Gmail

T Kost <tkost999@gmail.com>

Fw: ROP_Vol_1_of_1_230421_1628_8FF9DDF1.pdf additional issues

5 messages

Alphonse Talarico <contact@lawofficeofalphonsetalarico.com> Mon, Oct
To: Saira Pasha <saira@auditmalpro.com>

Dear Saira Pasha,

I am forwarding this email as it was received because the information is far beyond my understanding, but obviously within the understanding of Paul Dulberg.

Please review as another example of questionable record keeping.

Thank you,

Alphonse A. Talarico
3128081410
3126081410

From: Paul Dulberg <Paul_Dulberg@comcast.net>
Sent: Monday, May 22, 2023 1:23 PM
To: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>
Subject: ROP_Vol_1_of_1_230421_1628_8FF9DDF1.pdf additional issues

Dear Mr Talarico,

In addition to the 2 reports of proceedings missing, below shows an oddity that I can't explain and should not be possible.

1. The due date for the APPEAL - ROP DUE is April 21, 2023 by 5:00 PM a Friday afternoon and the APPEAL - RECORD DUE is May 5, 2023 at 5:00 PM. See (C) below.

2. The Certification of Record, page "C 1" signed by Katherine M. Keefe is date April 21, 2023. See (D) below.

3. The file stamp from the appellate clerk is April 24, 2023 at 10:03 AM a Monday morning. See "(B)" below.

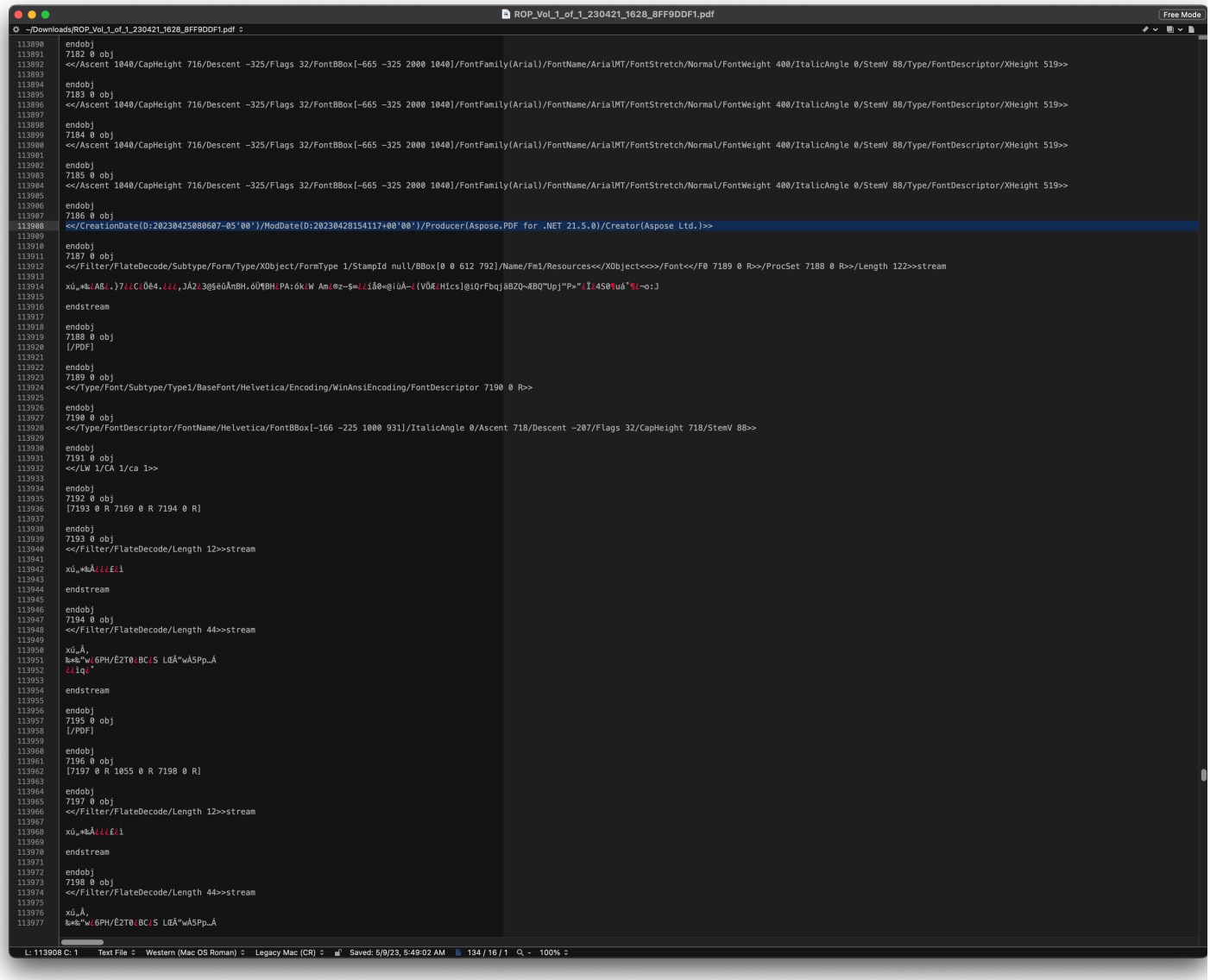
4. The date "ROP_Vol_1_of_1_230421_1628_8FF9DDF1.pdf" was created is April 25, 2023 at 8:06 AM. See "(A)" below.

5. In addition I am not sure why the APPEAL - ROP DUE was due two weeks earlier than the APPEAL - RECORD DUE since Supreme Court Rule 321. Contents of the Record on Appeal defines the Record of Appeal as the ROP and the CLR together.
"Rule 321. Contents of the Record on Appeal. The record on appeal shall consist of the common law record, the report of proceedings, and the entire original common law record, unless the parties stipulate for, or the trial court, after notice and hearing, or the reviewing court, orders less. The common law record includes every document filed, judgment, and order entered and any exhibit offered and filed by any party. Upon motion the reviewing court may order that other exhibits be included in the record. The record on appeal shall also include any report of proceedings prepared in accordance with Rule 323. There is no distinction between the common law record and the report of proceedings for the purpose of determining what is properly before the reviewing court."
See (E) below.

6. On page 9 Number 5. Subpart d in "Standards efiling Record on Appeal 2022.pdf" it state: "Once the Record on Appeal is accepted, the reviewing court clerk shall affix the electronic file mark setting forth, at a minimum, the court, the clerk, and the date and time of filing. The transmission date and time shall govern the electronic file mark, unless the transmission occurs on a day the clerk's office is not open for business, in which case the electronic file mark shall indicate the next business day.
See (F) below.

This begs the questions; how was "ROP_Vol_1_of_1_230421_1628_8FF9DDF1.pdf" created after it was certified by Keefe and stamped by the appellate clerk? And is all this moot since the APPEAL - RECORD DUE is May 5, 2023

(A) In the metadata of the file "ROP_Vol_1_of_1_230421_1628_8FF9DDF1.pdf" the creation date is April 25, 2023 at 8:06 AM
Copy of metadata below:
<</CreationDate(D:20230425080607-05'00')/ModDate(D:20230428154117+00'00')/Producer(Aspose.PDF for .NET 21.5.0)/Creator(Aspose Ltd.)>>
Attached is a screen shot of the metadata.



(B) On page "R 1" of the file "ROP_Vol_1_of_1_230421_ 1628_8FF9DDF1.pdf" is the appellate clerks stamp with a File Date: 4/24/2023 10:03 AM or April 24, 2023 at 10:03AM
Attached is the page R 1

(C) On page "C 3" of "CLR_Vol_1_of_2_230421_1627_D4CDE198.pdf" under a section titled "Future Scheduled Dates" is the date the APPEAL - ROP DUE and APPEAL - RECORD DUE were due.
Attached is page C 3

(D)

(E) Rule 321

(F)

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5 attachments

- **ROP_Vol_1_of_1_230421_1628_8FF9DDF1 (dragged).pdf** 126K
- **CLR_Vol_1_of_2_230421_1627_D4CDE198 (dragged).pdf** 55K
- **CLR_Vol_1_of_2_230421_1627_D4CDE198 (dragged).pdf** 121K
- **Rule 321.pdf** 165K
- **Standards efiling Record on Appeal 2022.pdf** 217K

Paul Dulberg <Paul_Dulberg@comcast.net> Mon, Oct 30, 2023 at 12:37 PM
To: Tom Kost <tkost999@gmail.com>

Begin forwarded message:
[Quoted text hidden]

(B) On page "R 1" of the file "ROP_Vol_1_of_1_230421_ 1628_8FF9DDF1.pdf" is the appellate clerks stamp with a File Date: 4/24/2023 10:03 AM or April 24, 2023 at 10:03AM
Attached is the page R 1

(C) On page "C 8" of "CLR_Vol_1_of_2_230421_1627_D4CDE198.pdf" under a section titled "Future Scheduled Dates" is the date the APPEAL - ROP DUE and APPEAL - RECORD DUE were due.
Attached is page C 8

(D)

(E) Rule 321

(F)

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6 attachments

Screenshot 2023-05-22 at 12.05.04 PM.png
192K

ROP_Vol_1_of_1_230421_1628_8FF9DDF1 (dragged).pdf
139K

CLR_Vol_1_of_2_230421_1627_D4CDE198 (dragged).pdf
58K

CLR_Vol_1_of_2_230421_1627_D4CDE198 (dragged).pdf
121K

Rule 321.pdf
195K

Standards efiling Record on Appeal 2022.pdf
217K

T Kost <tkost999@gmail.com> Mon, Oct 30, 2023 at 12:03 PM
To: Paul Dulberg <Paul_Dulberg@comcast.net>, Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Mr Talarico,

It is also important to inform Saira that the pdf metadata of the ROP had a creation date that we could not explain.

The metadata is available at :

www.fraudonthecourt.net/exhibits

The metadata is shown in Exhibit 240 and Exhibit 241

The expert retained can use the following user name and password to access the exhibits.

user name: Saira
password: d.&z^VS#3s[

If she has any questions for us please don't hesitate to ask. Thanks.

[Quoted text hidden]
[Quoted text hidden]

[Quoted text hidden]

Paul Dulberg <Paul_Dulberg@comcast.net> Tue, Oct 31, 2023 at 8:05 AM
To: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>
Cc: Tom Kost <tkost999@gmail.com>

Mr Talarico,

We added 2 more exhibits (linked below) which better graphically show the date issue on the metadata found in the ROP on file in the appellate court.

Exhibit 242:

fraudonthecourt.net

Exhibit 243:

fraudonthecourt.net

Paul
[Quoted text hidden]

Paul Dulberg <Paul_Dulberg@comcast.net> Thu, Nov 2, 2023 at 12:17 PM
To: saira@saiadjmo.com
Cc: Alphonse Talarico <contact@lawofficeofalphonsetalarico.com>

Dear Saira Pasha,

Both the circuit clerk and the Appellate clerk should be audited since the appellate clerk possessed the file before it was created.

fraudonthecourt.net

user name: Saira
password: d.&z^VS#3s[

The reason this is important to understand is the appellate clerk possessed the file before it was created.

Both the circuit clerk and the appellate clerk need to be audited.

Please save the user name and password.

Thanks,
Paul

Begin forwarded message:
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