

From: FOIL <FOIL@nycourts.gov>
Sent: Thursday, December 12, 2024 12:48 PM
To: Center for Judicial Accountability, Inc. (CJA); FOIL
Subject: **RE: FOIL/Records Request: (1) Recusal of Court of Appeals then Clerk John Asiello from CJA v Cuomo...DiFiore (2019-2020); & (2) Court of Appeals Rules, Regulations, & Procedures Governing Disqualification of Staff for Interest, Relationships, Bias**

The Office of Court Administration acknowledges receipt of your FOIL request dated 12/6/2024, seeking:

- (1) records reflecting whether Court of Appeals then Clerk John Asiello recused himself from the citizen-taxpayer action [CJA v. Cuomo...DiFiore in 2019-2020, when it was before the Court](#) and the reason(s); and
- (2) a copy of the Court of Appeals' rules, regulations, and procedures governing disqualification of its staff for financial and other interests, relationships, and other bias, both as current in 2019-2020 and at present.

Regarding request number 1 and 2, all requested records, if any exist, are records of the Judiciary, which are not subject to FOIL ([See Public Officers Law § 86\(1\)](#)).

No records responsive to your request are withheld or redacted pursuant to any provision of FOIL, and your request is now considered closed.

Pursuant to Public Officers Law § 89(4)(a), you have thirty (30) days to take a written appeal of this determination. You may appeal by writing:

Michael Siudzinski, Assistant Deputy Counsel
FOIL Appeals Officer
25 Beaver Street, 10th Floor
New York, NY 10004
212-428-2150

Or, you may submit such appeal by email to: FOILappeal@nycourts.gov

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>

Sent: Friday, December 6, 2024 9:12 AM

To: FOIL <FOIL@nycourts.gov>

Subject: FOIL/Records Request: (1) Recusal of Court of Appeals then Clerk John Asiello from CJA v Cuomo...DiFiore (2019-2020); & (2) Court of Appeals Rules, Regulations, & Procedures Governing Disqualification of Staff for Interest, Relationships, Bias

TO: [Unified Court System FOIL Officer/Assistant Deputy Counsel Diane Turo](#)

Pursuant to [Public Officers Law Article VI](#) ("Freedom of Information Law") and [Part 124 of the Chief Administrator's Rules](#) ("Public Access to Records"), this is to request:

- (1) records reflecting whether Court of Appeals then Clerk John Asiello recused himself from the citizen-taxpayer action [CJA v. Cuomo...DiFiore in 2019-2020, when it was before the Court](#) and the reason(s); and
- (2) a copy of the Court of Appeals' rules, regulations, and procedures governing disqualification of its staff for financial and other interests, relationships, and other bias, both as current in 2019-2020 and at present.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
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914-421-1200
elena@judgewatch.org