

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#  
DATE FILED: 9/22/2014

OMRAN MOSTAFA.

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

13 Civ. 155 (pae) (s n)

- against -

CITY OF NEW YOURK.

JOSEPH BEY.

FEFHAN TIMOTHY.

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

NOTICE OF MOTION

pursuant to Rule 15(a)(1)(b)

AMENDED  
COMPLAINT

under the Civil Rights Act,  
42 U.S.C. § 1983

SEP 22 2014

PRO SE OFFICE

PLEASE TAKE NOTICE that upon the annexed affirmation of OMRAN MOSTAFA,  
(name)  
affirmed on September 17, 2014, and upon the exhibits attached thereto (delete if no  
(date)

exhibits), the accompanying Memorandum of Law in support of this motion (delete if there is no  
Memorandum of Law), and the pleadings herein, plaintiff/defendant will move this Court, before

PAUL A. ENGELMAYER., United States District/Magistrate Judge, for an order

(Judge's name)

(circle one)

pursuant to Rule 15(a)(1)(b) of the Federal Rules of Civil Procedure granting (state what you want the  
Judge to order):

The court may assert jurisdiction to my property to be given as provided to Fed. R.P. Act, 42  
U.S.C. 1983 complaint and to civil rules Fed. R.P. 15(a)(1)(b) to amend to be resolved and cure solution  
remedy. See docket 47-49-62-9-10-16. See statement facts and legal fact Fed. R.P.(4) to apply and approve  
the court order modification. See docket 23-40-69.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, N.Y.  
(city) (state)  
September 17, 2014  
(month) (day) (year)

Signature OMRAN MOSTAFA  
Address PO Box 158 Rout 17M  
Mid-Hudson center New Hampton 10958  
Telephone Number \_\_\_\_\_  
Fax Number (if you have one) \_\_\_\_\_

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

OMRAN MOSTAFA.

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

13 Civ. 155 (page) (sn)

- against -

CITY OF NEW YOURK.

JOSEPH BEY

FEEHAN TIMOTHY.

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

**AFFIRMATION IN  
SUPPORT OF MOTION**

**AMENDED  
COMPLAINT**

under the Civil Rights Act,  
42 U.S.C. § 1983

SEP 22 2014

I, OMRAN MOSTAFA, affirm under penalty of perjury that:

(name)

1. I, OMRAN, am the plaintiff/defendant in the above entitled action,

(name)

(circle one)

and respectfully move this Court to issue an order To get my Property

(state what you want the Judge to order)

2. The reason why I am entitled to the relief I seek is the following (state all your reasons

using additional paragraphs and sheets of paper as necessary): The court may assert jurisdiction

To fix the damage To get my property.

And cure solution remedy to change and correct the damage pursuant to Fed. R.P.4. I plaintiff have the right to amend to Fed. R.P.15(a)(I)(b) as a solution to settlement to the fact.

**WHEREFORE**, I respectfully request that the Court grant this motion, as well as such other and further relief as may be just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, N.Y.  
(city) (state)  
September 17, 2014  
(month) (day) (year)

Signature O.M.R. Mostafa  
Address P.O. Box 158 Rout 17 M  
Mid-Hudson Center New Hampton 10958  
Telephone Number \_\_\_\_\_  
Fax Number (if you have one) \_\_\_\_\_

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

OMRAN MOSTAFA.

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

13 Civ. 155 (page 3 of 3)

- against -

CITY OF NEW YORK.

JOSEPH BEY

FEEHAN TIMOTHY.

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

**AFFIRMATION IN  
SUPPORT OF MOTION**

**AMENDED  
COMPLAINT**

under the Civil Rights Act,  
42 U.S.C. § 1983

I, OMRAN MOSTAFA, affirm under penalty of perjury that:  
*(name)*

1. I, OMRAN, am the plaintiff/defendant in the above entitled action,  
*(name)* *(circle one)*

and respectfully move this Court to issue an order To get my Property  
*(state what you want the Judge to order)*

2. The reason why I am entitled to the relief I seek is the following *(state all your reasons using additional paragraphs and sheets of paper as necessary)*: The court may assert jurisdiction

To my property to Fed. R.P. 37.2 about modification discovery as the court approved ordered. See docket 9.10.15.36.47.49.62 to identify a material to cure remedy see chase bank statement and legal fact see Fed. R.P. 56(I) about summary judgement to be reviewed and entered to fix solution to my property seem just.

**WHEREFORE**, I respectfully request that the Court grant my motion, as well as such other and further relief as may be just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, N.Y.  
*(city)* *(state)*  
September 17, 2014  
*(month)* *(day)* *(year)*

Signature O. MR Mostafa  
Address P.O. Box 158 Route 17 M  
Mid-Hudson Center New Hampton 10958  
Telephone Number \_\_\_\_\_  
Fax Number *(if you have one)* \_\_\_\_\_

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

OMRAN MOSTAFA.

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

13 Civ. 155 (page 5)

- against -

CITY OF NEW YORK.

JOSEPH BEY

FEEHAN TIMOTHY.

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

**AFFIRMATION IN  
SUPPORT OF MOTION**

**AMENDED  
COMPLAINT**

under the Civil Rights Act,  
42 U.S.C. § 1983

I, OMRAN MOSTAFA, affirm under penalty of perjury that:

(name)

1. I, OMRAN, am the plaintiff/defendant in the above entitled action,

(name)

(circle one)

and respectfully move this Court to issue an order \_\_\_\_\_ To get my Property

(state what you want the Judge to order)

2. The reason why I am entitled to the relief I seek is the following (state all your reasons

The court may assert jurisdiction

using additional paragraphs and sheets of paper as necessary): \_\_\_\_\_

That I amend because my property was lost I could not have hygenics need and dental need. And losing my money I could not pay for my phone calls and buy stamps to send my mail and I could not hire a lawyer. Respectfully the remedy is about cure and fix the damage and solve the need to seem just settlement.

**WHEREFORE**, I respectfully request that the Court grant this motion, as well as such other and further relief as may be just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, N.Y.  
(city) (state)  
September 17, 2014  
(month) (day) (year)

Signature O. M. R. Laber  
Address P.O. Box 158, Route 17M  
Mid Hudson Center New Hampton 10958  
Telephone Number \_\_\_\_\_  
Fax Number (if you have one) \_\_\_\_\_

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

OMRAN MOSTAFA.

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

13 Civ. 155 (pae) (s n)

- against -

CITY OF NEW YOURK.

JOSEPH BEY.

FEFHAN TIMOTHY.

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

REPLY AFFIRMATION  
IN SUPPORT OF MOTION

AMENDED  
COMPLAINT

under the Civil Rights Act,  
42 U.S.C. § 1983

I, OMRAN MOSTAFA, affirm under penalty of perjury that:  
(name)

1. I, OMRAN MOSTAFA, am the plaintiff/defendant in the above entitled action, and  
(name) (circle one)  
submit this affirmation in further support of my motion to this Court for an order

(state what you want the Judge to order)

2. The reason why I am entitled to the relief I seek is the following (state your additional reasons using additional paragraphs and additional sheets of paper as necessary; you should not repeat information from your original affirmation):

The reply information to know that my pin number to my chase debit bank card and identification card was in my black leather wallet was used by the defendants to withdraw money from my checking chase bank account. See the chase bank statement and see that the marshall service on the defendants was completed. I amend to the fact Fed. R.P. 15(a)(1)(b).

WHEREFORE, I respectfully request that the Court grant my motion, as well as such other and further relief as may be just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, N.Y.  
(city) (state)  
September 17, 2014  
(month) (day) (year)

Signature O.M.R. Labesbon Mostafa  
Address P.O. Box 158 Rout 17 M  
Mid-Hudson Center New Hampton 10958  
Telephone Number \_\_\_\_\_  
Fax Number (if you have one) \_\_\_\_\_

+  
FACT STATEMENT

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The court may assert jurisdiction to my property to be given as provided to Fed. R.P. Act, 42 U.S.C. 1983 complaint and to civil rules Fed. R.P. 15(a)(I)(b) to amend to be resolved and cure solution remedy. See docket 47-49-62-9-10-16. See statement facts and legal fact Fed. R.P.(4) to apply and approve the court order modification. See docket 23-40-69.

To get my Property

To fix the damage

And cure solution remedy to change and correct the damage pursuant to Fed. R.P.4. I plaintiff have the right to amend to Fed. R.P.15(a)(I)(b) as a solution to settlement to the fact.

The court may assert jurisdiction

To my property to Fed. R.P. 37.2 about modification discovery as the court approved ordered. See docket 9.10.15.36.47.49.62 to identify a material to cure remedy see chase bank statement and legal fact see Fed. R.P. 56(I) about summary judgement to be reviewed and entered to fix solution to my property seem just.

The reply information to know that my pin number to my chase debit bank card and identification card was in my black leather wallet was used by the defendents to withdraw money from my checking chase bank account. See the chase bank statement and see that the marshall service on the defendents was completed. I amend to the fact Fed. R.P. 15(a)(I)(b).

That I amend because my property was lost I could not have hygenics need and dental need. And losing my money I could not pay for my phone calls and buy stamps to send my mail and I could not hire a lawyer. Respectfully the remedy is about cure and fix the damage and solve the need to seem just settlement.

+  
+

Reply: The fact is where you file Motion ACT, 42.U.S.C.1983-to be filed at the DISTRICT Court of N.Y. Civil Court. Why, because it's the Plaintiff right to resolve the complaint that if the Claim was not resolved at the City Complaint Court, see Legal fact DOCK.,7-9-10-14-15-16. So the fact must be resolved by Fed. R.P. Act, 42 U.S.C.1983.

REPLY: The fact is, that the Defending Counsel has one hundred and twenty days to serve his file complaint. Truly, the time has passed for the failure of the Defending Counselor to respond. The Plaintiff right must dismiss the Defendant complaint without prejudice pursuant to the Fed. R.P. 4,(F)or(J)(I). See the legal fact.

REPLY: The fact is, that the Defendant counsel duplicate Docket (7) on docdet (38). Truly, the court order on docket 9, 10 was modified on 4/12/2013 in support to Omran the Plaintiff motion the the court assert jurisdiction to Omran property pursuant to rule (4) and in the manner provided by state law, the document was filed by Omran, Mostafa entered on 4/12/2013. The plaintiff right must dismiss the defendants complaint on Dock. (38) without prejudice, pursuant Fed. R.P. 4, 41 for the failure of the defendants counsel to prosecute pursuant rule Fed. R.P. 37.2 about modification discovery.

REPLY: Truly, on the fact that the Marshal service completed docket (19) the Plaintiff right is must dismiss the defendants complaint on docket (38) without prejudice pursuant to court order. See the legal fact. TO SEEKING ENTRY TO SUMMARY JUDGMENT FED.R.P.56

I the Plaintiff allege municipal liberty to all the fact seem just to the Hon. Court. I declare it as a fact and correct.

AFFIDAVIT .  
STATEMENT LEGAL FACTS >

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The main fact from the beginning is about individual BEY. Has made a false statement however, this individual Bey was not found on 102 Precint as working officer. This individual has no badge as an officer. The reason why he can not be found in his work ,he was a false and fake officer with a false badge.

The main question , how this individual fake officer enter and work in precint 102 to make a false statement and taken unauthorized used property that I owned and flee and he can not be found in precint 102

I would like to know the effect of this fact who's fault is this fact about individual BEY.

The marshall service has the right to find his main resident address

The service has completed and the individual BEY has fled with my unauthorized used property.

However as we know this individual BEY is in the conclusion he got good deal and flee with my un authorized used property and caused me to damage my financial treasury and lost of freedom and unusual punishment of incarceration and mental anguish and hygiene health sickness I became totally ill

However the same effect damage has done by the other individual his name is fake officer FEEHAN as an retired individual from precint 102

To the Honorable Judger the fac` t of the matter is the truth has been discovered and the marshal work was completed

In the conclusion individual BEY flee and individual Feehan has fled and committed a distraction to Mostafa Omran justice to the fact it might see, just and purple

Thank you to the Honorable court and judge

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Notice to the court.

The proper spelling to that defendant is as in the U. S. M, 285 forms

BEY and FEEHAN.



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

OMRAN MOSTAFA.

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

13 Civ. 155 (Pae) S.N

- against -

CITY OF NEW YORK.

AFFIRMATION OF SERVICE

JOSEPH BEY.

FEEHAN TIMOTHY.

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

I, OMRAN MOSTAFA, declare under penalty of perjury that I have  
(name)

served a copy of the attached Notice Motion Amended complaint  
(document you are serving)

upon Theresa D'ANDREA city council whose address is 100 CHURCH  
(name of person served)

street New York, N.Y. 10007 law department  
(where you served document)

by Mid Hudson mail Room. U.S. A mail.  
(how you served document: For example - personal delivery, mail, overnight express, etc.)

Dated: New York, N.Y.  
(town/city) (state)

September 17, 2014  
(month) (day) (year)

O.M.R. label OMRAN MOSTAFA  
Signature

B.O. Box 158. Mid Hudson center  
Address

New Hampton  
City, State

New York 10958  
Zip Code

Telephone Number \_\_\_\_\_

## **Exhibit A**



January 10, 2012 through February 07, 2012

Primary Account: 00000872745229

CHASE CHECKING

MOSTAFA LABELB OMRAN

Account Number: 00000872745229

## CHECKING SUMMARY

	AMOUNT
Beginning Balance	\$3,416.00
Deposits and Additions	790.20
ATM & Debit Card Withdrawals	- 2,040.00
Fees and Other Withdrawals	- 1,958.20
<b>Ending Balance</b>	<b>\$208.00</b>

This message confirms that you have overdraft protection on your checking account.

## TRANSACTION DETAIL

DATE	DESCRIPTION	AMOUNT	BALANCE
	<b>Beginning Balance</b>		<b>\$3,416.00</b>
01/31	ATM Withdrawal 01/31 35 Fifth Avenue Pelham NY Card 9120	- 800.00	2,616.00
02/01	Ssi Treas 310 Xxsupp Sec PPD ID: 3101736121	342.20	2,958.20
02/01	ATM Withdrawal 02/01 35 Fifth Avenue Pelham NY Card 9120	- 800.00	2,158.20
02/01	02/01 Withdrawal	- 1,958.20	200.00
02/03	US Treasury 303 Xxsoc Sec PPD ID: 3031036030	448.00	648.00
02/06	ATM Withdrawal 02/06 2725 East Tremont Ave. Bronx NY Card 9120	- 440.00	208.00
	<b>Ending Balance</b>		<b>\$208.00</b>

A monthly Service Fee was **not** charged to your Chase Checking account. Here are the two ways you can avoid this fee during any statement period.

- **Have direct deposits totaling \$500.00 or more.**  
(Your total direct deposits this period were \$790.20. Note: some deposits may be listed on your previous statement)
- **OR have at least 5 debit card purchases during your statement period.**





January 10, 2012 through February 07, 2012  
 Primary Account: 000000872745229

**CHASE SAVINGS**

MOSTAFA LABEB OMRAN

Account Number: 000004436044583

**SAVINGS SUMMARY**

	AMOUNT
Beginning Balance	\$616.01
Fees and Other Withdrawals	- 416.01
<b>Ending Balance</b>	<b>\$200.00</b>
Annual Percentage Yield Earned This Period	0.00%
Interest Paid Year-to-Date	\$0.01

**TRANSACTION DETAIL**

DATE	DESCRIPTION	AMOUNT	BALANCE
	<b>Beginning Balance</b>		<b>\$616.01</b>
02/01	02/01 Withdrawal	- 416.01	200.00
	<b>Ending Balance</b>		<b>\$200.00</b>



Page 1 of 2  
 Customer Service 1-800-955-7070  
 www.capitalone.com

Dec. 09 - Jan. 08, 2012 31 Days in Billing Cycle

Platinum MasterCard XXXX-XXXX-XXXX-3186

**NEW BALANCE** **MINIMUM PAYMENT** **DUE DATE**  
**\$1,020.31** **\$128.00** **Feb 05, 2012**

PLEASE PAY AT LEAST THIS AMOUNT

Credit Limit: \$3,000.00 Cash Advance Credit Limit: \$1,500.00  
 Available Credit: \$1,979.69 Available Credit for Cash Advances: \$800.00

**MINIMUM PAYMENT WARNING:** If you make only the minimum payment each period, you will pay more in interest and it will take you longer to pay off your balance. For example:

Payment Amount Each Period If No Additional Charges Are Made	Approximate Time to Pay Off Statement Balance	Estimated Total Cost
Minimum Payment	11 Years	\$2,390

If you would like information about credit counseling services, call 1-888-326-8055.

**LATE PAYMENT WARNING:** If we do not receive your minimum payment by your due date, you may have to pay a late fee of up to \$35.00 and your APRs may be increased up to the Penalty APR of 29.40%.

2-1 COLRS3SH 5056 0701 202

Previous Balance	Payments and Credits	Fees and Interest Charged	Transactions	New Balance
\$970.68	\$0.00	\$49.63	\$0.00	\$1,020.31

You're behind by two payments. Let's talk. If you're having financial difficulties and can't make your minimum payment - we want to help. Let's work together to find a solution.

New York residents may contact the New York State Banking Department to obtain a comparative listing of credit card rates, fees and grace periods. New York State Banking Department 1-800-518-8866.

Renewal Notice - Both sides of this page provide important information about your rate(s) and how your interest charge is calculated.

**TRANSACTIONS**

PAYMENTS, CREDITS & ADJUSTMENTS FOR MOSTAFA L OMRAN #3186

FEES			
1	05 JAN	PAST DUE FEE	\$35.00
Total Fees This Period			\$35.00
INTEREST CHARGED			
INTEREST CHARGE: CASH ADVANCES			\$14.63
Total Interest This Period			\$14.63

Transactions continue on page 2

**Help is Available.**  
 Just pick up the phone.



Call 1-800-955-6600 and a specially trained agent will be happy to help you check your balance and make payments.

**INTEREST CHARGE CALCULATION**

Your Annual Percentage Rate (APR) is the annual interest rate on your account.

Type of Balance	Annual Percentage Rate (APR)	Balance Subject to Interest Rate	Interest Charge
Purchases	0.00%	\$290.50	\$0.00
Cash Advances	24.90% P	\$691.74	\$14.63

P,L,D,F = Variable Rate. See reverse of page 1 for details

PLEASE RETURN PORTION BELOW WITH PAYMENT OR LOG ON TO WWW.CAPITALONE.COM TO MAKE YOUR PAYMENT ONLINE.

1 5178057505393186 08 1020310066000128005



Account Number: 5178-0575-0539-3186

Due Date New Balance Minimum Payment Amount Enclosed

Feb 05, 2012

\$1,020.31

\$128.00

.

PLEASE PAY AT LEAST THIS AMOUNT

MOSTAFA L OMRAN  
 PO BOX 750305  
 FOREST HILLS, NY 11375-0305

MSP 65  
 204981



**Take advantage. Take control.**

Manage your account online at [www.capitalone.com](http://www.capitalone.com)

- Make payments
- Review account information
- Manage your account in privacy



400006

Capital One Bank (USA), N.A.  
 P.O. Box 71083  
 Charlotte, NC 28272-1083



Please make checks payable to Capital One Bank (USA), N.A. and mail with this coupon in the enclosed envelope.

**How can I Avoid Paying Interest Charges?** Each month you pay your "New Balance" in full, you will have a minimum grace period of 25 days with no interest charge on all new 1) purchases, 2) balance transfers, 3) special purchases and 4) other charges. If you have been paying your account in full with no interest charges applied and you do not pay your next bill in full, prorated interest charges will be assessed. There is no grace period on cash advances, special transfers, or on any new transaction when there is an unpaid balance from a previous bill.

**How is the Interest Charge applied?** Interest charges accrue from the 1) date of the transaction, 2) date the transaction is processed or 3) first calendar day of the billing period. Interest charges accrue on every unpaid amount until it is paid in full. This means you may owe interest charges even if you pay the entire "New Balance" one month, but did not do so for the previous month. Unpaid interest charges are added to the proper segment of your Account. However, we reserve the right to not assess interest charges at any time.

**Do you assess a Minimum Interest Charge?** Yes. A minimum INTEREST CHARGE of \$0.50 will be assessed for each billing period your account is subject to an interest charge.

**How do you Calculate the Interest Charge?** We use a method called Average Daily Balance (including new transactions). Under this method, we first calculate your daily balance; for each segment, 1) take the beginning balance and add in new transactions and the periodic interest charge on the previous day's balance, then 2) subtract any payments and credits for that segment as of that day. The result is the daily balance for each segment. However, if you paid your previous month's balance in full (or if your balance was zero or a credit amount), new transactions which post to your purchase or special purchase segments are not added to the daily balances. Also, transactions that are subject to a grace period are not added to the daily balances.

Next, to find your Average Daily Balance: 1) add the daily balances together for each segment, and 2) divide the sum by the number of days in the billing cycle.

At the end of each billing cycle, we determine your Interest Charge as follows: 1) multiply your Average Daily Balance by the daily periodic rate (APR divided by 365) for that segment, and 2) multiply the result by the number of days in the billing period. NOTE: Due to rounding or a minimum interest charge, this calculation may vary from the interest charge actually assessed.

**How can my Variable Annual Percentage Rate (APR) change?** Your APR may increase or decrease based on one of the following reported indices (reported in *The Wall Street Journal*). To find which index is used for your account, look for a letter code on the front of this statement next to your APR(s). Then check the table below.

Code next to your APR(s)	How do we calculate your APR(s)? Index + margin (previously disclosed to you)	When your APR(s) will change
P	Prime Rate + margin	The first day of the billing periods that end in Jan., April, July, and Oct.
L	3 month LIBOR + margin	
D	Prime Rate + margin	The first day of each monthly billing period.
F	1 month LIBOR + margin	

**Are there Additional Fees associated with my account?** Yes, under certain circumstances, you may be assessed a Late or Returned Payment fee. You may also be assessed Overlimit fees if permitted by law. We reserve the right to not assess fees without prior notice without waiving our right to assess a similar fee later.

**How can I Avoid Membership Fees?** If a Renewal Notice is printed on the front of this statement, you may avoid paying an annual membership fee by contacting Customer Service no more than 45 days after the last day in the billing cycle covered by this statement to request that we close your account. To avoid paying a monthly membership fee, contact Customer Service anytime to request that we close your account, and we will stop assessing your monthly membership fee.

**How can I Close My Account?** You can contact Customer Service anytime to request that we close your account. At that time, we'll explain any additional steps to account closure, including balance pay down information and timelines. Please note that if you use your credit card or charges post to your account after you ask us to close it, we can keep your account open.

**What happens if my Account is Suspended?** We may close or suspend your account and your right to obtain credit at any time and for any reason, even if you are not in default. Account suspension can be permanent or temporary. If your account is closed or suspended you must 1) stop using your credit card and account, 2) cancel all automatic payments, 3) destroy all credit cards and access checks, and 4) pay all amounts you owe us, even if they were charged after the account was closed or suspended.

**How do I Make Payments?** At any time, you may pay the minimum payment, the total unpaid balance, or any amount in between. Payments may be made in several ways:

- 1) Online by going to [www.capitalone.com](http://www.capitalone.com) and logging into your account;
- 2) Telephone Voice Response System by dialing 1-800-955-7070 and following the voice prompts. When you make a phone payment through our voice response system, you authorize us to initiate an ACH or electronic payment that will be debited from your bank account. Funds may be withdrawn from your bank account as soon as the same day we process your payment;
- 3) Calling our telephone number 1-800-955-7070 and providing your information to our representative;
- 4) Payments by mail should be sent to the mailing address provided on the bottom portion of this statement.

**When will you Credit My Payment?**

For online or over the phone, as of the business day we receive it, as long as they are made by 5 p.m. ET. For mailed payments, as of the business day we receive it, as long as: 1) you send the bottom portion of this statement and your check in the enclosed remittance envelope, and 2) your payment is received in one of our processing centers by 5 p.m. local time. Please allow at least (7) business days for mail delivery. Mailed payments received by us at any other location or in any other form may not be credited as of the day we receive them.

**Do you Process Paper Checks as an Electronic Funds Transfer?** Payments will be processed in one of two ways: When you provide a check or check information to make a payment, you authorize us or our agents to use the information to make a one time ACH transaction or other electronic fund transfer from your deposit account. We may also use the information to process the payment as a check transaction.

**What if I file for Bankruptcy?** If you are entitled to bankruptcy protection, this communication is for information only. It is not an attempt to collect, assess or recover a debt or claim. Do not send us payments without speaking with your bankruptcy attorney or the Bankruptcy Court. If you or your attorney would like to contact our bankruptcy claims servicer directly, please contact: Capital One • PO Box 30285 • Salt Lake City, UT 84130-0285

**BILLING RIGHTS SUMMARY (Does Not Apply to Small Business Accounts)**

**What To Do if You Think You Find A Mistake On Your Statement:** If you think there is an error on your statement, write to us at:

Capital One  
P.O. Box 30285  
Salt Lake City, UT 84130-0285

In your letter, give us the following information:

- **Account information:** Your name and account number.
- **Dollar amount:** The dollar amount of the suspected error.
- **Description of Problem:** If you think there is an error on your bill, describe what you believe is wrong and why you believe it is a mistake.

You must contact us within 60 days after the error appeared on your statement.

You must notify us of any potential errors in writing. You may call us or notify us electronically, but if you do we are not required to investigate any potential errors and you may have to pay the amount in question. We will notify you in writing within 30 days of our receipt of your letter.

While we investigate whether or not there has been an error, the following are true:

- We cannot try to collect the amount in question, or report you as delinquent on that amount.
- The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount.
- While you do not have to pay the amount in question until we send you a notice about the outcome of our investigation, you are responsible for the remainder of your balance.
- We can apply any unpaid amount against your credit limit.

Within 90 days of our receipt of your letter, we will send you a written notice explaining either that we corrected the error (to appear on your next statement) or the reasons we believe the bill is correct.

**Your Rights if You Are Dissatisfied With Your Credit Card Purchases.** If you are dissatisfied with the goods or services that you have purchased with your credit card, and you have tried in good faith to correct the problem with the merchant, you may have the right not to pay the remaining amount due on the purchase. To use this right, the following must be true:

- 1) You must have used your credit card for the purchase. Purchases made with cash advances from an ATM or with a check that accesses your credit card account do not qualify; and
- 2) You must not yet have fully paid for the purchase.

If all of the criteria above are met and you are still dissatisfied with the purchase, contact us in writing at:

Capital One  
P.O. Box 30285  
Salt Lake City, UT 84130-0285

While we investigate, the same rules apply to the disputed amount as discussed above. After we finish our investigation, we will tell you our decision. At that point, if we think you owe an amount and you do not pay we may report you as delinquent.

Capital One supports information privacy protection: see our website at [www.capitalone.com](http://www.capitalone.com)  
© 2011 Capital One. Capital One is a federally registered service mark. All rights reserved.

ETC-08  
11/30/11

**Changing Address?**

Address .....

Home Phone .....

Alternate Phone .....

E-mail Address .....

Please print address or phone number changes above using blue or black ink.



**Not quite ready to make payments online?**

No problem. Follow these simple steps to make sure we process your payments smoothly:

- Don't staple or paper clip your check to the payment slip.
- Be sure to use the payment envelope that came with your statement. *Using a different envelope could delay processing*
- Please don't include any additional correspondence.
- Last but not least, be sure to write your 16-digit account number on your check.

U.S. Department of Justice  
United States Marshals Service

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process by the U.S. Marshal" on the reverse of this form.

PLAINTIFF: **OMRAN - MOSTAFA**  
 DEFENDANT: **JOSEPH - BEY** (Individual name)  
 TYPE OF PROCESS: **PAUPER'S**  
 NUMBER: **12-1983 CIVIL RIGHTS**  
 NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN: **102 Precinct N.Y. CITY Police Department - J. BEY**  
 ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code): **at 87-34 - 0nd St Section in Queens County, N.Y. claimant # 1212 Pd 1757**

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

PRO-SE:  
 name: **OMRAN. MOSTAFA**  
**1600 Hazen St East Hampton**  
**L.N.Y 11970 at O.B.C.C.**

Number of process to be served with this Form - 285-	
Number of parties to be served in this case	
Check for service on U.S.A.	

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Signature of Attorney or other Originator requesting service on behalf of: **OMRAN MOSTAFA**  
 PLAINTIFF  
 DEFENDANT  
 TELEPHONE NUMBER: \_\_\_\_\_  
 DATE: **5-17-2013**

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process: <b>02</b>	District of Origin: <b>54</b>	District to Serve: <b>54</b>	Signature of Authorized USMS Deputy or Clerk: _____	Date: _____
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I hereby certify and return that I  have personally served,  have legal evidence of service,  have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above. (See remarks below)

Name and title of individual served (if not shown above): \_\_\_\_\_  
 Address (complete only if different than shown above): \_\_\_\_\_  
 A person of suitable age and discretion then residing in the defendant's usual place of abode:   
 Date of Service: **7/5/2013** Time: **10:00**  am  pm  
 Signature of U.S. Marshal or Deputy: **[Signature]** # **3757**

Service Fee: <b>\$63.00</b>	Total Mileage Charges (including endeavors): <b>\$16.95</b>	Forwarding Fee: _____	Total Charges: <b>\$79.95</b>	Advance Deposits: <input checked="" type="checkbox"/>	Amount owed to U.S. Marshal or _____: <b>\$79.95</b>	Amount of Refund: _____
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REMARKS: **6/4/13 sent court for WTS 7/4/13 no response as of 7/19/13. Officer Bey does not work at the 102 PCT. Not enough information to locate him.**

**NOTE**

U.S. Department of Justice  
United States Marshals Service

PROCESS RECEIPT AND RETURN

See Instructions for "Service of Process in the U.S. Marshals" on the reverse of this form.

PLAINTIFF  
**OPRAN - MOSTAFA**  
DEPENDANT

COURT CASE NUMBER  
**13 CIV 145 (FED) SA**

TYPE OF PROCESS  
**PAUPER'S CIVIL RIGHTS**

SERVE  
NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN  
**102 P. Belmont N.Y. City Police Department - 6 Floor**

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)  
**102 P. Belmont N.Y. City Police Department - 6 Floor  
102 P. Belmont N.Y. City Police Department - 6 Floor**

AT  
**102 P. Belmont N.Y. City Police Department - 6 Floor  
102 P. Belmont N.Y. City Police Department - 6 Floor**

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW:

PRO-SE  
**OPRAN - MOSTAFA**  
**1600 H 23rd Street**  
**LMNY 11370**

Number of process to be served with this Form - 285

Number of parties to be served in this case

Check for service on U.S.A.

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN EXPEDITING SERVICE (Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available For Service):

Fold

Signature of Attorney or other Originator requesting service on behalf of:  
**OPRAN - MOSTAFA**

PLAINTIFF  DEFENDANT

TELEPHONE NUMBER

DATE  
**5-17-2013**

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY - DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated (Sign only first USM 285 if more than one USM 285 is submitted)	Total Process	District of Origin	District to Serve	Signature of Authorized USMS Deputy of Clerk	Date
		No. _____	No. _____		

Thereby certify and return that I  have personally served,  have legal evidence of service,  have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above or on the individual, company, corporation, etc., shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc., named above (See remarks below)

Name and title of individual served (if not shown above)

Address (complete only if different than shown above)

A person of suitable age and discretion then residing in the defendant's usual place of abode

Date of Service  
**7/15/2013**

Time  
**10:00** am

Signature of U.S. Marshal or Deputy  
**[Signature] #3757**

Service Fee <b>\$63.00</b>	Total Mileage Charges (including endeavors) <b>\$15.95</b>	Forwarding Fee	Total Charges <b>\$79.95</b>	Advance Deposits	Amount owed to U.S. Marshal or <b>\$79.95</b>	Amount of Refund
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REMARKS  
**6/11/13 sent out for #115 7/14/13 response Officer Feehan retired from the NYPD**

NOTE



**PROPERTY RELEASE AUTHORIZATION**

**NEW YORK CITY POLICE DEPARTMENT**

I, Mostafa L. Omran, B & C # 441 11 11214, being duly sworn, deposed and says:

1) That I am presently incarcerated at Riker's Island Facility located at 18-18 Hazen Street, East Elmhurst New York 11370.

2) That on the 11 day of November, 2011, I was arrested in the county of Jaimca, Queens and personal property was taken from my personal effects and is now in the custody of the New York City Police Department, 102-105 Precinct, located at Jaimaca, Queens

3) That such property consist of the following items:

Wallet with \$140.00 Cash, Banking Cards and Credits (Chase Bank, Capital One Bank, TD Bank, [Debit Cards and Credit Cards] First Primeri Bank, TD Bank, Credit One Bank, House Hold Bank, Macy Cr. Card and Kohls Credit Card. Plus 3 Cell Phones, Birth Cert. Colleges Diploma and other type of document (addresses, etc.) Blue Jacket.

4) That the underlying criminal case for which aforementioned property was seized has been dismissed or other disposition reached or said property is deemed immaterial and/or irrelevant for the Assistant District Attorney's case.

5) I authorized the New York City Police Department to release said property held in their possession to Wail Eldahry, my Cousin who resides at 120 Carver - Loob Apt. 208 Bronx, New York 10475

Respectfully Submitted:

Mostafa L. Omran  
Print Name

Mostafa OMran  
Sign Name

Sworn to before me this 22  
Day of November, 2011

Nkechi Igbo  
Notary Public/ Commissionery of Deeds

**NKECHI IGBO**  
NOTARY PUBLIC-STATE OF NEW YORK  
No 011G6163948  
Qualified in Queens County  
My Commission Expires April 09, 2015

ORAN L. MOSTAFA  
MID-HUDSON CENTER  
PO Box 158  
ROUTE 174 W-44-43  
NEW HAMPDEN NY 10958

SEP 22 01  
PRO SEC OFFICE

Send for MR-RUBY  
OLFRK CO  
U.S. DISTRICT C  
SOUTHERN DISTRICT  
DANIEL PATRICK  
AT 500 PEARL S  
NEW YORK, NY  
Room 1230

US  
SUM





UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
DANIEL PATRICK MOYNIHAN COURTHOUSE  
500 PEARL STREET  
NEW YORK, NEW YORK 10007

PRO SE OFFICE  
Room 230

RUBY J. KRAJICK  
Clerk of Court

**INITIAL CASE MEMO IN TRADITIONAL *IN FORMA PAUPERIS* CASES**

Case Name: Mostafa v. City of New York et al

Docket No. 13 Civ. 155 (PAE)(SN)

District Judge Assigned: Paul Engelmayer

SEP 22 2014

Magistrate Judge Assigned: Sarah Netburn

PRO SE OFFICE

Your case has been assigned a docket number, a District Judge and a Magistrate Judge. **Everything you send to the Court concerning this case must be labeled with the case name and docket number listed above.** You should mail or deliver any papers you file in your case to the *Pro Se* Office at 500 Pearl Street, Room 230, New York, New York, 10007, or, if your case is pending in the White Plains Courthouse, to the Clerk's Office at 300 Quarropas Street, White Plains, NY 10601-4150. Do not send any documents directly to a judge unless ordered to do so.

**If your address changes, it is your responsibility to notify the Court in writing,** even if you are incarcerated and transferred to another facility or released from custody. Fill out the "Notice of Change of Address" form included with this letter (or write a letter asking for your address to be changed) and send it to the *Pro Se* Office. It is not sufficient to send an envelope with a new return address or submit a letter with a new address listed without asking for your address to be officially changed. Your case could be dismissed if you do not notify the Court of an address change.

**Your case has been assigned to a District Judge and a Magistrate Judge.** The District Judge may handle all matters in your case, or the District Judge may "refer" your case to the Magistrate Judge for certain pretrial issues. If you and all the other parties in your case agree to have your case proceed before the Magistrate Judge for *all purposes*, including trial, your case may proceed more quickly. A form for *all* parties to complete if you agree to have your trial before a Magistrate Judge is enclosed. For more information, refer to the handout "United States Magistrate Judges: Referrals and Consents."

**The first thing you must do is serve each defendant with the summons and complaint** in the way required by law in order to notify the defendant officially about your lawsuit.