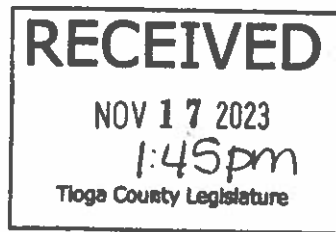
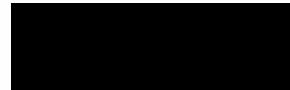


Tioga County Legislature
Attn: Legislative Chairperson
56 Main Street
Owego, NY 13827



William D. L. Else



To whom it concerns,

On October 23, 2023 a FOIL request was made utilizing the Tioga County Online FOIL Request process at <https://www.tiogacountyny.com/foil-online-form/> I was provided acknowledgement that the request had been successfully submitted and received.

It is my understanding that Kevin Humes (All Except Sheriff's Records) FOIL Officer 56 Main Street, Owego, NY 13827 is the Public Officer tasked with managing document retention and disposition as governed under Article 6 (§ 84-90). As the Public Officer responsible for providing the requested material(s), the Public Officer is required to adhere to the Law(s) outlined in Public Officer § 89(3)(a) of Article 6. Since there has been no response, nor any of the requested information has been provided to me, it can be construed that the request is being considered as a "constructive denial" of access to the records as a result of the agency's failure to comply with the time limits set forth in Public Officer § 89(3)(a). Even though I do not have to administratively appeal a constructive denial of a FOIL request under New York State law because this constructive denial eliminates the requirement for an administrative appeal and I have the right to proceed directly with an Article 78 proceeding before the New York State Court, I have opted to file an appeal directly with the Tioga County Legislature Attn: Legislative Chairperson 56 Main Street Owego, NY 13827 in an attempt resolve this matter amicably. In the event this matter cannot be resolved in a timely manner, I will be forced to file an administrative appeal with the New York State Committee on Open Government (COOG), so as they may be able to mediate the dispute or provide guidance.

I understand that some of the requested information may not be available through this department. I'm merely requesting anything this department would maintain to provide as requested and if they do not maintain it, inform me as to what department should be contacted so as a FOIL Request can be made from that department to obtain the information.

Information Requested:

Court Transcripts and Documents:

Between June 1, 2021 and December 31, 2021 ALL Court Transcripts, Audio and Video recordings of hearings, minutes of hearings, minutes of meetings, notes whether hand written, or typed, and any and all other verbal or written communications involving Jacinta Testa Ciccone Support Magistrate regarding William David Lee Else [REDACTED] and the Child Support and Collections Unit.

A copy of all Sworn Oaths of Office submitted by ALL of the following Officials and Individuals acting as Representatives of the Laws Governed in and by Tioga County and New York State:

Family Court Judge Hon. Adam Schumacher

Support Magistrate Jacinta Testa Ciccone

Administrative Judge Hon. Eugene D. Faughnan

Tioga County Child Protection Services

Commissioner of Social Services Shawn Yetter

Director of Social Services Elizabeth Myers

Michael J. Mucci II of Butler, Mucci & Grace LLP 231-241 Main St. Vestal, NY 13850

Tully Rinckey Law Firm

Surety Bond or Indemnity Holder Name(s) and Contact Information for the following:

Family Court Judge Hon. Adam Schumacher

Support Magistrate Jacinta Testa Ciccone

Administrative Judge Hon. Eugene D. Faughnan

Tioga County Child Protection Services

Commissioner of Social Services Shawn Yetter

Director of Social Services Elizabeth Myers

Tioga County Incorporated

Michael J. Mucci II of Butler, Mucci & Grace LLP 231-241 Main St. Vestal, NY 13850

Tully Rinckey Law Firm

Thank you for your time in this matter,

A handwritten signature in black ink, appearing to read 'W. D. Lee Else', with a long horizontal flourish extending to the right.

William David Lee Else

