

Judges: *Michael Yavinsky, Rac Abraham, Edwin Navillo, Hilary Gingold, Joseph Gubbay* Case # *CR-005657-19*

NO FEE CERTIFICATION

GOVERNMENT AGENCY \_\_\_\_\_ COUNSEL ASSIGNED \_\_\_\_\_

NO RECORD OF ATTORNEY READILY AVAILABLE. DEFENDANT STATES COUNSEL WAS ASSIGNED

SOURCE \_\_\_\_\_ ACCUSATORY INSTRUMENT \_\_\_\_\_ DOCKET BOOK/CRIMS \_\_\_\_\_ CRC3030 [CRS963]

I HEREBY CERTIFY THAT THIS IS A TRUE EXCERPT OF THE RECORD ON FILE IN THIS COURT.

WONG, P  
COURT OFFICIAL SIGNATURE AND SEAL

11/04/2019  
DATE

FEE: NONE

Marijuana convictions under PL 221.05 or PL 221.10 are vacated, dismissed and expunged as of August 28, 2019. The court system is in the process of updating its records, but in the meantime, it is an unlawful discriminatory practice unless specifically required or permitted by statute, for any entity to make any inquiry about an expunged conviction or to use an expunged conviction adversely, whether in any form of application or otherwise, against such individual.

Pursuant to section 70.15 of the Penal Law, any misdemeanor sentence with a jail term of "1 year", "12 months", or "365 days" is, by operation of law, deemed to be a sentence of 364 days. Any Certificate of Disposition indicating a jail sentence of "1 year", "12 months", "52 weeks", or "365 days" for a misdemeanor conviction shall be interpreted as a sentence of 364 days.

# EXHIBIT 10

Judges:

Michael Yavinsky

Edwin Neville

Joseph Cribbs

Rae Abraham

Hilary Chung

Case #

CR-2019-19KN

NAME: CARTHEN, TYRONE, L  
MI #: C01659-97075-320950-72 DOB: 01/16/72 SEX: M  
STREET: 235 TOMPKINS AVE 4-A CITY: BROOKLYN NY 11216

TICKET NUM	V&T	VIOLATION DESCRIPT	VIO DTE	TYPE	AMT	FINE SUR	STF	FINE	BONL
						AMT	AMT	AMT	AMT
ABA6781224	1225D	OP MV PORT ELEC DEV	01/04/16	94	88		70	65	
ABA6781235	5091G	UNLICENSED GT 60DAYS	01/04/16	29			70	300	
4045474274	3191U	OPERATE W/O INSURANC	03/07/00	25	25			200	
4047048367	5091G	UNLICENSED GT 60DAYS	02/06/00	29	25			200	
4044428785	1180D2	SPEED IN ZONE 11-30	02/05/00	33	25			90	
4044428797	5091G	UNLICENSED GT 60DAYS	02/05/00	29	25			200	

SUBTOTALS: 188 + 140 + 1055 = C  
TOTAL PAYMENT DUE: \$ 1383  
AMOUNT IN CASH: \$  
AMOUNT IN CHECK: \$  
AMOUNT IN CRCD: \$

ENTER PAYMENT ON 6 TICKET(S)  
CLEAR=OPEN TICKET

Judges:

Michael Yavinsky  
Edwin Novillo  
Joseph Curbishay  
Rae Arehana  
Hilary Amgord

Case 11

CR 005657-19KR

# EXHIBIT 11

Judges  
Michael Yavinsky  
Edoardo Novillo  
Joseph Gublay  
Kao Archanon  
Hillary Simard

Case #  
OK-CC 5657-19KN

CRIMINAL COURT OF THE CITY OF NEW YORK

11-22-19

Docket Number \_\_\_\_\_ Arraignment Date Nov 22 Arraignment Judge TP-2  
You are to appear in Court on Nov 22 by 9:30 A.M. at Part TP-2 located at  
120 Schermerhorn Street, Brooklyn, N.Y. 11201.

Your bail has been fixed at \$ \_\_\_\_\_ Insurance Company Bail Bond. 104M  
or \$ \_\_\_\_\_ Cash Bail. Floor

If you are released and you fail to appear at the time, date, and place indicated above,  
A Warrant for your Arrest will be issued.  
Your Bail, if any, will be forfeited.  
You may be charged with the crime of Bail Jumping.

If you are committed:  
You have the right to communicate with relatives or friends by letter or telephone free of charge.  
You have the right to the aid of counsel at every stage of the proceedings.

If you desire counsel and are financially unable to obtain counsel, counsel shall be assigned to you.

**PLEASE BRING THIS NOTICE WITH YOU WHENEVER YOU APPEAR IN COURT.**

CRC 3021 (8/92)

(over) (signe)

Judges:

- Michael Yurivsky
- Edwin Novillo
- Joseph Gubbay
- Rao Arachana
- Hilary Gungold

Case #

CR-005657-19KN

# EXHIBIT 12

Judges:

Michael Yavinsky  
Edwin Neville  
Joseph Bubbay  
Rae Archana  
Hilary Ginzeld

Case #

CR-005057-19KN



AH02:  
COUNTY: KINGS

CRIMS APPEARANCE HISTORY  
APPEARANCE DATES

10/22/2019  
G142

OPTION SELECTED: ALL APPEARANCES

NAME: CARTHEN, TYRONE

DOCKET: CR-005657-19KN

CCN: [REDACTED] L

ARREST #: K19607760

10/28/2019 (OPEN) TRP-1

10/18/2019 (OPEN) TRP-1  
C PC

JDG:NOVILLO, E

RPTR:ZNAMENSHCHIKOVA, ANNA NT

09/16/2019 (OPEN) TRP-1  
C ROR

JDG:NOVILLO, E

RPTR:CUMMINGS, DALILA WV NT

09/12/2019 (OPEN) TRP-1  
WO, TRP-1

JDG:NOVILLO, E

RPTR:JEFFRIES, RANIESHA NT

07/30/2019 (OPEN) TRP-1  
PC

JDG:NOVILLO, E

RPTR:JULIAN, K. NT C

PF7/PF8 TO VIEW MORE APPEARANCES

COMMAND: MESSAGE: DEFENDANT HISTORY CREATED

Judges:  
Michael Yavinsky  
Edwin Novillo  
Joseph Gubbay  
Rao Archana  
Hilary Ringold

Case#  
CR-005657-19KN

AH02  
COUNTY: KINGS

CRIMS APPEARANCE HISTORY  
APPEARANCE DATES

10/22/2019  
G142

OPTION SELECTED: ALL APPEARANCES

NAME: CARTHEN, TYRONE

DOCKET: CR-005657-19KN

ARREST #: K19607760

CCN: NYSID #: 07350933 L

06/14/2019 (OPEN) AP2  
PC

JDG: RAO, A

RPTR: JULIAN, K. NT C

06/05/2019 (OPEN) AP2  
C PC

JDG: RAO, A

RPTR: MACCORMACK, NATHAN NT

04/30/2019 (OPEN) AP2  
C PC

JDG: GINGOLD, H

RPTR: WILLIAMS, KIMBERLY NT

03/27/2019 (OPEN) AP2  
C PC

JDG: RAO, A

RPTR: JENKINS, MONICA NT

PF7/PF8 TO VIEW MORE APPEARANCES

COMMAND: MESSAGE:

Judges:

Michael Yavinsky  
Edwin Neville  
Joseph Czubay  
Rae Archana  
Hilary Gingold

Case#

CR-CC 5657-19KN

AH02  
COUNTY: KINGS

CRIMS APPEARANCE HISTORY  
APPEARANCE DATES

10/22/2019  
G142

OPTION SELECTED: ALL APPEARANCES

NAME: CARTHEN, TYRONE

CCN:

NYSID #: 07350933 L

DOCKET: CR-005657-19KN

ARREST #: K19607760

02/10/2019 (OPEN) APAR4  
C ROR

JDG: GUBBAY, J

RPTR: MACCORMACK, NATHAN ARR: RE

PF7/PF8 TO VIEW MORE APPEARANCES

COMMAND: MESSAGE:

Judges:

Michael Yavinsky  
Edwin Novillo  
Joseph Gubbay  
Rao Archana  
Hilary Gingold

Case #

CR-005657-19KN

# EXHIBIT 13

Judges:

Michael Yavinsky  
Edwin Novillo  
Joseph Gubbay  
Rae Arakawa  
Hilary Ringold

Case #1

CR-CC5657-19K.A

AH02  
COUNTY: KINGS

CRIMS APPEARANCE HISTORY  
APPEARANCE DATES

10/31/2019  
G142

OPTION SELECTED: ALL APPEARANCES  
NAME: CARTHEN, TYRONE  
CCN: [REDACTED]

DOCKET: CR-005657-19KN  
ARREST #: K19607760

11/22/2019 (OPEN)	TP2		
10/28/2019 (OPEN) C PC	TRP-1	JDG:NOVILLO,E	RPTR:VIDALS,KIMBERLY NT
10/18/2019 (OPEN) C PC	TRP-1	JDG:NOVILLO,E	RPTR:ZNAMENSHCHIKOVA,ANNA NT
09/16/2019 (OPEN) C ROR	TRP-1	JDG:NOVILLO,E	RPTR:CUMMINGS,DALILA WV NT
09/12/2019 (OPEN) WO,TRP-1	TRP-1	JDG:NOVILLO,E	RPTR:JEFFRIES,RANIESHA NT

PF7/PF8 TO VIEW MORE APPEARANCES

COMMAND: MESSAGE: DEFENDANT HISTORY CREATED

ROOM  
510

COPY OF FILE

Michael Yavinsky  
Edwin Naville  
Joseph Gabbay  
Rao Arachana  
Hikary Gingold

Case #  
CR-CC 5657-19KN

# EXHIBIT 14

Judges:

Michael Yavinsky

Edwin Novillo

Joseph Gublay

Rae Artrana

Hilary Ginzfeld

Case #

C.R. CC 5657-19KA

AH02  
COUNTY: KINGS

CRIMS APPEARANCE HISTORY  
APPEARANCE DATES

10/31/2019  
8194

OPTION SELECTED: ALL APPEARANCES

NAME: CARTHEN, TYRONE

DOCKET: CR-005657-19KN

CCN: NYSID #: 07350933 L

ARREST #: K19607760

11/22/2019 (OPEN) TP2

10/28/2019 (OPEN) TRP-1  
C PC

JDG: NOVILLO, E

RPTR: VIDALS, KIMBERLY NT

10/18/2019 (OPEN) TRP-1  
C PC

JDG: NOVILLO, E

RPTR: ZNAMENSHCHIKOVA, ANNA NT

09/16/2019 (OPEN) TRP-1  
C ROR

JDG: NOVILLO, E

RPTR: CUMMINGS, DALILA WV NT

09/12/2019 (OPEN) TRP-1  
WO, TRP-1

JDG: NOVILLO, E

RPTR: JEFFRIES, RANIESHA NT

PF7/PF8 TO VIEW MORE APPEARANCES

COMMAND: MESSAGE:

*Judges:*

*Michael Javinsky  
Edwin Novillo  
Joseph Gubbay  
Rae Archana  
Hilary Ginzfeld*

*Case #*

*CR-005657-19KN*

AH02  
COUNTY: KINGS

CRIMS APPEARANCE HISTORY  
APPEARANCE DATES

10/31/2019  
8194

OPTION SELECTED: ALL APPEARANCES

NAME: CARTHEN, TYRONE

CCN:

NYSID #: 07350933 L

DOCKET: CR-005657-19KN

ARREST #: K19607760

07/30/2019 (OPEN) TRP-1 JDG:NOVILLO, E RPTR: JULIAN, K. NT C  
PC

06/14/2019 (OPEN) AP2 JDG:RAO, A RPTR: JULIAN, K. NT C  
PC

06/05/2019 (OPEN) AP2 JDG:RAO, A RPTR: MACCORMACK, NATHAN NT  
C PC

04/30/2019 (OPEN) AP2 JDG: GINGOLD, H RPTR: WILLIAMS, KIMBERLY NT  
C PC

COMMAND: MESSAGE:

PF7/PF8 TO VIEW MORE APPEARANCES

Judges:  
Michael Yavinsky  
Edwin Neville  
Joseph Cribbay  
Rae Arohank  
Hilary Gungel

CASE #1  
CR-005657-19KN



AH02  
COUNTY: KINGS

CRIMS APPEARANCE HISTORY  
APPEARANCE DATES

10/31/2019  
8194

OPTION SELECTED: ALL APPEARANCES

NAME: CARTHEN, TYRONE

DOCKET: CR-005657-19KN

CCN:

NYSID #: 07350933 L

ARREST #: K19607760

03/27/2019 (OPEN) AP2  
C PC

JDG:RAO, A

RPTR:JENKINS, MONICA NT

02/10/2019 (OPEN) APAR4  
C ROR

JDG:GUBBAY, J

RPTR:MACCORMACK, NATHAN ARR:RE

PF7/PF8 TO VIEW MORE APPEARANCES

COMMAND:

MESSAGE:

Judges:

Michael Yavinsky  
Edwin Nevillo  
Joseph Gubbay  
Rac Archana  
Hillary Grigold

Case #

CR-005657-19KN

# EXHIBIT 15

Witness:

Michael Yawinsky  
Edwin Neville  
Joseph Cribben  
Ren Archer  
Hilary Ginzfeld

CASE 11

CR-005057-191KA

# TRIAL PARTS COPY REQUEST FORM

TRIAL1, TP2, TP3, TP4, TP5

(Please complete ALL sections)

Date of Request: 10-31-19

Defendant's Name: Carthen, Tyrone

Defendant's Docket #: CR-005657-19KN

Next Court Date: 11-22-19

Court Date:  Trial 1  TP 2  TP 3  TP 4  TP 5

Requesting Copies Of: Complete File

Judges: \_\_\_\_\_

Michael Yavinsky, Rao Archana

Edwin Novillo, Hilary Gungold Case#

Joseph Gubbay CR-005657-19KN

Requested By: Carthen, Tyrone

Agency: Pro Se

Phone No.: 347-447-2930

**PLEASE BE ADVISED:**

\*ALL copy requests have a 3 business day minimum to be fulfilled.\*

\*\*If copies are not picked up in 2 weeks they will be destroyed\*\*

Criminal Court of the City of New York  
Kings County  
Misdemeanor Complaint

M  
MISDEMEANOR  
CR-005657-19KN

The People of the State of New York

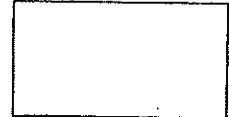
vs.  
Defendant:

1. TYRONE CARTHEN  
K19607760 02/09/2019 16:25  
235 TOMPKINS AVENUE  
BROOKLYN NY

Charges:

(M 47) VTL 511(1)(A)  
VTL 511(2)(A)(I)  
VTL 509(1)

Docket Number:



LAS  BDS  18B  PVT

Name Birbach

Interpreter: Language \_\_\_\_\_ Bureau: Trial Bureau 2 - Blue

Notices Served at Arraignment:

- CPL 710.30(1)(A) - Statement
- CPL 710.30(1)(B) - Identification
- CPL 250.20 - Alibi
- CPL 240.30 - Discovery
- PL 450.10(48 hrs /15 days) - Property
- CPL 170.20 - Grand Jury
- Cross Grand Jury
- CPL 370.15 - MCDV
- CPL 170.10(8)(A) - Family Offense
- OTHER: \_\_\_\_\_

Documents:

Served at Arraignment:	Needed For Conversion
<input type="checkbox"/> Supporting Deposition	<input type="checkbox"/>
<input type="checkbox"/> DMV Abstract	<input type="checkbox"/>
<input type="checkbox"/> Lab Report/ Field Test	<input type="checkbox"/>
<input type="checkbox"/> DWI Paperwork	<input type="checkbox"/>
<input type="checkbox"/> Domestic Incident Report	<input type="checkbox"/>
<input type="checkbox"/> Family Registry	<input type="checkbox"/>
<input type="checkbox"/> Underlying T.O.P.	<input type="checkbox"/>

Adjournment:  Assign 18B  TROC

Part: R-2 Date: 3/27/19

Securing Order:

1.  Release on Recognizance (ROR) C
2.  Release under Supervision (RUS)
3. \_\_\_\_\_ Insurance Company Bond
4. \_\_\_\_\_ Cash
5. \_\_\_\_\_ Credit Card
6. \_\_\_\_\_ Bond  Surety  Appear  Unsec  Partial Sec

Reason for Adjournment:

Need SID of Chase A

- People Ready
- Deemed an Information Abstract
- Defense Motions Due: \_\_\_\_\_
- ART 730 Exam Ordered
- Protective Custody  Medical Attention
- Psychiatric Evaluation  Suicide Watch
- T.O.P. / F.O.P.

Disposition:

- ACD - CPL 170.55
- ACD - CPL 170.56
- Waives Prosecution by Information and Pleads Guilty to PL 240.20/ \_\_\_\_\_
- Investigation & Sentence Ordered
- DNA-Eligible Misdemeanor
- DNA Sample Taken

Sentence (or Promise):

\_\_\_\_\_ days jail

Conditional Discharge:

\_\_\_\_\_ Days Community Service

\_\_\_\_\_ Days Jail Alternative

Other: \_\_\_\_\_

Mandatory Surcharge (and CVAF):

- Judgment Entered - All Fees
- \$200 Misd.  \$120 Viol.  \$88 VTL
- \$395 VTL1192 Misd.  \$255 VTL1192(1) Infrac.
- \$50 - DNA Fee

Arresting Officer KAMRON CHASE

Court Reporter \_\_\_\_\_

Date \_\_\_\_\_

Part \_\_\_\_\_

Comments:

CRC 3215 (rev. 6/18)

0 = 511 (1)  
200 F

Judge \_\_\_\_\_

Case # \_\_\_\_\_

CR-005657-19KN

Judges:  
Michael Yavinsky  
Edwin Neville  
Joseph Gubbay  
Rao Archana  
Hilary Gingold

AKY  
H7

AR4 FEB 10 2019  
HON GUBBAY  
RPT MACCORMACK

CRIMINAL COURT OF THE CITY OF NEW YORK  
RECORD OF COURT ACTION

Date	HOLD <u>no DC</u> TR 0: - 511 + 2005	<input checked="" type="checkbox"/> Present <input checked="" type="checkbox"/> Defendant <input type="checkbox"/> Attorney	<input type="checkbox"/> Absent <input type="checkbox"/> Defendant <input checked="" type="checkbox"/> Attorney	<input type="checkbox"/> Readiness <input type="checkbox"/> π ready <input type="checkbox"/> π not ready
Part	- TR NR - ADA out of office	Interpreter		
Judge	- TR Reg to be charged to SCR	Reason for Adjournment <input type="checkbox"/> S/D <input type="checkbox"/> OFD/Discovery <input type="checkbox"/> Possible Disposition <input type="checkbox"/> Decision		
Reporter	<input type="checkbox"/> TOP P.C. Bail Condition	<input checked="" type="checkbox"/> Hearing <input type="checkbox"/> Bench Trial <input checked="" type="checkbox"/> Jury Trial <input type="checkbox"/> Program		
Date	HOLD <u>DeChalis</u> 0: 511(1) + 2000	<input checked="" type="checkbox"/> Present <input checked="" type="checkbox"/> Defendant <input checked="" type="checkbox"/> Attorney	<input type="checkbox"/> Absent <input type="checkbox"/> Defendant <input type="checkbox"/> Attorney	<input type="checkbox"/> Readiness <input type="checkbox"/> π ready <input type="checkbox"/> π not ready
Part	TR = NR ADA newly assigned	Interpreter		
Judge	TR Reg 7 days	Reason for Adjournment <input type="checkbox"/> S/D <input type="checkbox"/> OFD/Discovery <input type="checkbox"/> Possible Disposition <input type="checkbox"/> Decision		
Reporter	<input type="checkbox"/> TOP P.C. Bail Condition	<input checked="" type="checkbox"/> Hearing <input type="checkbox"/> Bench Trial <input checked="" type="checkbox"/> Jury Trial <input type="checkbox"/> Program		
Date	HOLD <u>Hammer</u> (4) DeChalis	<input checked="" type="checkbox"/> Present <input type="checkbox"/> Defendant <input type="checkbox"/> Attorney	<input type="checkbox"/> Absent <input type="checkbox"/> Defendant <input type="checkbox"/> Attorney	<input type="checkbox"/> Readiness <input type="checkbox"/> π ready <input type="checkbox"/> π not ready
Part	TR = NR	Interpreter		
Judge	TR Reg 7 days	Reason for Adjournment <input type="checkbox"/> S/D <input type="checkbox"/> OFD/Discovery <input type="checkbox"/> Possible Disposition <input type="checkbox"/> Decision		
Reporter	<input type="checkbox"/> TOP P.C. Bail Condition	<input checked="" type="checkbox"/> Hearing <input type="checkbox"/> Bench Trial <input checked="" type="checkbox"/> Jury Trial <input type="checkbox"/> Program		

Judges:  
Michael Kavinsky  
Edwin Novillo  
Joseph Gubbay  
Rao Archana  
Hilary Gingold  
Case#  
CR-005657-19KN

CRIMINAL COURT OF THE CITY OF NEW YORK  
RECORD OF COURT ACTION

Date	HOLD <u>Dechals.</u> wv.	<table border="1"> <tr> <th>Present</th> <th>Absent</th> <th>Readiness</th> </tr> <tr> <td><input checked="" type="checkbox"/> Defendant</td> <td><input type="checkbox"/> Defendant</td> <td><input type="checkbox"/> π ready</td> </tr> <tr> <td><input checked="" type="checkbox"/> Attorney</td> <td><input type="checkbox"/> Attorney</td> <td><input type="checkbox"/> π not ready</td> </tr> </table>	Present	Absent	Readiness	<input checked="" type="checkbox"/> Defendant	<input type="checkbox"/> Defendant	<input type="checkbox"/> π ready	<input checked="" type="checkbox"/> Attorney	<input type="checkbox"/> Attorney	<input type="checkbox"/> π not ready												
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Judge	- ADA out of office	11/22/19, TP-2																					
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Bail Condition	<input type="checkbox"/> Judge																						

Judges:  
 Micheal Yavinsky  
 Edwin Novillo  
 Joseph Gubbay  
 Rao Archana  
 Hilary Gingold  
 Case#  
 CR-005657-19KN

TEMPORARY ORDER OF PROTECTION IN EFFECT UNTIL:

TEMPORARY ORDER OF PROTECTION IN EFFECT UNTIL:

CRIMINAL COURT OF THE CITY OF NEW YORK

PEOPLE OF THE STATE OF NEW YORK,  
against  
Tyrone Carthen, Defendant

NOTICE OF APPEARANCE

County King Part APR  
Docket Number/Year CR-005657-19KN

Interpreter Required \_\_\_\_\_  
Language \_\_\_\_\_

To the Clerk of the Court:

You are hereby notified that I represent the defendant in the above-entitled action.

**ATTORNEY** Henry P. Chels  
Print Attorney's Name  
Address 224  
137 Montague St  
Brooklyn, NY 11201  
Telephone 718-206-9525  
Area Code - Number

By Henry P. Chels  
Signature  
 Legal Aid (Assigned)  
 County Law (Assigned)  
 Retained  
Dated: City of New York 3/27/19

CRC 3014 (8/96) [CRC 260]

Judges:  
Michael Yavinsky  
Edwin Naville  
Joseph Gubbay  
Rae Archana  
Hilary Gingold

Case #  
CR-005657-19KN

- e) Comply with the requirements of the New York State Rules of Professional Conduct regarding conflicts of interest, and when appropriate, timely notify the court of a possible conflict so that an inquiry may be undertaken or a ruling made;
- f) Possess or acquire a reasonable knowledge and familiarity with criminal procedural and evidentiary law to ensure constitutionally effective representation in the case; and
- g) When the statutory requirements necessary to trigger notice from the defense are met (e.g., a demand, intent to introduce the evidence, etc.), comply with the statutory notice obligations for the defense as specified in CPL 250.10, 250.20, and 250.30.

So ordered.  
Dated: \_\_\_\_\_

AR4 FEB 10 2019  
HON GUBBAY  
Judge or Justice  
RPT MACCORMACK

CRC 3295 rev. 11/2 8/2017

70

COURT

10 Summary 0/1 110 000 2211

9



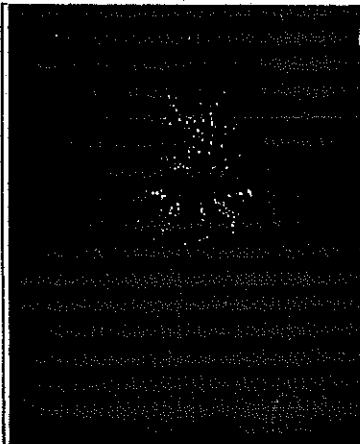
# PRISONER MOVEMENT SLIP

### Arresting Officer

## PROCEED

A/O Name: CHASE  
 Arrest PCT: 079 Possible DAT?:  YES  NO  
 CELL #: **CJA** Fax #: KO006342  
 Defendant:  
**CARTHEN, TYRONE**  
 Sex: MALE Race: BLACK DOB: 01/16/1972 Age: 47  
 Major Charges:  
 VTL0511001: AGGRAVATED UNLIC OPER/MV-3RD  
 VTL0511001: AGGRAVATED UNLIC OPER/MV-3RD  
 VTL0319001: OPER MOTOR VEHICLE W/O INS  
 Co-Defendants:  YES  NO  
 Preferred Name:

K19607760N  
 Date/Time: 02/09/2019 16:25



### Criminal Justice Agency

Warrant name check by (intl):  Warrant:  YES  NO Warr/Dckt #:   
 CJA Interview Required?:  YES  NO CJA Interview Time:  :

### Booking Supervisor

DAT Issued?:  YES  NO DAT Serial #:   
 Arresting Officer excused?:  YES  NO Return Date:   
 Prints Needed:  YES  NO Printed?:  YES  NO  REFUSED  
 Searched:

### Detention Alert

Prisoner has attempted escape:  YES  NO  
 Prisoner has attempted suicide?:  YES  NO  
 Prisoner has assaulted member of the service?:  YES  NO  
 Others (EXPLAIN):

Judges:  
 Micheal Yavinsky, Edwin Novillo,  
 Joseph Gubbay, Rao Archana,  
 Hilary Gingold

Case#  
 CR-005657-19KN



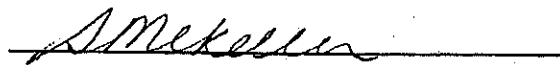
AFFIRMATION OF SERVICE

STATE OF NEW YORK)  
COUNTY OF KINGS )

I, SHANEKA MCKELLAR, an Assistant District Attorney in and for the County of Kings, duly affirm, under the penalty of perjury, that on February 20, 2019, I mailed a true copy of this document to Stuart Birbach, 270 Madison Ave, 13 Floor, New York, NY 10016 attorney for Tyrone, Docket #CR-005657-19KN, by causing a true copy to be mailed by certified mail by the United States Postal Service.

Date: Brooklyn, New York

February 20, 2019



Shaneka McKellar  
Assistant District Attorney  
Kings County District Attorney's Office  
350 Jay Street, 11<sup>th</sup> Floor, Blue Zone  
Phone: (718) 250-3447

Judges:  
Micheal Yavinsky  
Edwin Novillo  
Joseph Gubbay  
Rao Archana  
Hilary Gingold

Case #

CR-005657-19KN

State of New York DEPARTMENT OF MOTOR VEHICLES Empire State Plaza, Albany, New York 12228

ABSTRACT OF DRIVING RECORD

Page # 2

Document # LWEB0439  
PRINT DATE: 2/20/2019 TIME: 10:43:42 OPERATOR: WEB OFFICE: DAB

CARTHEN, TYRONE, L  
235 TOMPKINS AVE 4-A  
BROOKLYN NY 11216  
CLIENT ID#: 203437233  
DOB: 01/16/1972 SEX: M  
HEIGHT: 5-7 EYE COLOR: BROWN  
COUNTY: KING  
MI #: C01659 97075 320950-72

SUSPENSION: 05/15/2000 FAILURE TO PAY FINE ORDER #: K428785  
LOCATION: KINGS COUNTY, BROOKLYN SOUTH ADMINISTRATIVE ADJ.  
JUDGMENT AMOUNT: 115 COUNTY: KINGS

SUSPENSION: 05/15/2000 FAILURE TO PAY FINE ORDER #: K428797  
LOCATION: KINGS COUNTY, BROOKLYN SOUTH ADMINISTRATIVE ADJ.  
JUDGMENT AMOUNT: 225 COUNTY: KINGS

\*\*\*\*\* CONVICTIONS/BAIL FORFEITURES \*\*\*\*\*  
CONVICTION: OPERAT W/O A LICENSE  
VIOLATION: 01/04/2016 CONVICTED ON: 01/05/2016  
LOCATION: KINGS COUNTY, BROOKLYN NORTH ADM. ADJ.  
PENALTY: FINE- \$300  
COMM VEH: NO HAZMAT: NO  
CONVICTION: OP MV PORT ELEC DEV  
VIOLATION: 01/04/2016 CONVICTED ON: 01/05/2016  
LOCATION: KINGS COUNTY, BROOKLYN NORTH ADM. ADJ.  
PENALTY: FINE- \$65 POINTS: 5  
COMM VEH: NO HAZMAT: NO

\*\*\* END OF RECORD \*\*\*

This is to certify that this document is a true and complete copy of an electronic record on file in the New York State Department of Motor Vehicles, Albany, New York. The record was made in regular course of New York State Department of Motor Vehicles daily business. It is the business of the New York State Department of Motor Vehicles to create and maintain the records of drivers in the state of New York. Entries in this document are made at the time the recorded transactions or events took place or within a reasonable time thereafter. The person who reports the information is under a business duty to do so accurately.

ABS-7 (2/16)



EXECUTIVE DEPUTY COMMISSIONER OF MOTOR VEHICLES

Judges:  
Michael Yavinsky  
Edwin Novillo  
Joseph Gubbay  
Rao Archana  
Hilary Gingold

Case #  
CR-005657-19KN

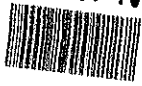


County WINGS Part AR4

CR-005657-19KN

PEOPLE OF THE STATE OF NEW YORK  
 against  
Carthen, Tyrone  
 Defendant

Order to Counsel in Criminal Cases



Docket # \_\_\_\_\_

Judge \_\_\_\_\_

The court, pursuant to an Administrative Order of the Chief Administrative Judge and at the recommendation of the New York State Justice Task Force and in furtherance of the fair administration of justice, issues this order as both a reminder and a directive that counsel uphold their constitutional, statutory and ethical responsibilities in the above-captioned proceedings.

To the Prosecutor:

The District Attorney and the Assistant responsible for the case, or, if the matter is not being prosecuted by the District Attorney, the prosecuting agency and its assigned representative, is directed to make timely disclosures of information favorable to the defense as required by *Brady v Maryland*, 373 US 83 (1963), *Giglio v United States*, 405 US 150 (1972), *People v Geaslen*, 54 NY2d 510 (1981), and their progeny under the United States and New York State constitutions, and by Rule 3.8(b) of the New York State Rules of Professional Conduct, as described hereafter.

- The District Attorney and the Assistant responsible for the case have a duty to learn of such favorable information that is known to others acting on the government's behalf in the case, including the police, and should therefore confer with investigative and prosecutorial personnel who acted in this case and review their and their agencies' files directly related to the prosecution or investigation of this case.
- Favorable information could include, but is not limited to:
  - a) Information that impeaches the credibility of a testifying prosecution witness, including (i) benefits, promises, or inducements, express or tacit, made to a witness by a law enforcement official or law enforcement victim services agency in connection with giving testimony or cooperating in the case; (ii) a witness's prior inconsistent statements, written or oral; (iii) a witness's prior convictions and uncharged criminal conduct; (iv) information that tends to show that a witness has a motive to lie to inculpate the defendant, or a bias against the defendant or in favor of the complainant or the prosecution; and (v) information that tends to show impairment of a witness's ability to perceive, recall, or recount relevant events, including impairment resulting from mental or physical illness or substance abuse.
  - b) Information that tends to exculpate, reduce the degree of an offense, or support a potential defense to a charged offense.
  - c) Information that tends to mitigate the degree of the defendant's culpability as to a charged offense, or to mitigate punishment.
  - d) Information that tends to undermine evidence of the defendant's identity as a perpetrator of a charged crime, such as a non-identification of the defendant by a witness to a charged crime or an identification or other evidence implicating another person in a manner that tends to cast doubt on the defendant's guilt.
  - e) Information that could affect in the defendant's favor the ultimate decision on a suppression motion.
- Favorable information shall be disclosed whether or not it is recorded in tangible form, and irrespective of whether the prosecutor credits the information.
- Favorable information must be timely disclosed in accordance with the United States and New York State constitutional standards, as well as CPL article 240. Disclosures are presumptively "timely" if they are completed no later than 30 days before commencement of trial in a felony case and 15 days before commencement of trial in a misdemeanor case. Records of a judgment of conviction or a pending criminal action ordinarily are discoverable within the time frame provided in CPL 240.44 or 240.45(1). Disclosures that pertain to a suppression hearing are presumptively "timely" if they are made no later than 15 days before the scheduled hearing date. The prosecutor is reminded that the obligation to disclose is a continuing one. Prosecutors should strive to determine if favorable information exists. Nothing herein shall be understood to diminish a prosecutor's obligation to disclose exculpatory information as soon as reasonably possible.
- A protective order may be issued for good cause, and CPL 240.50 shall be deemed to apply, with respect to disclosures required under this order. The prosecutor may request a ruling from the court on the need for disclosure.
- Only willful and deliberate conduct will constitute a violation of this order or be eligible to result in personal sanctions against a prosecutor.

Judges:  
 Michael Yavir  
 Edwin Noville  
 Joseph Gubba  
 Rao Archana  
 Hilary Gingold

To Defense Counsel:

Defense counsel, having filed a notice of appearance in the above captioned case, is obligated under both the New York State and the United States Constitution to provide effective representation of defendant. Although the following list is not meant to be exhaustive, counsel shall remain cognizant of the obligation to:

- a) Confer with the client about the case and keep the client informed about all significant developments in the case;
- b) Timely communicate to the client any and all guilty plea offers, and provide reasonable advice about the advantages and disadvantages of such guilty plea offers and about the potential sentencing ranges that would apply in the case;
- c) When applicable based upon the client's immigration status, ensure that the client receives competent advice regarding the immigration consequences in the case as required under *Padilla v Kentucky*, 559 US 356 (2010);
- d) Perform a reasonable investigation of both the facts and the law pertinent to the case (including as applicable, e.g., visiting the scene, interviewing witnesses, subpoenaing pertinent materials, consulting experts, inspecting exhibits, reviewing all discovery materials obtained from the prosecution, researching legal issues, etc.), or, if appropriate, make a reasonable professional judgment not to investigate a particular matter;
- e) Comply with the requirements of the New York State Rules of Professional Conduct regarding conflicts of interest, and when appropriate, timely notify the court of a possible conflict so that an inquiry may be undertaken or a ruling made;
- f) Possess or acquire a reasonable knowledge and familiarity with criminal procedural and evidentiary law to ensure constitutionally effective representation in the case; and
- g) When the statutory requirements necessary to trigger notice from the defense are met (e.g., a demand, intent to introduce the evidence, etc.), comply with the statutory notice obligations for the defense as specified in CPL 250.10, 250.20, and 250.30.

Case #  
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So ordered.

Dated: \_\_\_\_\_

AR4 FEB 10 2019  
 HON GUBBA  
 Judge or Justice  
 RPT MACCORMACK

74

CRIMINAL COURT OF THE CITY OF NEW YORK  
PART APAR COUNTY OF KINGS

THE PEOPLE OF THE STATE OF NEW YORK

STATE OF NEW YORK  
COUNTY OF KINGS

v

TYRONE CARTHEN

POLICE OFFICER KAMRON CHASE SHIELD NO.11421, OF 079 COMMAND SAYS THAT ON OR ABOUT FEBRUARY 09,2019 AT APPROXIMATELY 04:25 PM AT FULTON STREET AND NOSTRAND AVENUE COUNTY OF KINGS, STATE OF NEW YORK,

THE DEFENDANT COMMITTED THE OFFENSE(S) OF:

- VTL 1110 FAILURE TO COMPLY WITH A TRAFFIC CONTROL SIGN
- VTL 319(1) FAILURE TO HAVE PROOF OF FINANCIAL SECURITY
- VTL 401(1)(A) UNREGISTERED MOTOR VEHICLE
- VTL 402(1)(A) IMPROPER DISPLAY OF NUMBER PLATES
- VTL 509(1) UNLICENSED OPERATOR
- VTL 511(1)(A) AGGRAVATED UNLICENSED OPERATION OF A MOTOR VEHICLE IN THE THIRD DEGREE
- VTL 511(2)(A)(IV) AGGRAVATED UNLICENSED OPERATION OF A MOTOR VEHICLE IN THE SECOND DEGREE

IN THAT THE DEFENDANT DID:

OPERATE A MOTOR VEHICLE AND FAIL TO OBEY THE INSTRUCTIONS OF AN OFFICIAL TRAFFIC CONTROL DEVICE APPLICABLE TO THE OPERATION OF SUCH MOTOR VEHICLE, WITHOUT BEING DIRECTED TO DO SO BY A TRAFFIC OR POLICE OFFICER; OPERATE A MOTOR VEHICLE UPON THE PUBLIC HIGHWAYS OF THIS STATE WITHOUT SUCH VEHICLE BEING REGISTERED IN ACCORDANCE WITH THE PROVISIONS OF THIS ARTICLE; OPERATE A VEHICLE IN THIS STATE WITHOUT HAVING IN FULL FORCE AND EFFECT THE FINANCIAL SECURITY REQUIRED BY THE PROVISIONS OF THIS CHAPTER; OPERATE, DRIVE OR PARK A MOTOR VEHICLE ON THE PUBLIC HIGHWAYS OF THIS STATE AND SUCH VEHICLE DID NOT HAVE A SET OF NUMBER PLATES ISSUED BY THE COMMISSIONER WITH A NUMBER AND OTHER IDENTIFICATION MATTER, IF ANY, CORRESPONDING TO THAT OF THE CERTIFICATE OF REGISTRATION, CONSPICUOUSLY DISPLAYED, ONE ON THE FRONT AND ONE ON THE REAR OF SUCH VEHICLE, EACH SECURELY FASTENED SO AS TO PREVENT THE SAME FROM SWINGING AND PLACED, WHENEVER REASONABLY POSSIBLE, NOT HIGHER THAN FORTY-EIGHT INCHES AND NOT LOWER THAN TWELVE INCHES FROM THE GROUND; OPERATE OR DRIVE A MOTOR VEHICLE UPON A PUBLIC HIGHWAY OF THIS STATE OR UPON ANY SIDEWALK OR TO OR FROM ANY LOT ADJACENT TO A PUBLIC GARAGE, SUPERMARKET, SHOPPING CENTER OR CAR WASHING ESTABLISHMENT OR TO OR FROM OR INTO A PUBLIC GARAGE OR CAR WASHING ESTABLISHMENT WITHOUT BEING DULY LICENSED PURSUANT TO THE PROVISIONS OF THIS CHAPTER; OPERATE A MOTOR VEHICLE UPON A PUBLIC HIGHWAY WHILE KNOWING OR HAVING REASON TO KNOW THAT SUCH PERSON'S LICENSE OR PRIVILEGE OF OPERATING SUCH MOTOR VEHICLE IN THIS STATE OR PRIVILEGE OF OBTAINING A LICENSE TO OPERATE SUCH MOTOR VEHICLE ISSUED BY THE COMMISSIONER WAS SUSPENDED, REVOKED OR OTHERWISE WITHDRAWN BY THE COMMISSIONER; COMMIT THE OFFENSE OF AGGRAVATED UNLICENSED OPERATION OF A MOTOR VEHICLE IN THE THIRD DEGREE AS DEFINED IN SECTION FIVE HUNDRED ELEVEN SUBDIVISION ONE SUBDIVISION A OF THE VEHICLE AND TRAFFIC LAW, AND DEFENDANT HAD IN EFFECT THREE OR MORE SUSPENSIONS IMPOSED ON AT LEAST THREE SEPARATE DATES, FOR FAILURE TO ANSWER, APPEAR OR PAY A FINE.

DEPONENT STATES, THAT AT THE ABOVE TIME AND PLACE, WHICH IS A PUBLIC HIGHWAY, DEPONENT OBSERVED DEFENDANT DRIVING A 1997 NISSAN MAXIMA WITH NO LICENSE PLATE AFFIXED TO THE FRONT AND REAR OF SAID VEHICLE AND OBSERVED SAID VEHICLE MAKE A RIGHT TURN FROM FULTON STREET ONTO NOSTRAND AVENUE IN VIOLATION OF TWO POSTED SIGNS WHICH DEPICTED NO RIGHT TURNS FROM 7AM TO 7PM EXCEPT SUNDAYS.

DEPONENT FURTHER STATES THAT THE DEFENDANT DID NOT PROVIDE PROOF OF FINANCIAL SECURITY NOR PROOF OF VEHICLE REGISTRATION.

DEPONENT FURTHER STATES THAT DEPONENT CONDUCTED A CHECK OF THE OFFICIAL, COMPUTERIZED DEPARTMENT OF MOTOR VEHICLES DRIVING RECORD(S) (PURSUANT TO VTL 201) RELATING TO DEFENDANT.

Judges:

- Michael Yavinsky
- Edwin Novillo
- Joseph Gubbay
- Rao Archana
- Hilary Gingold

Case #

19-005657-19KN

DEPONENT OBSERVED SAID RECORD(S) TO INDICATE THAT, AT THE ABOVE TIME, DEFENDANT WAS DRIVING WITH HIS/HER PRIVILEGE TO DO SO HAVING BEEN REVOKED IN THE STATE OF NEW YORK.

DEPONENT FURTHER OBSERVED THE OFFICIAL DEPARTMENT OF MOTOR VEHICLES RECORD(S) TO INDICATE THAT, AT THE ABOVE TIME, DEFENDANT HAD 8 SUSPENSIONS ON 4 DATES.

DEPONENT FURTHER STATES THAT DEPONENT'S BASIS FOR BELIEVING THAT THE DEFENDANT HAD REASON TO KNOW THAT HIS/HER LICENSE WAS SUSPENDED/REVOKED IS AS FOLLOWS: THE ABOVE-DESCRIBED NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES COMPUTER CHECK REVEALED THAT DEFENDANT'S LICENSE WAS SUSPENDED FOR FAILURE TO ANSWER OR APPEAR IN RESPONSE TO A TRAFFIC SUMMONS, AND ALL SUCH SUMMONS HAVE PRINTED ON THEM THE WARNING "IF YOU DON'T ANSWER THIS TICKET BY MAIL WITHIN 15 DAYS YOUR LICENSE WILL BE SUSPENDED".

DEPONENT FURTHER STATES THAT THE NEW YORK STATE DEPARTMENT OF MOTOR VEHICLES MAILES A NOTICE OF SUSPENSION TO ANY SUCH PERSON AT THEIR LAST KNOWN ADDRESS.

FALSE STATEMENTS MADE IN THIS DOCUMENT ARE PUNISHABLE AS A CLASS A MISDEMEANOR PURSUANT TO SECTION 210.45 OF THE PENAL LAW.

02/20/19  
DATE

*Harmon DeRose*  
SIGNATURE

Judges:

Micheal	Yavinsky
Edwin	Novillo
Joseph	Gubbay
Rac	Archana
Hilary	Gingold

Case #

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