

Anthony Zappin

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Date: November 18, 2016

BY E-MAIL (cjc@cjc.ny.gov)

New York State Commission on Judicial Conduct
61 Broadway, Suite 1200
New York, NY 10006

Re: Complaint against Justice Matthew F. Cooper (Supreme Court New York County)

Dear Sir or Madam:

I write to file a third formal complaint against Justice Matthew F. Cooper of the New York County Supreme Court for yet another troubling incident that took place on November 2, 2016.

At approximately 9:25 a.m. on November 2, 2016, Justice Cooper physically assaulted and harassed me on the corner of Rector St. and Broadway (mere steps away from the Commission's office) while I was walking south on Broadway. Justice Cooper initiated and instigated a physical confrontation that culminated in Justice Cooper spitting on me. He then fled to the subway station at Wall Street. I am in possession of photographic and video evidence that corroborate these events. These photographs and videos have been shared with police authorities. I can provide them to the Commission upon request.

Immediately after the incident, I notified the New York Police Department ("NYPD"). The NYPD filed a report against Justice Cooper for assault and harassment. A copy of the police report is attached hereto.

As this Commission is aware, Justice Cooper has a documented pattern of engaging in disconcerting and disreputable conduct towards me, including making threats of physical harm against me. In my July 27, 2016 complaint filed with the Commission, which is still pending, I referred the Commission to instances where Justice Cooper challenged me to physically "rumble" with him during the custody and access trial in *Zappin v. Comfort*. Likewise, during the trial, Justice Cooper slammed his fist at me in an attempt to intimidate me, threw papers in my direction and engaged in a litany of other disturbing conduct, including making wholly inappropriate and threatening statements. All this conduct is explained in detail in my July 27, 2016 complaint.

I would appreciate the Commission investigating this matter further. Justice Cooper's behavior yet again raises serious questions about his temperament and fitness to sit on the bench. No litigant should be placed in a position where he is physically assaulted or fears for his safety while in the presence of a judicial officer.

Should you wish to speak about this matter further, please feel free to contact me.

Respectfully,

A handwritten signature in blue ink that reads "Anthony Zappin". The signature is written in a cursive style with a large initial 'A'.

Anthony Zappin

Enclosures

cc: Hon. Matthew F. Cooper
Robert Wallack



New York City Police Department

OmniForm System - Complaints

Report Cmd: 001	Jurisdiction: N.Y. POLICE DEPT	Record Status: Final, No Arrests	Complaint #: 2016-001-07349	No Other Legacy Blue Versions	No Other Complaint Revisions
Occurrence Location: NORTH EAST CORNER RECTOR STREET & BROADWAY Name Of Premise: Premises Type: STREET Location Within Premise: Visible By Patrol?: YES		NYC Parks Dept. Property Did this offense occur on NYC Parks Dept. Property? NO Command: NYC Parks Dept. Property Name:		Precinct: 001 Sector: D Beat: Post:	
Occurrence From: 2016-11-02 09:25 WEDNESDAY Occurrence thru: 2016-11-02 09:26 Reported: 2016-11-02 13:10 Complaint Received: WALK-IN				Aided # Accident # O.C.C.B. #	
Classification: HARASSMENT Attempted/Completed: COMPLETED Most Serious Offense Is: VIOLATION PD Code: 637 HARASSMENT,SUBD 1,CIVILIAN PL Section: 24026 Keycode: 578 HARRASSMENT 2			Case Status: CLOSED Unit Referred To: Clearance Code: PATROL Log/Case #: 0 Clearance Arrest Id: Clearance AO Cmd: File #: 51 Prints Requested? NO		
Is This Related To Stop And Frisk Report NO		SQF Number: 0000-000-00000	Was The Victim's Personal Information Taken Or Possessed? NO	Was The Victim's Personal Information Used To Commit A Crime? NO	
Gang Related? NO	OCCB FOD Log #:	Name Of Gang:		Child Abuse Suspected? NO	
DIR Required? NO		Child in Common? NO		Intimate Relationship? NO	
If Burglary: Forced Entry? Structure: Entry Method: Entry Location:		Alarm: Bypassed? Comp Responded?: Company Name/Phone: -- Crime Prevention Survey Requested?: Complaint/Reporter Present?:	If Arson: Structure: Occupied?: Damage by:	Taxi Robbery: Partition Present: Amber Stress Light Activated: Method of Conveyance: Location of Pickup:	
Supervisor On Scene - Rank / Name / Command :		Canvas Conducted: NO	Translator(if used):		
NARRATIVE: AT T/P/O C/V STATES AS HE WAS WALKING COOPER WHO WAS HIS FORMER JUDGE AND CURRENT DEFENDANT ON A SEPARATE ACTION, DID APPROACH AND SPIT AT HIM. THIS CAUSED C/V TO BECOME ANNOYED AND ALARMED FOR HIS SAFETY. C/V IS FILING REPORT TO DOCUMENT THE INCIDENT. UNKNOWN IF SURVEILLANCE IS AVAILABLE. C/V HAS A CELLPHONE NUMBER OF 304-654-6195 AS CONTACT POINT.					
No NYC TRANSIT Data for Complaint # 2016-001-07349					

Total Victims: 1	Total Witnesses: 0	Total Reporters: 1	Total Wanted: 1
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VICTIM: # 1 of 1	Name: ZAPPIN,ANTHONY	Complaint#: 2016-001-07349
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Nick/AKA/Maiden: UMOS: NO Sex/Type: MALE Race: WHITE Age: 31 Date Of Birth: 04/16/1985 Disabled? NO Is this person not Proficient in English?: NO If Yes, Indicate Language: N.Y.C.H.A Resident? NO Is Victim fearful for their safety / life? YES Escalating violence / abuse by suspect? NO Were prior DIR's prepared for CV? NO	Gang/Crew Affiliation: Name: Identifiers: Will View Photo: YES Will Prosecute: YES Notified Of Crime: NO Victim Comp. Law:
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LOCATION	ADDRESS	CITY	STATE/COUNTRY	ZIP	APT/ROOM
HOME-PERMANENT	200 PARK AVENUE	MANHATTAN	NEW YORK		
HOME-TEMPORARY	24 5 AVENUE	MANHATTAN	NEW YORK		

Phone #: HOME: Not Provided/Unavailable CELL: 304-654-6195 BUSINESS:Not Provided/Unavailable BEEPER: Not Provided/Unavailable E-MAIL: Not Provided/Unavailable

Victim was:	Shot NO	Stabbed NO	Slashed NO
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Actions Of Victim Prior To Incident:
WALKING

Victim Of Similar Incident: NO	If Yes, When And Where
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REPORTER: # 1 of 1	Name: ZAPPIN,ANTHONY	Complaint #: 2016-001-07349
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Nick/AKA/Maiden: Sex/Type: MALE Race: WHITE Age: 031 Date Of Birth: 04/16/1985 Is this person not Proficient in English?: NO If Yes, Indicate Language:	Gang/Crew Affiliation: NO Name: Identifiers: Relationship To Victim:
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Location	Address	City	State/Country	Zip	Apt/Room
HOME-PERMANENT	200 PARK AVENUE	MANHATTAN	NEW YORK		
HOME-TEMPORARY	24 5 AVENUE	MANHATTAN	NEW YORK		

Phone #: HOME: - - CELL: 304-654-6195 BUSINESS: - - BEEPER: - - E-MAIL:

WANTED: # 1 of 1	Name: 	Complaint#: 2016-001-07349	Arrested: NO
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Nick/AKA/Maiden: Sex: MALE Race: WHITE Age: 60 Date Of Birth: UNKNOWN U.S. Citizen: Place Of Birth:	Height: 5FT6IN Weight: 0 Eye Color: UNKN Hair Color: UNKNWN Hair Length: BALD Hair Style: BALD Skin Tone: LIGHT	Order Of Protection: NO Issuing Court: Docket #: Expiration Date: Order of Protection Violated? Does Suspect abuse Drugs / Alcohol? NO Suspect
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Is this person not Proficient in English?: NO If Yes, Indicate Language: Accent: NO	Complexion: CLEAR S.S. #: 0	threatened /attempted suicide? NO Is the suspect Parole / Probation? NO Relation to Victim: FRIEND/ACQUAINTANCE Living together: NO Can be Identified: YES
		Gang/Crew Affiliation: Name: Identifiers:

LOCATION	ADDRESS	CITY	STATE/COUNTRY	ZIP	APT/ROOM	HOW LONG?	RES. PCT
BUSINESS	[REDACTED]	FREET	MANHATTAN	NEW YORK			212
HOME-PERMANENT							

Phone #: HOME: -- CELL: -- BUSINESS: [REDACTED] FAX: -- E-MAIL:

N.Y.C.H.A. Resident: NO N.Y.C. Housing Employee: NO On Duty: NO
 Development: N.Y.C. Transit Employee: NO

Physical Force: NONE

Used Transit System:
 Station Entered:
 Time Entered:
 Metro Card Type:
 Metro Card Used/Poses:
 Card #:

CRIME DATA	DETAILS
MODUS OPERANDI	UNKNOWN
MODUS OPERANDI	SPIT AT C/V
ACTIONS TOWARD VICTIM	SPIT AT C/V
CLOTHING	FOOTWEAR -DRESS SHOES -BLACK
CLOTHING	HEADGEAR -UNK -UNKNOWN COLOR
CLOTHING	OUTERWEAR -OTHER -GRAY
CLOTHING	ACCESSORIES -ON PHONE -NOT APPLICABLE
CHARACTERISTICS	EYEGLASSES
BODY MARKS	-UNKNOWN
BODY MARKS	-UNKNOWN
IMPERSONATION	UNKNOWN

No IMEI Data for Complaint # 2016-001-07349

Reporting/Investigating M.O.S. Name: CAD NICASIO KADYR	Tax #: 363640	Command: 001 PCT	Rep.Agency: NYPD
Supervisor Approving Name: SGT LINO CHRISTOPHE	Tax #: 935191	Command: 001 PCT	Rep.Agency: NYPD
Complaint Report Entered By: SPA TAYLOR	Tax #: 325456	Command: 001 PCT	Rep.Agency: NYPD
Signoff Supervisor Name: SGT FORTUNATO	Tax #: 938632	Command: 001 PCT	Rep.Agency: NYPD

END OF COMPLAINT REPORT
 # 2016-001-07349

Print this Report