

Am
28 USC 1776

BROOKLYN OFFICE

The instant motion is hereby respectfully referred to Magistrate Judge Orenstein.

Run
Anthony Williams
Post
349-111-7959
18-18 Daren St
East Wharf
11370

U.S.D.J.

11/28/11

dm

Anthony Williams
✓

US Marshal

AFFIDAVIT OF
SERVICE

10CV1022

State of NY,
County of Queens^{ss}

Anthony Williams deposes and says, I
did serve upon the Defendants and their Attorney
the Motion for Injunctive Relief by Sumner
2 copies to the following: Clerk of Court,
USDC, Eastern Dist
225 Cadman Place
Bklyn NY
Corporate Counsel
100 Church St
NY NY

By Hand to be delivered US mail 1st
class, in mailbox located 1818 Horatio St.

Sumner
As to this — Dec 6
November
— ~~15661776~~

Anthony Williams
18-18 Horatio St. NY

Anthony Williams

-vs-

NYSDOMH et al

★ NOV 21 2011 ★

BROOKLYN OFFICE

Notice of Rule 65

Temporary restraining order
on Petitioner's Application

10CV1022

Dear Judge.

Anthony Williams, on the 7th day of November 2011, was ordered to receive a CPL 730 exam. This situation in past has resulted in the suit against Commissioner of Mental Health who is responsible for 730 exam and procedure to persons unfortunate to receive needed exams. Judge CPL 730.20 and 730.30 have a statutory rights for a doctor presence and a hearing. That was never in past afforded the plaintiff Anthony Williams. Indeed on NOV 14, 2011, the OMH defendants attempted to again exam the plaintiff without a private doctor presence in violation of state law. I am presently awaiting the Injunction from the Probate Clerk, as the process is now undertaken by the Defendants in 10CV1022 who has repeatedly in Policy and Customs Demand

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this Plaintiff equal protection of law.

the unfair, Biased and Discriminatory
Proches of treating non convicted Defences
as convicted of accusatory instrument.

Wherefore the Plaintiff moves this Court
to enjoin all Defendants agents and OMIH
facilities from, evaluation, reports or other
wise recommending hospitalization without having
expert witness present Doctors, or from utilizing
past records not consistent with present
Observation, or acts.

The conduct and deprivation in past has resulted
in 10CV1022, injuries and the attempt on Nov 14, 2011
to continue with the deprivation of process, and due
Abuse by NY State, and OMIH who is a Bipartisan
organization entrusted with securing rights
of mental ill. or handicapped

Your Honor, the Criminal Court Judge on the Charge
Can be sued because, they only refer a case
for medical evaluation to the OMIH or
its Commissioner CPL 30.10
P2.

The Commissioner of Office of Mental Health
is the responsible for professional medical
standards that is a standard the Commissioner
must establish and maintain, eliminating
Bias or other Discriminatory Practice
and NY Case Law administers Part 730 evaluation
as criteria for fitness 618 NYSD 643

Further Due process does not allow hospitalization
as alternative to punishment or incarceration
especially in the benefit of a Doubt, Innocent
until proven guilty, so a simple annual complaint
cannot be proof of a guilty act by anyone
mentally ill or otherwise equal Justice
an easily mistaken idea by legal lay persons CPL
330.30 - Guilty by mental illness and
CPL 730. Fitness to proceed.

Past and Present injuries.

Several past 730 resulted in unsure unspecified
hospitalization based on past 730 exams
these reports are not based on actual hospital
records which are confidential and
see exhibit A

P.B

cannot be used by doctors on any state
mental hygiene laws. nor medical profession
dogma, a person is not treated for past illness
but the present reason for seeking medical
opinion, diagnosis, psychiatrist as medical professionals
The selective prosecution Dismissal for minor
offenses, and Final commitment for misdemeanor
and not for felony charges Temporary commitment
is Bias and require misdemeanor offenders
Due process, with extended loss of liberty
for the unfortunate Defendants who are
Selected this Bias, 730 procedure, who are
Placed in the Commissions of mental health
then suffer indelinate hardship loss of
liberty and then although not suffering
from any psychotic symptoms are forced
to take Anti psychotic meds as a pre-
requisite of ① Discharge from hospital
or ② restricted services and programs
Due to medication non-compliance

Further, The Plaintiff - petitioner has never been found unfit or Incompetent by any treating Physician and, It is Standerous for a evaluating Physician under CPL 130, who sees a person for 5 minutes, without follow-up or person involved should be able to overcome the Burden of Presume Sanity. It is a vast & Bias and Discriminatory process to Define Person of Due Process, speedy trial and unconstitutional loss of liberty
see exhibit B and A

Wherefore this Injunctive Relief is herein sought to prevent harm and Injury not limited to Denial of Due Process and equal Protection of law,

PS.

Enjoying the Defendants and his Agents
 from, Depriving the Plaintiff equal
 protection of Law, ~~namely~~ namely CPL
 730.20 (1) A private Doctor at the
 evaluation (2) a recorded or Stereogram
 at evaluation, (3) the violation of 730.30
 20c2), CPL

-The Plaintiff did seek Federal Court
 Action Due to the INJUSTICE in past
 and the Policy and custom of medical
 Indifference, that is herein repeated by
 the Commission of DMH and its
 Agents, In the Abuse of Due Process
 Procedural Denied the Plaintiff.