
Correspondence

United States Circuit Judge for the Second
Circuit Court of Appeals

6-14-2007

Letter to Clerk of Court re: Walter Roache & Peter Malley

Roger J. Miner '56

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UNITED STATES COURT OF APPEALS
SECOND CIRCUIT

CHAMBERS OF
ROGER J. MINER
CIRCUIT JUDGE
UNITED STATES COURTHOUSE
445 BROADWAY, SUITE 414
ALBANY, NY 12207

June 14, 2007

Hon. Catherine O'Hagan Wolfe
Clerk of the Court
United States Court of Appeals
U.S. Courthouse
500 Pearl Street
New York, NY 10007

Re: Walter J. Roache
Peter J. Malley

Dear Ms. Wolfe:

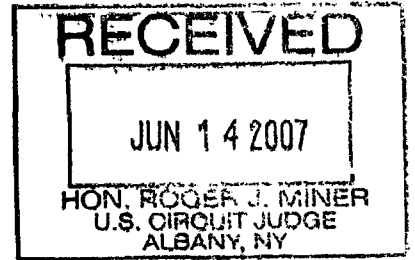
I enclose for such disposition as may be appropriate documents received from Walter J. Roache and Peter J. Malley that were forwarded to my chambers in Albany.

Sincerely,



Roger J. Miner

RJM/sjh



Honorable, Mr. Roger J. Miner
414 James T. Foley United States Courthouse
445 Broadway
Albany, N.Y. 12207-2928

June 6, 2007

Walter J. Roache, 93A1783
Oneida Correctional Facility
P.O. Box 4580, 6100 School Road
Rome, N.Y. 13442

Dear Hon. Mr. Miner;

I wish to ask for your prayerful help, with all due respect.

I am enclosing a motion, that explains, how a petition was filed, then after several motions, default, and permission to proceed as a poor person was granted, and several other motion and letters were filed.

Then the Court decides, to Transfer, change location of this action, and proceedings. The Court also issued a "Order To Show Cause," and several motions were filed within the Court, several communications between the Clerk of the Court, the Court, and this Petitioner were filed.

Then the Court, with several motions still pending. The Court renders a decision, to transfer this case from West Chester County to Oneida County. The Attorney General office of West Chester, are the said Recorded Respondent's Attorney, and did not file for a change of venue, neither has this petitioner requested a change of venue.

Therefore, the instruction of the Clerk of the Court, that this petitioner, had to file a motion and request the relief that this petitioner want to receive.

Then the question of Substance, is presented, as in the recent ruling Bronx County Court. Supreme Court. That stated,

That pursuant to C.P.L.R. § 2221 (d) (2), "shall be based upon matters of... law allegedly... misapprehended by the court, and assuming that the plaintiff-petitioner should had used, and, or placed some other motion, or petition before the court, a mistake in naming a motion, or petition does not effect a litigant's ability to pursue the claim or the court's obligation to decide it. See, C.P.R. § 103 (c), and Federal Rules of Civil Procedure, Rule 51, 28 USC, the substance not form shall be measured, and strict standards, as held to Attorney's shall not be held to pro-se motions and petitioners.

Thus, the Transfer to another jurisdiction to Oneida County presents the question of violation of transfer of a case, once the case, and proceedings has commenced, and several motions, and Reply's and Petition, and the court filed and sent out and filed a "Order To Show Cause," and a filing date of response of April 27, 2007.

Thus, this matter further violates, the question of Due Due Process, and violation of Due process Cause, and that of the Equal Protection Clause.

Hon. Mr. Miner, with all due respect, I am grateful for all of your time in reading this and the enclosed Motion, and for all of your time, consideration in looking into these matters
I do Thank You so very much.

Respectfully Submitted,

Walter J. Ronche

A notary being unavailable, I, Walter J. Ronche, affirm the foregoing to be true and correct, under the penalties of perjury, within 28 U.S.C. 1746.

June 6, 2007

Respectfully Submitted

Walter J. Roache

Judge Roger J. Miner
U.S. Ct. Of Appeals, 2nd Cir.
40 Foley Sq.
N.Y., N.Y. 10007

PLAINTIFF PETITIONS LEAVE TO FILE in 2nd Cir. submission below
by your signing here.

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

-----X

Peter J. Malley
31 Maple Pl.
Clifton, N.J. 07011

Plaintiff,

v.

UNITED STATES

Defendant.

COMPLAINT
5TH UPDATE

-----X

CAUSE OF ACTION IN 115 UNFILED PRIOR 2ND CIR. COMPLAINTS
THREE INJUNCTIONS, TWO SANCTIONS, AND TWO CASE PRECEDENTS
SHOULD NO LONGER BE EFFECTIVE BASED ON
"...(2) FRAUDS, (3) NOT FORECLOSED BY CONTROLLING LAW..."

1. Plaintiff seeks 2nd Cir. overturning as should no longer be effective for "... (2) frauds, (3) not foreclosed by controlling law..." three still effective injunctions (1) 2nd injunction_94 Civ. 7186 (JFK) enjoined 9/10/97 by Judge Keenan, SDNY for three 11/26/94 frauds of opposing counsel causes of actions complaints for all federal district courts without first obtaining leave of judge of such court, (2) 3rd injunction_02 CV_4199 (VM) enjoined 6/26/02 by