

Derek C. Syphrett

Pro se Litigant

Defendant: Superior Court of New Jersey Chancery Division

252 Fountayne Ln,

Lawrenceville, NJ 08648

Phone: 609-936-0025

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION: FAMILY PART
BURLINGTON

KATHRYN BISCHOFF

Plaintiff

vs.

Docket No.

FV-03-1154-14

(and purportedly FM-03-790-14, pursuant the unexplained expansion of my motion to include only this docket, but not the other dockets and cases that are subject to final orders such as FV-03-1162-14, and Prosecutors Case #2502)

Derek Syphrett,

Appearing Before the Court in/as these legal capacities & legal persons:

- Defendant

- Pro Se, Attorney-in-Fact;

- Permanently-Disabled, Indigent, Citizen of United States & Citizen of New Jersey (As a "Citizen" I have a constitutional capacity with inherent Sovereign Authority – herewith invoked pursuant: Constitution of the United States 1787, inclusive of the Bill of Rights, including the 10th Amendment as subsequently ratified by congress);

- Witness-of-Fact;

- Real-Party-of-Interest;

- Natural Man with Inalienable Sovereign Rights (herewith invoked pursuant the Magna Carta / Declaration of Independence 1776);

- A Sovereign, *in Carne & in Lege*;

- A friend of the Court

- Parent & Legal Guardian of Benjamin & Vanessa Syphrett

Note: The Defendant is not a member of any "Sovereign Citizen" Movement or group. The Defendant is simply invoking all rights and privileges available to similarly situated "persons", which are rarely (if ever) explicitly & simultaneously invoked in legal proceedings

**REPLY CERTIFICATION
IN OPPOSITION
TO PLAINTIFF'S "CROSS MOTION"**

SUBMITTED
IN FORMA

PAUPERIS

Fax & U.S. MAIL

I, Derek Syphrett (in legal capacities cited previously and subsequently herein), of full age hereby certify the following:

1. It is my legal position that the cross motion of Margaret J. Wallace in this matter is not properly filed.

2. Please accept this certification as timely filed upon facsimile receipt and also when it is received via postal mail.

Please amend any decision based upon the undisputed facts submitted herein and the self-evident facts supporting my claims which I demand be judicially Noticed, to the extent they are contained in referenced documents that are part of the Courts permanent record in FM-03-790-14 or FV-03-1154-14.

3. Please be advised I have been delayed in responding to this motion due to my medical condition and symptoms of stress and anxiety that have recently been aggravated since the 10/7/2014 status hearing, which included a surprise appearance of Jennifer Millner and my wife. This has traumatized me and cause extreme anxiety, stress, and the resulting issues as a fact known to me, have prevented me from responding earlier, as these issues spawned my need to contact the F.B.I. The Administrative Office of the Courts, and the Advisory Committee on Judicial Conduct, in an attempt to urgently protect myself and my well-being from what I view to be an unlawful legal process without sound basis in the law, specifically with regard to the manner in which the Plaintiff's purported "Cross-motion" has been filed and the issues it purports to put before the court.

4. AS A RESULT OF MY MEDICAL ISSUES, MY PERMANENT DISABILITY, AND MY PROTECTED STATUS AS A DISABLED PERSON I REQUEST THE COURT TAKE RECEIPT OF MY MOTION PAPERS VIA FACSIMILE IN THIS INSTANCE AS A REASONABLE ACCOMODATION, GIVEN THAT I AM CURRENTLY IN FEAR FOR MY WELL-BEING AS A RESULT OF THE PERCEIVED JUDICIAL MISCONDUCT, EXTRINSIC FRAUD, AND UNLAWFUL PROCEEDINGS IN THIS MATER GENERALLY AND SPECIFICALLY: WITH REGARD TO JUDGE RONALD E. BOOKBINDERS COURT ORDERS PROHIBITING ME FROM APPEARING IN COURT OR FILING CONTRARY TO THE COURT RULES AS A PRO SE, NON-PROFESSIONAL ATTORNEY.

5. THE FACTS OF THE MATTER CONTAINED IN THE PLAINTIFF'S PURPORTED MOTION PAPERS, AND THE LEGAL PROCESS THAT PLACES THEM BEFORE THE COURT IS DISPUTED IN WHOLE, AND EACH REQUEST OF THE PLAINTIFF IS EXPRESSLY DISPUTED AND OBJECTED TO BY THE DEFENDANT FOR THE REASONS DESCRIBED HEREIN (IN PARTE):
6. I REQUEST THE COURT PROVIDE A DIPOSITION OPINION PRIOR TO RULING ON THIS MOTION AND ALLOW BOTH PARTIES TO RESPOND IF THE COURT FAILS TO DISMISS THE PLAINTIFF'S COMPLAINT FOR IMPROPER FILING AND PROCESS.
7. REQUEST / DEMAND THE COURT ACCEPT THIS CERTIFICATION IN ITS CURRENT FORM BEYOND THE PAGE LIMITATIONS SET BY COURT RULE, AS I COULD NOT PROVIDE AN APPROPRIATE RESPONSE IN LESS PAGES ACCORDING TO MY LITIGATION STRATEGY AND TACTICS.
8. As such I reserve the right to be fully heard and to file a complete response, pursuant my applicable rights to do the same as deliniated specifically in court rules 1:7 et seq, and 1:6 et seq.
9. I again remind the court as I did during the status hearing on 10/7/2014 that the motion I filed was filed only for FV-03-1154-14, due to the medical advise and the underlying post-traumatic-stress and permanent disability issues associated with the parties, process and ancillary issues related to (in part) FM-03-790-14, and my alleged false arrest and the simulated legal proceedings in Prosecutor's case # 2502 (a case spawned from unlawful acts in FM-03-790-14 / FM-11-97-11K).
10. Further I remind the court that I did not file or submit a fee waiver or filing fees to open any matter in FM-03-790-14. Further the cross-motion fee paid by the Plaintiff may not be the appropriate fee pursuant the court rules with regard to the Plaintiff's attempt to file a cross motion for an FM docket in response to a motion submitted in a FV docket (FV-03-1154-14), which does not involve the Plaintiff's legal interests at all.
11. To the extent that either Judge Bookbinder or putative Judge John Tomasello (retired, and not since nominated to serve as a Superior Court Judge by the governor, nor confirmed by the Senate, in other words: John Tomasello is a "quasi-judge" without constitutional authority to sit as judge, without consent of the real parties

such consent having been denied by the Defendant) attempt to adjudicate this matter contrary the court rules regarding motion practice (which would be a legal process that I expressly object to here): I have submitted the following legal opposition by certification to Margaret Wallace's putative "Cross Motion", only out of an abundance of caution and with express reserving of my right to supplement my certification, exhibits, and testimony with discovery and witnesses at a later date if deemed to be in the interests of my legal strategy and tactics as attorney-in-fact:

12. Please be advised that the Plaintiff Margaret Wallace has not authenticated any of the purported emails, texts messages, or correspondences that she purports to be sent from the Defendant. As such the Defendant objects to the admission of such exhibits until such time that the exhibits are authenticated by an expert qualified to prove the source of the communications submitted to the court in the Plaintiff's putative cross-motion.

13. I will not address these exhibits further until such time that they are authenticated, nor can I recall, based on my limited review of the exhibits any violation of any lawful civil restraints in the underlying FM docket.

14. Further: I would remind the court that as attorney-in-fact I have litigation privileges with regard to any communication that I do make and that can be proven to come from me, if such communications bare any relation to resolving my legal issues. As such I have litigation privileges pursuant Hawkins v. Harris, 141 N.J. 207 (1995) AND Loigman v. Township Committee of Twp. of Middletown, 185 N.J. 566, 579–80 (2006), PLEASE TAKE JUDICIAL NOTICE OF THE AFOREMENTIONED DECISIONS PURUSANT N.J.R.E. 201 AND THE SPECIFIC FINDINGS LISTED BELOW:

(a) **THE HAWKINS COURT DECIDED:** With this broad application in hand, New Jersey Courts have firmly established that the privilege applies to "any communication: (1) made in judicial or quasi-judicial proceedings; (2) by litigants or other participants authorized by law; (3) to achieve the objects of the litigation; and (4) that have some connection or logical relation to the action."

(b) THE LOIGMAN COURT: LIKewise REACHED THE SAME CONCLUSIONS AND CITED HAWKINS V. HAWKINS AS AN BINDING ANTECEDENT DECISION TO REACH ITS CONCLUSIONS.

15. As a result to the extent the Plaintiff can meet any burden of proof at all, without an expert witness to authenticate her exhibits and claims that I've contacted her (a burden of proof that is entirely hers and not mine). I assert that to any extent that my communications related to my children, discovery issues, my preparation for an appeal, my communications regarding ancillary issues that have or could have any implication on the legal issues affecting my family affairs, that such communication is privileged and immune from civil sanction, in my role as attorney-in-fact, asserting litigation privileges, as the Plaintiff's exhibits appear to suggest is the case.

16. FURTHER: WITH REGARD TO THE COURT'S ORDER PURPORTEDLY PROHIBITING ME FROM GAINING DISCOVERY REGARDING THE HEALTH AND WELFARE OF MY CHILDREN, FROM THIRD PARTIES... THESE ORDERS ARE VOID AB INITO, BECAUSE I AM ATTORNEY-IN-FACT, AND THE PROHIBITION OF MY RIGHT TO DISCOVERY REGARDING THE WELFARE OF MY OWN CHILDREN, OR MY NEED TO ASSERT MY PARENTAL AUTHORITY, RIGHTS OR PRIVILEGES, IS SUPPORTED BY HAWKINS V. HARRIS 1995, THE COURT CAN NOT PREJUDICIALLY BAR ME FROM DISCOVERY ABOUT MY OWN CHILDREN OR MY OWN LEGAL AFFAIRS PRE-EMPTIVELY, OR PRIOR TO MY ATTEMPT TO APPEAL VARIOUS ISSUES WHICH APPARENTLY MUST NOW BE APPEALED TO THE APPELLATE DIVISION.

17. WITH REGARD TO THE PLAINTIFF'S ADMITTED / POSSIBLE CONTEMPT OF THE FINAL ORDER OF JUDGEMENT (which is only possible to the extent the order isn't void ab initio)... SO IN ARGUENDO ONLY: The Plaintiff's Position is that she was ordered to provide me information regarding my children, but she is now refusing to provide that information directly as ordered, and her professional lawyer and herself have conspired to deliver the information contrary to the final court order of their own volition without leave from the court. SINCE THIS IS EFFECTIVELY THE PLAINTIFF'S POSITION, I WOULD DEMAND THE COURT FIND HER IN CONTEMPT AND ORDER HER TO PROVIDE THE INFORMATION SHE WAS ORDERED TO FIND, TO THE EXTENT THAT THE PLAINTIFF AND THE COURT ACTUALLY BELIEVE THE FINAL ORDER OF JUDGEMENT IN FM-03-790-14 IS VALID (again I believe it is Void Ab Inito).

18. With regard to the Plaintiff's motions for expansions of civil restraints or restraints to my access to the court based on medical treatment that the Plaintiff asserts she has the authority to demand or coerce from me I rebutt the Plaintiff's claim by citing the binding common-law decisions from the U.S. Supreme Court in *Griswold v. Connecticut*, *Elrod v. Burns* (1976), and their progeny from the U.S. Supreme Court with regard to my privacy rights with regard to my personal and independent medical treatment.

19. While I will not divulge the full details of my current medical care I can confirm with 100% certainty that none of my medical doctors support the suggestions of Vivian Chern Shnaidman, those of John Tomasello, or the Plaintiff, with regard to any medical need or benefit related to completing 15 sessions with a psychological expert. I have discussed this issue with four medical doctors, and a psychologist in relation to my Social Security Disability application. I have never become aware, nor have I been advised by any of these doctors, (all of which I told about the FM Court Order and its position on further therapy), that I should seek psychological treatment in the manner suggested by the Plaintiff in her cross motion.

- 20.** I expressly prohibit this court from attempting to use the Family Part process to act as my Guardian Ad Litem without leave of my Durable Power of Attorney or without any assertion that the Family Part has powers of civil commitment over my person. The Family Part does not have this power, nor has the Family Part provided any evidence that my parenting skills are deficient other than citing the conclusions of Dr. Shnaidman (who didn't review my parenting time or discuss it with any witnesses-of-fact, including myself, as she admitted at trial in FM-03-790-14). Therefore the claims of the Plaintiff and the claims of this court are baseless with regard to even the existing court order suspending my parenting time, as the court has willfully admitted evidence and made conclusions over my objection and my citation of N.J.R.E. 703, on the basis that Dr. Shnaidman relied on hearsay and her beliefs to reach her conclusion rather than actual scientific process.
- 21.** With regard to my ability to file motions before the Family Part. I would advise the court that I have ghost written three motions in Superior Court for other parties since the conclusion of FM-03-790-14, in one Mercer County Case, the court granted some the motions I wrote, and found them to be coherent and in the best interest of child. In another case the trial judge asserted he would likely rule favorably at the next hearing based on the motion papers I helped prepare for a gentlemen in South New Jersey.
- 22.** So I am well aware that my motions are coherent and effective when they are not submitted in Burlington County Superior Court and that Superior Court Judges routinely rule in favor of motions I draft when my name is not explicitly attached to those motions.
- 23.** Further: I would assert that the court should not further impede my access to the court via blanket orders as it has attempted to do unlawfully in the past (see the court orders of 2/6/2014 and 2/19/2014) in FV-03-1154-14 and FM-03-790-14. These orders run contrary to Haines v. Kerner (1972), in toto and Elrod v. Burns (1976) in toto, in that they both restrain my 1st Amendment Rights and deny my right to file documents that are technically inferior to those of a professional lawyer.

24. The motions submitted by the Plaintiff are likewise prejudicial and a violation of my litigation privileges and my right to pursue the interests of justice in the manner deemed appropriate by my attorney-in-fact. I am not surprised the Plaintiff wishes to have this court further restrain my right to file motion papers, as it would certainly benefit the Plaintiff at my expense with regard to any further litigation.

25. **FURTHER:** I remind the court that I have NOT even filed a motion with regard to the FM-03-790-14 docket, but that I only copied the Plaintiff's attorney to my legal brief in this matter and the supplemental materials after Judge Ronald E. Bookbinder sent a briefing schedule to the Plaintiff without my consent. Upon seeing this I began copying the Plaintiff and I even amended the unfiled copy of my supplemental pleadings to include the FM-03-790-14 docket number. However, this was done in error, due to the confusion I have regarding the Legal Briefing Schedule that Judge Ronald E. Bookbinder, included the Plaintiff's attorney's on.

26. **So to be clear:** I believe it would be manifestly unfair for me to be civilly sanctioned upon the Plaintiff's purported cross-motion simply because the court attempted to open this matter to the Plaintiff without me attempting to do the same, and despite the fact that I expressly refused to file a filing fee or a fee waiver to allow for any FM-03-790-14 motions in my initial papers.

27. Further: I believe it is unfair and prejudicial for the court to allow the Plaintiff's purported "Cross-motion" to even be considered given that:

- (a) The Plaintiff did not file a filing fee for a Motion, but only for a Cross Motion, when the Plaintiff is not a party to the original motion in this matter (the motion I filed)
- (b) To the extent that the Plaintiff's Motion papers do not address the issues raised in my motion papers or relate to FV-03-1154-14, then I object to their submission or consideration (to or by) the court (respectively)

- (c) Any motions of the Plaintiff that are not related to FV-03-1154-14 or the relevant issues, which I identified as relevant issues in my notice of motion, then this court has no authority under the court rules governing cross-motions (see rules 1:6 and 1:7 et Seq.) to consider such motions as a cross-motion or in the manner that they have been submitted.
- (d) The Plaintiff's motion represents an attempt by a woman who claims she wants to be removed from my legal affairs to in fact expand her relationship with me, in a manner that is counter-indicated by her certifications... SHE IS NOT MY POWER OF ATTORNEY, AND SHOULD NOT BE GRANTED ANY RIGHT TO PROPOUND MEDICAL TREATMENT UPON ME, THAT MY OWN DOCTORS AND THE SOCIAL SECURITY ADMINISTRATION HAVE EXPRESSLY ADVISED AGAINST!
- (e) Please take Judicial Notice of the Transcripts or abbreviated transcripts from the trial of FM-03-790-14. The Plaintiff repeatedly contradicted herself during her testimony and revealed herself to be a false witness. She both claimed that she never swiped at me during a therapy session with her therapist and my children present, and that she in fact did swipe at me but didn't hit me. See the Plaintiff's own testimony... SHE IS A HABITUAL LIAR.
- i. AT TRIAL IN FM-03-790-14 – THE PLAINTIFF WAS ALLEGED TO BE AN ABUSIVE WOMAN WHO ADMITS I ASKED HER TO LEAVE THE HOUSE AFTER SHE WAS ACCUSED OF ASSAULT. I ASSERTED THE SAME AS WITNESS OF FACT, AND AS THE COMPLANANT IN A DOMESTIC VIOLENCE ACTION AGAINST MY WIFE.
- ii. NOTE TOO: THE PLAINTIFF HAS NEVER DISPUTED THE AUDIO EVIDENCE THAT WAS PUT BEFORE THE COURT AS BEING ANYTHING BUT ACCURATE REGARDING THAT ALLEGED ASSAULT.

- (f) LATER SHE WAS TWICE CHARGED WITH CRIMINAL HARASSMENT TOO, I SUBMIT THAT PROBABLE CAUSE WAS FOUND WITH REGARD TO THE HARASSMENT, AND ONE COUNT WAS ONLY DISMISSED BECAUSE A CRUCIAL WITNESS FROM MASSACHUSETTS COULD NOT APPEAR (Princeton)
- (g) The Plaintiff has repeatedly stated that my parenting time with my children was harmful to them, but at trial she did not submit any supervised parenting time reports to support her claim, because all the reports are positive about my parenting time, and my parenting actions during the parenting time. The Plaintiff in fact admitted she did not witness any of my supervised parenting time (in full) and that she was often not present for custody exchanges since 2011, so her testimony regarding my parenting time was baseless. I mention all of this because the Plaintiff's current assertions that additional civil restraints are necessary are likewise baseless.
- (h) The Plaintiff is nothing more than a vindictive woman who continues to accept child support based on an imputed income for me of \$100,000, while she full well knows I am a disabled person making less than \$24,001 in social security benefits, and yet she has made no effort to alert the court that there has been a change of circumstances, as she is comfortable taking advantage of a permanently disabled man, and putting his life and well-fare in danger (SEE MY SUBMITTED PROOFS OF DISABILITY INCOME AND FEE WAIVOR STATEMENTS).
- i. IN OTHER WORDS: IT IS PLAINLY OBVIOUS THE PLAINTIFF DOES NOT CARE ABOUT MY HEALTH OR
 - ii. WELFARE OR MY ABILITY TO MOVE ON WITHOUT FURTHER TRAUMA CAUSED BY THE FAMILY LAW PROCESS.

- (i) THE PLAINTIFF HAS FURTHER DEMONSTRATED ABUSE OF PROCESS IN THE PAST, BY FILING FRIVOLOUS DOMESTIC VIOLENCE ACTIONS WHICH HAVE BOTH BEEN DISMISSED (THREE TIMES)... she also had her lawyers send a 12/5/2013 letter to Judge Fitzpatrick with altered text messages, in order to obscure the fact that I was not being hostile toward her and that I wished her happy birthday on 12/1/2012 ...3 days later she charged me with domestic violence for sending a text that stated "Yay I got my trial Adjourned!".... she used this as the only emergent issue impacting her need to seek domestic violence protections. SEE THE CASE FILES IN FM-03-790-14 AND FV-03-1162-14 TO CONFIRM THE NATURE OF THE DOCUMENTS REFERENCED, THE PLAINTIFF HAS ALREADY BEEN SERVED THE SAME AND IS AWARE OF THESE TEXT COPY, AND THE COMPLAINT IN FV-03-1162-14
- i. THE PLAINTIFF THEN ASKED TO RESTRAIN MY PARENTING TIME IN 2012 ON THE BASIS the text referenced above.
- ii. ON ABOUT 1/12/2014 IN FV-03-1162-14: When I motioned to restore my parenting time, the Plaintiff asserted that she supported it and did not want to interfere with my telephonic parenting time, YET... 3 days earlier the Plaintiff had in fact demanded my telephonic parenting time be ended. AGAIN THIS REEKS OF ABUSE OF PROCESS.
- iii. The Plaintiff then proceeded for over 6 months to infrequently schedule my parenting time via telephone, and to cancel the childrens therapy sessions without notice to me at all. Notably the Therapist's last communication to the court was that my parenting time should be continued telephonically, as is documented in the case file during the month of about
- iv. April 2013.

28. I MAY SUBMIT AN AMENDED VERSION OF THIS CERTIFICATION VIA MAIL, HOWEVER I PROVIDE THIS COPY NOW IN A VERY RUSHED, AND HALF HAZZARD MANNER, TO THE EXTENT THAT I FEEL COMPELLED TO PROVIDE A RESPONSE DESPITE MY SERIOUS OBJECTIONS TO THE CURRENT VENUE, JUDGES, AND APPARENTLY UNLAWFUL PROCESS THAT HAS BEEN THE STATUS QUO IN VINCINAGE THREE'S HANDLING OF MY LEGAL AFFAIRS SINCE 2/6/2014.

*Defendant
Paul Syphrett 10/24/2014*

Certification for Attorney in fact Derek Syphrett, of full age:

**LEGAL ARUGUMENT AND FACTS SUPPORTING DEFENDANT'S POSITION
THAT THE LAW OF THE VOIDS**

**PRE-EMPTS ANY FURTHER COURT ACTION IN THIS MATTER THAT DOES NOT INCLUDE
NEW TRIALS OF ALL DOCKETS AND CASES RFERENCED HEREIN:**

29. AGAIN I ASSERT THAT THE ORDERS IN THESE CASES ARE VOID AB INITIO GIVEN THE NATURE OF THE PROCEDURAL ISSUES AND COURT ORDERS REFERENCED HEREIN, I CITE THE FOLLOWING AUTHORITIES IN SUPPORT OF MY POSITION THAT THIS COURT HAS LOST JURISDICTION, DUE TO A FAILURE TO PROVIDE FAIRNESS, DUE PROCESS, OR TO ABIDE BINDING RULES OF EVIDENCE (N.J.R.E. 605) AND BINDING U.S. SUPREME COURT DECISIONS.

(a) The law is well-settled that a void order or judgment is void even before reversal. Take Judicial Notice of:

i. Valley v. Northern Fire & Marine Ins. Co., 254 U.S. 348, 41 S.Ct. 116 (1920)

ii.

iii. Excerpts from "The Valley Supreme Court:

iv. *"Courts are constituted by authority and they cannot go beyond that power delegated to them. If they act beyond that authority, and certainly in contravention of it, their judgments and orders are regarded as nullities. They are not voidable, but simply void, and this even prior to reversal."*

6.

i. Boyd v. United 116 U.S. 616 : Justice Bradley said:

ii. *"It is the duty of the courts to be watchful for the Constitutional Rights of the Citizens..."*

i. Gomillion v. Lightfoot 364 U.S. 155:

ii. *"Constitutional Rights would be of little value if they could be indirectly denied."*

7.

i. Norton v. Shelby County 118 U.S. 425:

ii. *“An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed.”*

- i. **In Marbury v. Madison, U.S. Supreme Court:** Chief Justice John Marshall stated: *“the very purpose of the written constitution is to ensure that the government officials, including Judges, do not depart from the documents fundamental principles”.*

CONCLUSION:

30. AGAIN I ASSERT THAT THE ORDERS IN THESE CASES ARE VOID AB INITIO GIVEN THE NATURE OF THE PROCEDURAL ISSUES AND COURT ORDERS REFERENCED HEREIN, I CITE THE FOLLOWING AUTHORITIES IN SUPPORT OF MY POSITION THAT THIS COURT HAS LOST JURISDICTION, DUE TO A FAILURE TO PROVIDE FAIRNESS, DUE PROCESS, OR TO ABIDE BINDING RULES OF EVIDENCE (N.J.R.E. 605) AND BINDING U.S. SUPREME COURT DECISIONS.

31. For some not fully transparent, but yet apparent reason: it appears that you and your colleagues have attempted to obstruct justice in an unlawful manner with regard to my legal affairs and my communications with the court and third parties.

32. THIS WAS A BAD IDEA (MEANING STUPID). I am not the sort of man who should be trifled with by people or persons who have financial assets or lifestyles they wish to maintain at the status quo. I say this not to threaten or scare you, but to emphasize my firm and appropriate position that I will endeavor in any and all civil and lawful manners to hold those who transgress my children, my property, or my rights fully accountable to the law, or at a minimal: I will always endeavor to ensure that those who violate my personal rights or those of my children will be forever discouraged from doing so EVER again, by standing up for my rights in a civil, lawful manner, pursuant the interests of Justice.

33. **TO BE CLEAR:** I am not an intolerable jerk, BUT I CAN BE AND MUST BE AS ASSERTIVE AS POSSIBLE IN THE INTEREST OF JUSTICE... I WILL BE AS ASSERTIVE AS IS

NECESSARY WITHIN THE BOUNDS OF THE LAW TO PROTECT MY RIGHTS, PROPERTY, PERSON, CHILDREN, AND LEGAL AFFAIRS WHEN I BELIEVE SERVES THE INTERESTS OF JUSTICE.

34. I BELIEVE I HAVE MADE EVERY SUBMISSION TO THIS COURT IN GOOD FAITH AND IN THE INTERESTS OF JUSTICE WITH REGARD TO MY LEGAL AFFAIRS AND I REJECT ANY CLAIM TO THE CONTRARY!

35. FURTHER: The history of people who've doubted my legal skill, and/or my professional skill is a very sad story. They do not fair well generally, because ultimately my success leads to their downfall and scrutiny of their peers. I am a very thoughtful person, and so when I speak or interact with the court it is ALWAYS PURPOSEFUL AND DESIGNED TO CREATE JUDICIAL EFFICIENCY AND AN END RESULT THAT IS IN FACT AND LAW: JUST.

36. Please also take some solace in the fact that while you have offended me and my family in a very personal manner, my dispute with you is not "personal". I don't care about you, or your family, your thoughts, your dreams, your aspirations, your retirement, your occupation etc. It's just not something I want to concern myself with.

37. In fact if it were not for your awful conduct as a Judge I believe I could enjoy pleasant conversation with you and a few cocktails at a local eatery. At times you can seem to be a fairly enjoyable personality. However, as a Judge in my matters, you are a distraction, intolerable, and you've violated the law. For these reasons alone – I can not abide you handling of my legal affairs a second longer (Please see my writ of coram Nobis for details of my concerns and my legal rights to banish you from this case).

38. FURTHER: IT HAS NEVER MADE SENSE FOR BOTH JOHN TOMASELLO AND FOR YOU TO CO-DEPENDENTLY SERVE AS TRIERS OF FACT IN FV-03-1154-14... IT OFFENDS ALL MANNER JUDICIAL INDPENDENCE TO HAVE TWO JUDGES

**ACTIVELY HEARING THE MATTER, WITHOUT BOTH BEING PRESENT TO HEAR
PRESENTMENT OF FACTS, TESTIMONY, OR MOTION PAPERS!!!**

39. FURTHER : MY OFFICIAL POSITION IS YOUR COURT ORDERS DO NOT EXIST:

40. Please be advised that Your Court Orders and those of John Tomasello in FV-03-1154-14, FM-03-790-14, FV-03-1162-14, LITERALLY DO NOT EXIST IN THE CORPUS JURIS (THE BODY OF LAW)

41. FURTHER: Please Take Judicial Notice Of The Court Orders Of Ronald E. Bookbinder Dated 2/6/2014 Thorough 3/10/2014, As Being So Contrary To My Rights As Attorney-In-Fact, That By Operation Of Law They Are Void And Jurisdiction By This Court Has Been Lost Because There Is No Neutral Trier Of Fact, I Am In Fact By Default A Legal Adversary Of Ronald E. Bookbinder At This Point, Due To His Orders, And I Have Filed A Writ Of Mandamus With The Court Detailing My Allegations Of Witness Tampering, Official Misconduct, And Harassment By Ronald E. Bookbinder And His Accomplices.

42. Further Please Note That I Am Currently Suffering From Symptoms Of My Diagnosed Adhd, Which Is A Matter Of The Permanent Court Record I Demand To Be Judicially Noticed In The Evaluations Submitted In Fm-03-790-14, And The Conclusions That Dr. Gitterman Did Provide Documents Confirming My Add/Adhd – Which Has No Cure.

43. My Disability May Have Impacted The Form, Content, And Coherency Of My Filing, But I Demand The Court Construe This Filing Liberally And Accomodate My Permanent Disabilities Of Add/Adhd, And Ptsd, By Allowing Me To Appear Telephonically To Clarify Any Confusing Issues Contained Herein.

44. Please Note: I Am Currently In Fear For My Life And Well Being With Regard To Any Future Appearances Before Ronald E. Bookbinder. I Believe The Evidence In The Case File Supports My Position As Do The 2/6/2014 – 3/10/2014 Court Orders Of Ronald Bookbinder And / Or His Refusal To Waive Judicial immunity with regard to his conduct as: EVIDENCE RONALD E. BOOKIBNDER INTENDS TO HARM MY LEGAL INTERESTS WITHOUT REGARD FOR THE LAWS OF THIS

JURISDICTION AS IS EVIDENT IN THE CURRENT PURPORTED COURT ORDERS OF
2/6/2014 TO 3/10/2014, BY RONALD E. BOOKBINDER IN THIS MATTER.

I certify the foregoing statements are true to the best of my knowledge and I would avail myself to a jury trial and punishment under the law if these statements can be proven to be willfully false.

DATED: OCTOBER 24, 2014



Derek C. Syphrett

Attorney-in-Fact for: the following legal person(s) herein or otherwise affiliated with my legal affairs and named "Derek C. Syphrett" also appearing via written certification in the following capacities

The Sovereign Power, in parte / in toto, et in lege, et in carne
Citizen of the United States
Citizen of the State of New Jersey until midnight 10/24/2014
Permanently Disabled Person, pursuant United States Americans With Disabilities Act
Witness-of-Fact to the facts contained herein
Parent and Legal Guardian for Benjamin & Vanessa Syphret
Naturalis Homo in Carne, pursuant natural law as a parent
Pro Se, Defendant

Note I am just a physical person, but ^{in law} I am multiple ~~I have submitted multiple~~ "legal persons". This is a "legal Fiction" term of art

I have therefore submitted multiple certifications within these pages, because I am all legal persons referenced below my signature line, by ⁱⁿ law.

Evidence Exhibit A

of Unlawful Court ORDERS

Which By Operation
of Binding Commonlaw

Elrod v. Burns Haines v. Kerner
and Hawkins v. Harris

ARE VOID AB INITIO

FURTHER THESE ORDERS

TAINED ALL REFERENCED
Proceedings of Defendant in Volume 3

FEB 19 2014

Prepared by the Court

Ronald E. Bockbinder, A.J.S.C.

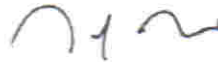
<p><i>Margaret Wallace,</i> v. <i>Derek Syphrett</i></p> <p style="text-align: right;"><i>Plaintiff</i></p> <p style="text-align: right;"><i>Defendant</i></p>	<p style="text-align: right;">Superior Court of New Jersey Chancery Division - Family Part Burlington County Docket #: FM-03-790-14</p> <p style="text-align: center;"><u>Civil Action</u> <u>RESTRAINING ORDER</u></p>
<p><i>Margaret Wallace,</i> v. <i>Derek Syphrett</i></p> <p style="text-align: right;"><i>Plaintiff</i></p> <p style="text-align: right;"><i>Defendant</i></p>	<p style="text-align: right;">Superior Court of New Jersey Chancery Division - Family Part Burlington County Docket #: FV-03-1162-14</p>
<p><i>Katheryn Bischoff,</i> v. <i>Derek Syphrett</i></p> <p style="text-align: right;"><i>Plaintiff</i></p> <p style="text-align: right;"><i>Defendant</i></p>	<p style="text-align: right;">Superior Court of New Jersey Chancery Division - Family Part Burlington County Docket #: FV-03-1154-14</p>
<p><i>State of New Jersey</i> v. <i>Derek Syphrett</i></p> <p style="text-align: right;"><i>Plaintiff</i></p> <p style="text-align: right;"><i>Defendant</i></p>	<p style="text-align: right;">Superior Court of New Jersey Law Division - Criminal Part Burlington County System #: 13-3950-01</p>

It is on this 19th day of February, 2014, ORDERED that:

1. For the purposes of this order, the term "court officer of this court," shall not include members of the New Jersey State Bar with no other employment, volunteer, or authoritative connection to the New Jersey Judiciary.
2. Defendant Derek Syphrett is prohibited from filing any documents with the Court in any way that is contrary to the New Jersey Court Rules. This order applies to all cases presently pending in the Superior Court of New Jersey, and any cases subsequently filed.
3. Defendant is prohibited from calling any Judge, employee, or court officer of this court, including the undersigned, except as follows:

- a. If Defendant has reasonable, non-repetitive questions about the status of his cases, he may call Sharyn Sherman, Esq., at (609) 518-2681. Reasonable, non-repetitive questions do not include allegations of underlying facts, legal arguments, opinions about the validity of any Judge's decisions or orders, or statements of intended legal actions. If Sharyn Sherman does not answer her phone, then Defendant may leave a single voicemail with his name and phone number. If Sharyn Sherman does not return Defendant's call by 4:30 PM on the following business day, then Defendant may call Judge Bookbinder's chambers at (609) 518-2984.
 - b. If the outgoing message on the telephone of Sharyn Sherman indicates that she is absent from work, then Defendant may immediately call Susan Fortino at (609) 518-2734.
 - c. With express prior permission from a New Jersey Superior Court Judge.
4. Defendant is prohibited from sending any faxes to any Judge, employee, or court officer of this court, including the undersigned, except with express prior permission from a New Jersey Superior Court Judge.
5. Defendant is prohibited from sending any emails to any Judge, employee or court officer of this court, including the undersigned, except with express prior permission from a New Jersey Superior Court Judge.
6. Defendant is prohibited from appearing in person in this Court, or in any Burlington County Court facilities, without express prior permission from a New Jersey Superior Court Judge.
7. Instructions to New Jersey Superior and Municipal Court Judges, employees and court officers:
 - a. If any telephone call is received from Mr. Syphrett, the clerk shall:
 - i. Instruct Mr. Syphrett to refer to this order, and
 - ii. Indicate that the call is thereby ended, and
 - iii. Hang up, and
 - iv. Immediately notify this judge of the time, date, and nature of the communication.
8. In the above captioned matters, the firm of Fox Rothchild LLP, and Jennifer W. Millner, Esq., (hereinafter collectively "Millner") is prohibited from calling any Judge, employee, or court officer of this court, including the undersigned, except as follows:
 - a. If Millner has reasonable, non-repetitive questions about the status of his cases, she may call Sharyn Sherman, Esq., at (609) 518-2681. Reasonable, non-repetitive questions do not include allegations of underlying facts, legal arguments, opinions about the validity of any Judge's decisions or orders, or statements of intended legal actions. If Sharyn Sherman does not return Defendant's call by 4:30 PM on the following business day, then Millner may call Judge Bookbinder's chambers at (609) 518-2984.

- b. If the outgoing message on the telephone of Sharyn Sherman indicates that she is absent from work, then Millner may immediately call Susan Fortino at (609) 518-2734.
 - c. With express prior permission from a New Jersey Superior Court Judge.
9. In the above captioned matters, Millner is prohibited from sending any faxes to any Judge, employee, or court officer of this court, including the undersigned, except with express prior permission from a New Jersey Superior Court Judge.
 10. In the above captioned matters, Millner is prohibited from sending any emails to any Judge, employee or court officer of this court, including the undersigned, except with express prior permission from a New Jersey Superior Court Judge.
 11. The above restraints do not apply to the Appellate Division of the Superior Court of New Jersey.
 12. These restraints shall not expire absent an order by the Superior Court of New Jersey.
 13. Defendant and Millner may be held in contempt of court if they do not fully comply with the terms of this order.
 14. Defendant may bring a motion to vacate this order under *R. 4:50-1*, upon submission of any reason justifying relief from the operation of this order. Pursuant to *R. 4:50-3*, filing of such a motion will not suspend the operation of this order. Pursuant to *R. 1:6-3*, Defendant must file and serve notice of the motion to vacate no later than 16 days prior to the motion's return date.



Ronald E. Bookbinder, Assignment Judge
Superior Court of New Jersey

Proofs Exhibit B

① Judge Bookbinders Court
Orders of 2/6/2014-3/10/14

have prejudiced, impeded &
obstructed my Discovery
Efforts

② The aforementioned orders have
also incited obstruction of
Justice By The Administrative
Office ^(AOC) of the Court, only to
be rebutted by my 8/28/2013
letter to the A.C.C.



GLENN A. GRANT, J.A.D.

Acting Administrative Director of the Courts

MERYL G. NADLER, ESQ.

Counsel to the Administrative Director

R. BRIAN McLAUGHLIN, ESQ.

Deputy Counsel to the Administrative Director

Phone: 609-633-6540 • Fax: 609-943-3255

August 28, 2014

Derek Syphrett
252 Fountayne Lane
Lawrenceville, NJ 08648

Re: Your OPRA Requested dated August 8, 2014

Dear Mr. Syphrett:

On August 8, 2014, you sent via e-mail, an Open Public Records Act ("OPRA") request to a number of individuals including the following Judiciary personnel: Chief Justice Stuart Rabner, the Honorable Glenn Grant, J.A.D., Joanne Dietrich, Assistant Director of the Family Division, and Sandra Terry, Mercer Vicinage Family Division Manager. Your e-mail has been forwarded to me for a response.

On February 19, 2014, the Honorable Ronald E. Bookbinder, A.J.S.C. entered an Order, which prohibited you from making certain types of contact with the Judiciary's personnel. Specifically, paragraph 5 of the Order states that: "Defendant is prohibited from sending any emails to any Judge, employee or court officer of this court, including the undersigned, except with express permission from a New Jersey Superior Court Judge." (See the February 19, 2014 Order, which is attached hereto.)

Your e-mails to the Chief Justice Rabner, Judge Grant, Ms. Dietrich and Ms. Terry were sent in violation of Judge Bookbinder's Order. As a consequence, the Judiciary will not respond to your request unless and until you comply with the terms of the Order.

Lastly, you should be aware that the Judiciary is not subject to OPRA. Rather, public access to the Court Records is governed by Court Rule 1:38 et seq., which can be found at

Mr. Syphrett
August 28, 2014
Page 2

the Judiciary website at the following web address:
<http://www.judiciary.state.nj.us/rules/r1-38.htm>.

Very truly yours,



Susanna J. Morris

SJM/s

c: Meryl G. Nadler, Esq.
Sue Regan, TCA
Joanne Dietrich, Assistant Director
R. Brian McLaughlin, Esq.
Sandra Terry, FDM

Derek C. Syphrett
Pro se litigant (Defendant)
252 Fountayne Ln,
Lawrence Township, NJ 08648

August 31, 2014

POSTAL SERVICE W/ RETURN RECEIPT VIA THIRD PARTY VENDOR

Judge Glenn Grant, Meryl G Nadler, Chief Justice Stuart Rabner, Michelle M. Smith
Administrative Office of the Courts
Richard J. Hughes Justice Complex
P.O. Box 037
Trenton, NJ 08625-037

RE: Your August 28, 2014 Letter & Its inaccuracies RE: Common-law Right of Access & OPRA REQUESTS to multiple state agencies

RE: Dockets & Cases:

Prosecutor's Case: 13-2502; FV-03-1162-14; FV-03-1154-14; FV-03-1162-14

ENCLOSURES:

LETTER'S PREVIOUSLY SENT TO THE COURT FOR COMMON-LAW RIGHT OF ACCESS OR CLARIFICATION OF COURT ORDERS.

Dear Addressed Parties & Whom it may concern (see above & forward to appropriate parties):

Thank you very kindly for your written response to my concerns (Judge Grant / Ms. Nadler). I sincerely appreciate you taking time to address my concerns.

Based on your letter, I believe it is important for me to correct a few inaccuracies contained in your letter and again request appropriate follow-up.

SUBJECT MATTER CONTAINED HEREIN

DOCUMENT MAP:

1. **Summary of Issues Addressed in this Letter**
2. **Details and legal citations supporting my position that a written response from AOC or the Superior Court is long-overdue, given my previous U.S. Postal Mailings for order clarifications and Common-law-right-of-Access (not OPRA requests) to the court's attention.**

PLEASE RESPOND IN WRITING TO EXPLAIN: When I can expect an answer to my U.S. POSTAL MAILINGS OF WRITTEN REQUESTS FOR COMMON-LAW-RIGHT-OF ACCESS. I appreciate any assistance you can provide in this regard.

There will be no further reason to email or write your office with regard to this issue IF your office or the appropriate Superior Court authorities would finally fulfill my long-dated written and U.S. Postal Mailings

(regarding the substantial issues and legal inquiries I've properly placed before the court as a member of the public and attorney-in-fact for pending and past legal matters addressed within the letters.)

I.

SUMMARY OF ISSUES DISCUSSED HEREIN:

1. A common-law right of Access request was sent to the court along with the OPRA request. Your letter only addressed the OPRA request which was directed at non-judicial agencies (MSCO).
2. I have written and sent letters to Judge Jacobson in January of 2014 for clarification of her court orders, **she has refused to reply or to clarify court orders** that are devoid of fact-finding or legal basis to support them. Additionally She has refused to explain how files were removed / remain missing from the permanent record of the Superior Court as I discovered on 3/2014 (in Burlington County) and 8/6/2014 (in Mercer County).

Further:

Files and motions were removed / are missing from the court record in docket number FV-03-1154-14 and protected documents were filed in this docket which belonged in other docket files. I requested a response from the Superior Court of New Jersey for an explanation and remedial administrative action regarding the same. I have not received a response from the Superior Court of New Jersey or any reply from Sandra Terry, who was designated as the contact to address telephonically regarding my concerns about the inspection of my file (which was completed with my lawyer Larry Sheller Present).

3. The Orders of Judge Bookbinder and the unsubstantiated claims that I have violated such orders.
 - (a) I DISPUTE YOUR CLAIM THAT I HAVE VIOLATED ANY VALID COURT ORDER.
 - (b) YOUR ACCUSATIONS ARE UNSUBSTANTIATED IN A COURT OF LAW & SLANDEROUS: The AOC has not provided any burden of proof in a court of law that would substantiate such a claim, nor have you authenticated my involvement in the sending of any such emails.
 - (c) Your office has not authenticated any evidence of this nor have you been present to witness who or if anyone has sent any such emails violating any valid court order.
 - (d) **IMPORTANTLY: the oral order and oral clarification of Judge Bookbinder's court order states that the order only applies to the Superior Court and Municipal court circumstances described. It definitively does NOT apply to the Appellate Court, the N.J. Supreme Court, OR THE ADMINISTRATIVE OFFICE OF THE COURTS... THIS WAS CLARIFIED AT A STATUS HEARING. YOUR CONCLUSIONS REGARDING THE COURT ORDER ARE NOT WELL-INFORMED AS MY LAWYER JOHN ROONEY AND I BOTH ADDRESSED THIS ISSUE AT STATUS HEARINGS THAT YOU HAVE APPARENTLY NOT REVIEWED THE RECORD FOR.**
4. **“Separating Apples from Oranges”:** My right to receive administrative follow-up from the court or information as a member of the public is a completely separate issue from any issues with Judge Bookbinder's Court orders. I will not accept your office attempting to with-hold information that I am requesting as a member of the public and a “real party of interest”, due to my litigation strategy or tactics in a case that is still subject to pending motions before a trial court.

II.

SPECIFIC & DETAILED RESPONSE TO YOUR 8/28/2014 LETTER:

1. **The Judiciary is subject to common-law right of access requests from the public. I have written to the court to request common-law right of access. Additionally as an attorney-in-fact I have requested clarifications of court order from Judge Jacobson.**

(a) To date: the court has refused to provide answers to these requests which were sent and received via U.S. Postal Mail over the past 10 months. I demand an answer the questions contained in those letters - some of which are summarized below:

(b) On 8/19/2013: I was kidnapped / falsely imprisoned by the Mercer County Sheriff's Office while attempting to attend a hearing scheduled by Judge Fitzpatrick on 8/19/2013. Neither the court or the Sheriff's Office has explained on what authority I was purportedly placed under arrest after lawfully posting bail on 8/18/2013. I have requested the video tape related to my detainment without probable cause, warrant, criminal charges, or any bail condition violations. Neither the court or the Sheriff's Office has replied to my written requests (by mail or otherwise) to explain upon what legal authority an arrest was exercised. I demand an answer from both the court and the Sheriff's Office. I am entitled to an answer pursuant New Jersey Statutes, and common-law right of access.

(c) The 8/19/2013 first appearance before Judge Pedro Jimenez occurred without legal notice to the Defendant in case #13-2502 (me). The prosecutor was not present. A warrant was amended AFTER I had already been arrested and jailed for about 2 hours without a being provided a phone call to my lawyer or a opportunity to make such call. I was then re-sentenced to pay \$50,000 ALL CASH BAIL without any consideration to the fact that I already posted bail 8/18/2013 and without any findings of fact to support Judge Pedro Jimenez's conclusions at the first appearance. Judge Jimenez acted as prosecutor and Judge contrary to the rule of law and my 14th Amendment rights. I still demand an explanation for this bizarre incident in a New Jersey Superior Court. It is an outrage and frankly an embarrassment to the court.

2. I have requested via letter to Mercer County Assignment Judge Jacobson clarification of both her ~11/17/2013 and ~1/17/2014 court orders transferring my legal matters to Burlington County.

Again: I have written and sent letters to Judge Jacobson in January of 2014 for clarification of her court orders, she has refused to reply or to clarify court orders that are devoid of fact-finding or legal basis to support them. Additionally She has refused to explain how files were removed / remain missing from the permanent record of the Superior Court as I discovered on 3/2014 (in Burlington County) and 8/6/2014 (in Mercer County).

- i. Judge Jacobson has not responded to any of my letters requesting clarification of the order and no findings of fact are included in the written orders nor is there a record of the oral orders that has been supplied to me.
- ii. The November Court order states that the cases were transferred after the matter coming before the court and "for good cause shown". However there is no memorialized description of the specific good cause shown, nor any legal basis provided for why the cases were transferred.

- iii. The January order for transfer of my civil dockets likewise states only that the matters were transferred for good cause shown. No further explanation has ever been provided by the court to me for this legal basis for this transfer either.
- iv. I would like the Superior Court of New Jersey to explain on what grounds these cases were transferred to a forum non conviens (further away from my home) without corresponding orders recusing the prior trial judges who did not authorize the transfer of these cases which they presided over.

3. JUDGE BOOKBINDER'S COURT ORDER FOR PURPORTED LAWFUL RESTRAINTS OF MY LITIGATION PRIVILEGES:

- (a)** I have made it clear via legal briefs, letters to the court, and status Hearings that Judge Bookbinder's court orders run so contrary to any reasonable manner of due-process under the law, fact-finding, and my protected civil rights, and litigation privileges that the orders are in fact null-and-void as written.

See Legal References:

- i. **My 1st Amendment Rights pursuant:** Elrod v. Burns U.S. Supreme Court 1976.

A. This case established a legal precedent for: The burden of proof for restraining first amendment rights resting with the government.

Note: Judge Bookbinder produced no witnesses, testimony, or evidence to support his court orders, nor did he witness my prior communications to the court or any judicial inefficiencies the same were purported to create in Mercer County.

- ii. **MY Pro Se litigation Privileges RE: papers contrary to the court rules:**

Picking v. Pennsylvania Railroad (U.S Supreme Court), Haines v. Kerner U.S. Supreme Court 1972 and their progeny in the third circuit.

SEE ALSO:

- **Boag v. MacDougall**, 454 U.S. 364, 102 S.Ct. 700, 70 L.Ed.2d 551 (1982);
- **Estelle v. Gamble**, 429 U.S. 97, 106, 97 S.Ct. 285, 50 L.Ed.2d 251 (1976)(quoting **Conley v. Gibson**, 355 U.S. 41, 45-46, 78 S.Ct. 99, 2 L.Ed.2d 80 (1957));
- **McDowell v. Delaware State Police**, 88 F.3d 188, 189 (3rd Cir. 1996);

United States v. Day, 969 F.2d 39, 42 (3rd Cir. 1992)(holding pro se petition cannot be held to same standard as pleadings drafted by attorneys); **Then v. I.N.S.**, 58 F.Supp.2d 422, 429 (D.N.J. 1999).

- iii. **My Litigation Privileges / immunity from civil sanctions related to the exercise of litigation privileges pursuant :**

- **Hawkins v. Harris**, 141 N.J. 207 (1995):

HAWKINS COURT DECIDED: With this broad application in hand, New Jersey Courts have firmly established that the privilege applies to “any communication: (1) made in judicial or quasi-judicial proceedings; (2) by litigants or other participants authorized by law; (3) to achieve the objects of the litigation; and (4) that have some connection or logical relation to the action.” (By Karen Painter Randall – December 11, 2012 - ABA)

• **Loigman v. Township Committee of Twp. of Middletown,** 185 N.J. 566, 579–80 (2006).
LOIGMAN COURT DECIDED: Same conclusions of Hawkins court.

TO BE CLEAR:

My position as attorney-in-fact supports my position that I SHALL NOT BE CIVILY SANCTIONED FOR COMMUNICATIONS WITH THE COURT REGARDING A JUDICIAL OR QUASI-JUDICIAL PROCEEDING.

AS SUCH I EXPECT:

ANY COMMUNICATION I SEND TO THE COURT IN THE INTEREST OF JUSTICE, OR IN THE INTEREST OF LEGAL PROCEEDINGS SHALL BE IMMUNE FROM CIVIL SANCTIONS.

4. “SEPARATING APPLES FROM ORANGES” – REJECTING YOUR ATTEMPT TO COERCE SILENCE FROM ME IN RETURN FOR DELAYED RESPONSES TO MY REQUESTS TO THE COURT SENT VIA U.S. POSTAL MAIL, LONG AGO:

I believe it is very important that I also address your attempts to coerce, intimidate, and/or bully me into silence or acceptance of any further delay with regard to my request for basic information regarding important legal issues including but not limited to the following:

These issues are separate and I will not allow your office to delay discovery requests on any conditions that affect my litigation strategy and tactics. I have an absolute litigation privilege and a responsibility to vigorously advocate for my position by any just means available to me. Separately your office has an obligation to ensure the proper administration of the courts and timely follow-up to lawfully issued written requests sent and received by the courts via U.S. Postal Mail.

My right to receive administrative follow-up from the court or information as a member of the public is a completely separate issue from any issues with Judge Bookbinder's Court orders. I will not accept your office attempting to with-hold information that I am requesting as a member of the public and a “real party of interest”, due to my litigation strategy or tactics in a case that is still subject to pending motions before a trial court.

If Judge Bookbinder wishes to attempt to enforce his unlawful / null-and-void court orders, that is an issue between Judge Bookbinder and the real parties of interest. The AOC does not speak for Judge Bookbinder or the court with regard to that matter or the evidence supporting or refuting your claims that I have willfully violated a valid court order issued pursuant my constitutional right to due process.

Conclusion:

Again, Thank you for the written response from the AOC.

Please do attempt to put yourselves in my position as a litigant who has been denied reasonable answers to reasonable questions for over a year.

I do not believe the AOC or the Superior Court is in a position to suggest that my requests sent via U.S. Postal Mail for clarifications of court orders and information regarding my own arrest are unreasonable.

Any such suggestion by the AOC or the Superior Court would be indicative of the New Jersey Courts participating in a criminal cover-up of judicial misconduct or police misconduct regarding my concerns.

Any failure of the AOC or the Superior Court to address my simple questions regarding the transferred cases or my arrest will be deemed as an admission of criminal and civil liability with regard to my claims of color of law abuses and violations of my constitutionally protected rights.

Bottom Line Proposition:

Either the court, the clerk, or the judges involved can voluntarily supply the information I've requested or all parties can become a party to a lawsuit against Catherine Fitzpatrick in her individual capacity as a citizen who filed a false criminal complaint against me.

I can put all of you in a court room and we can discuss it on the record, or you can reply to my civil and lawfully issued written requests in a far more civil manner than you have to date.

Very Truly,



Derek C. Syphrett

Juris in Persona;

Naturalis Homo in Carne;

Recognized Citizen of New Jersey and the United States of America

cc: Kathryn Bischoff (Pro Se Plaintiff) – **Court Clerk To Deliver Copy Pursuant “Procedure Manual”**

cc: Jennifer Millner (Plaintiff's counsel) / Margaret Wallace Plaintiff

cc: Lawrence Sheller, Esq (consulting lawyer).

cc: Advisory Committee on Judicial Conduct

cc: Chief Justice Rabner

cc: Anonymous Investigative Journalists

cc: F.B.I.

cc: U.S. Attorney's Office (RE: FBI Investigation of Color of Law Abuses related to this matter)

cc: Hon. Ronald E. Bookbinder's

cc: Hon. John Call

cc: Hon. Gerald Council

cc: Mary C. Jacobson

cc: Catherine Fitzpatrick

cc: Pedro Jimenez

SUPERIOR COURT OF NEW JERSEY

GLENN A. GRANT, J.A.D.
ACTING ADMINISTRATIVE DIRECTOR
OF THE COURTS

STEVEN D. BONVILLE, ESQ.
CHIEF OF STAFF

MICHELLE M. SMITH, ESQ.
CLERK OF SUPERIOR COURT



OFFICE OF THE CLERK
RICHARD J. HUGHES JUSTICE COMPLEX
P.O. BOX 971
TRENTON, NEW JERSEY 08625-0971
(609) 421-6100

September 22, 2014

Derek Syphrett
252 Fountayne Lane
Lawrenceville, NJ 08648

Re: Your OPRA Requests

Dear Mr. Syphrett:

The Judiciary is in receipt of your August 31, 2014 letter, which was submitted in compliance with the February 19, 2014 Order of the Honorable Ronald E. Bookbinder. This letter is in response to your requests for documents and information that you made in the August 31, 2014 letter, and your attached e-mail of August 10, 2014.

Please be reminded that the Judiciary is not subject to OPRA. Rather, public access to Court Records is governed by Court Rule 1:38 et seq., which can be found at the Judiciary website at the following web address: <http://www.judiciary.state.nj.us/rules/r1-38.htm>.

Accordingly, I shall respond to your requests pursuant to the provisions of Rule 1:38. In your August 10, 2014 e-mail, you requested access to the following documents:

1. **Mercer County Sheriff's Office (AKA MCSO): Dispatch Log for 8/6/14.**

Judiciary Response: The requested documents are not maintained or in the possession of the Judiciary. Please note that the Mercer County Sheriff's Office is part of the Mercer County government, and not the State of New Jersey. Accordingly, the Judiciary has no records responsive to your request.

2. **MCSO: Incident Summaries for 8/6/14.**

Judiciary Response: The requested documents are not maintained or in the possession of the Judiciary. Accordingly, the Judiciary has no records responsive to your request.

3. MCSO and/or Superior Court: Internal Communications, Emails, Memorandum or like correspondence from 6/15/14 to 8/8/14 containing Derek Syphrett's name or any of the following variations of Mr. Syphrett's name such as "Mr. Syhprett, D. Syphrett, Syphrett."

Judiciary Response: The Judiciary does not maintain or possess any MCSO communications concerning Derek Syphrett. Moreover, any Judiciary communications concerning Derek Syphrett are not public records and not subject to public disclosure. Specifically, R. 1:38-5(b) states that the following records are excluded from public access: "Notes, memoranda, or other working papers maintained in any form by or for the use of a justice, judge or judiciary staff member in the course of his or her official duties, including administrative duties".

4. Any communication from the Superior Court Judge(s) or staff to MCSO staff regarding Dereck Syphrett between 6/15/14 to 8/8/14.

Judiciary Response: The Judiciary does not maintain or possess any MCSO communications concerning Derek Syphrett. Moreover, any Judiciary communications concerning Derek Syphrett are not public records and not subject to public disclosure. Specifically, R. 1:38-5(b) states that the following records are excluded from public access: "Notes, memoranda, or other working papers maintained in any form by or for the use of a justice, judge or judiciary staff member in the course of his or her official duties, including administrative duties".

5. Any document in the MCSO possession or Superior Court Possession requesting or ordering the MCSO to escort Mr. Syphrett on 8/6/14.

Judiciary Response: The Judiciary does not maintain or possess any MCSO communications concerning Derek Syphrett. Moreover, any Judiciary communications concerning Derek Syphrett are not public records and not subject to public disclosure. Specifically, R. 1:38-5(b) states that the following records are excluded from public access: "Notes, memoranda, or other working papers maintained in any form by or for the use of a justice, judge or judiciary staff member in the course of his or her official duties, including administrative duties".

6. A blank "Notice of Claim" form, which applies to filing a legal claim against the MCSO staff.

Judiciary Response: The Judiciary does not maintain or possess any MCSO Notice of Claim forms. You may wish to contact the Mercer County Counsel's Office to inquire as to whether they have a prescribed notice of claim form.

7. Documents detailing/summarizing the dispatch or assignment of Sheriff's Officers to Family Court court rooms on 8/6/14.

Judiciary Response: Any Judiciary communications and/or documents concerning the deployment of Sheriff's Officers in the courthouse are not public records and not subject to public disclosure. Specifically, R. 1:38-5(d) bars the disclosure of "Reports, memoranda, and other records pertaining to policies and procedures for court security and data security".

8. Video Records of Detainee Holding Areas at 175 S. Broad Street & 400 Warren St. (Trenton, NJ) Courthouses for the date of 8/19/2013 from 1:45 pm to 6:00 pm.


Judiciary Response: The Judiciary does not maintain or possess any video records of the detainee holding areas located at 175 S. Broad Street or 400 Warren Street Trenton New Jersey.

Your August 31, 2014 Letter - Request For Clarification

In your August 31, 2014 letter, at page 3, you have requested clarification and/or an explanation of the legal basis concerning certain orders, which have been entered during the course of the cases you are a party to. The Judiciary Code of Conduct For Employees, Canon 1 (F) specifically prohibits employees from providing legal advice to the public. As such, I cannot comment on your request; however, you may request copies of the transcripts of the hearings wherein the subject orders were issued. Transcript fees are set by N.J.S.A. 2B:7-4, and should you seek to obtain a transcript you would be obligated to satisfy the costs involved in its preparation. Attached please find a copy of the Judiciary's Court Transcript Request form.

Lastly, should you wish to have your requests further reviewed, you may do so by filing a written appeal with the Administrative Director of the Courts, Richard J. Hughes Justice Complex, 25 Market Street, P.O. Box 037, Trenton, New Jersey 08625. Please note that your appeal request must be made within 30 calendar days following the denial of access to a court or administrative record. In filing an appeal, you must set forth in detail your reasons why the denial of access was inappropriate.

Very truly yours,


Michelle M. Smith
Clerk of Superior Court

MMS/s