

Total Petition & Appendix  
205 Pages

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IN THE SUPREME COURT OF THE UNITED STATES

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Sororazam Bethune - Petitioner

vs.

MTA Long Island Bus - Respondent.

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ON PETITION FOR WRIT OF CERTIORARI TO  
COURT OF APPEALS, ALBANY, NEW YORK

PETITION FOR WRIT OF CERTIORARI



Sororazam Bethune, Petitioner, Prose  
Samaritan Village, Van Siclen  
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Brooklyn, New York 11217  
Tel. No.: 516-423-0608

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## QUESTIONS PRESENTED

- Q.1:** Justice Robert Feinman, Sup. Ct. Nassau County questioned the Role of Stuart A. Jackson, Esq., my attorney, during Nov. 5, 2015 trial, knowing that I was mis-misrepresented by my attorney who was not competent, telling MTA Attorney that he could not assume the role of my Attorney, yet Justice Feinman advised by MTA attorney directed Jury to return verdict for Def. MTA; he also denied OSC motion.  
Appendix 3: Nov. 5, 2015 Trial Transcript Page: 43; and Page: 79.
- Q.2:** Justice Robert Feinman for 2.5 hours before the trial on Nov. 5, 2015 yelled at me and my attorney to take his offer of \$90,000.00 / said possibly \$100,000.00, otherwise, he would dismiss the case anyway, that he had authority to dismiss the case even if the jury returned verdict for plaintiff. I was having chest pains and head pressure due to threats and wanted to talk to my attorney to adjourn trial, but Justice Feinman did not allow. I was forced to testify under stress. .  
Appendix 3: Nov. 5, 2015 Trial Transcript, Settlement offer: Page: 4.
- Q.3:** Why did Justice Robert Feinman further Dismissed post trial Order to Show Cause motion requesting the Court to set aside Jury's Verdict contrary to the weight of the evidence for the interest of justice CPLR 4404; CPLR 4404(A); he could have granted the OSC, since he stated during trial that he could not assume my attorney's Role. My attorney failed to comply with statute of limitation rules and OSC was denied. I was misrepresented by my attorney.  
Appendix 4: (A) post trial "OSC" Motions - (B) Marlo Polese, Esq. Aff.
- Q.4:** Stuart A. Jackson filed an Appeal from Sup. Ct. Order Entered March 2, 2016, denying Order to Show Cause motion. My attorney filed from the Judgment Entered April 22, 2016 causing dismissal of my Appeal at Appellate Div. 2<sup>nd</sup> J.D. Appendix 1 (E): 06/30/2016 Dec.
- Q.5:** Chief Justice Janet DeFiorio, Court of Appeals Albany, NY, Decision dated Sept. 8, 2016 Conflicts Appellate Division 2<sup>nd</sup> J.D. Decision dated June 30, 2016 which dismissed my case because my attorney failed to file from the Judgment Entered April 22, 2016; Justice Janet DeFiorio's 09/08/2016 Decision states:

"Motion, insofar as it seeks leave to appeal from the June, 2016 App. Div. Order, dismissed upon the order does not finally determine the action within the meaning of the Constitution."

Thereafter Appellate Division allowed me to file Untimely Notice of Appeal from the Judgment due to legal Mis-representation, the Court assigned a new Docket No.: 2016-11032 but MTA attorney objected to Untimely Appeal regardless of Misrepresentation by my attorney who failed to file from the Judgment and caused dismissal. The appellate Division dismissed my appeal again, due to MTA Objection. Decision dated May 10, 2017. Appendix 1 (D).

I appealed again to Court of Appeals from App. Division 2<sup>nd</sup> Decision dated May 10, 2017. Appellate Div. did not permit me to appeal and the Court of Appeals dismissed my case (Decision Aug. 17, 2017 Appendix 1 (B). The Appellate Division Second Dismissal on May 10, 2017 based on “Untimely Appeal” was dismissing the Appeal for the same reasons for second time again as (Untimely Appeal) regardless of the fact that Stuart A. Jackson, Esq. Caused the Dismissal by failing to appeal from the Judgment. I should have not lost my Right to Appeal due to my attorney incompetency, who did not appeal from the Judgment.

**Q.6:** Why Did MTA not produce the Latino Driver who injured me permanently? MTA produced a white driver, Mr. Epstein, for EBT and at Trial to testify, he was not the driver who injured me. Marlo Polese, Esq., MTA Internal Attorney states in her Aff. Dated Dec. 29, 2015 in objection to my post trial OSC, states the following as to why MTA could not produce the Latino driver who injured me. Marlo Polese, Esq., MTA Agency Attorney’s in her Dec. 29, 2015 Aff. states:

“As Viola Transportation Svcs, Inc. is not a Defendant in this action and is a separate and district legal entity from Defendant MTA, Long Island bus, Defendant MTA Long Island Bus has no control over Aubrey Greenidge or any of the employees of Veolia Transportation Svcs. Inc.”. Appendix No. 4 (B).

**Q.7:** If MTA could produce Mr. Epstein who has been working for Nassau County Viola Bus Corporation since Dec. 30, 2011, and who worked for MTA Long Island Bus until 12/29/2011 (during which period of time I was injured on August 24, 2011); then MTA could have produced the Latino Driver who injured me, who worked for MTA Long Island Bus when I was Injured on 08/24/2011 and who has been working for Viola Bus effective 12/30/2011.

The Latino Driver who injured me was violent and negligent with repeated violations, MTA produced a white driver with good records.

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