

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF RICHMOND: CRIMINAL TERM

-----X
THE PEOPLE OF THE STATE OF NEW YORK,

Plaintiff,

-against-

RICHARD LUTHMANN,

Defendant.
-----X

**NOTICE OF
MOTION**

Indictment No.: 379/2018

SIRS:

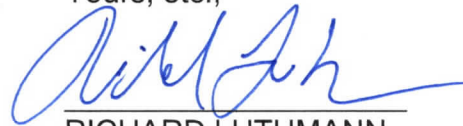
PLEASE TAKE NOTICE, that upon the annexed affidavit in support of this motion by the Defendant herein, RICHARD LUTHMANN dated January 11, 2023, with exhibits, and all prior proceedings, papers, and pleadings herein, the Defendant will move the Supreme Court on February 14, 2023 at 9:30 a.m. in the forenoon of that day or as soon thereafter as the parties may be heard for an order:

- a. Permitting hybrid representation, or in the alternative permitting the Defendant to proceed *pro se*;
- b. Excusing Defendant's physical appearance on the return date of the motion and either deciding the motion on the papers or allowing for a Zoom/videoconferencing appearance based on Federal pre-emption and the Supremacy Clause of the United States Constitution;
- c. Disqualifying the Special District Attorney;
- d. Vacating the Judgment of the Court pursuant to CPL § 440.10;
- e. Dismissing this matter with prejudice; and
- f. Precluding the Special District Attorney from taking any fees or expenses on this motion;

- g. Precluding the Special District Attorney from billing the City or State of New York or any political, governmental, or administrative subdivision thereof, for the Special District Attorney's fees or expenses on this motion;
- h. Reprimanding and publicly censuring the Special District Attorney; or in the alternative
- i. Referring this matter for attorney discipline to the Attorney Grievance Department of the Appellate Division, Second Department;
- j. Referring this matter for investigation and criminal prosecution by New York State Attorney General Letitia James; and
- k. For such other and further relief as the Court shall deem just and proper.

Dated: Naples, Florida
January 11, 2022

Yours, etc.,



RICHARD LUTHMANN
Defendant
338 Sugar Pine Lane
Naples, FL 34108
(239) 631-5957

To:

Clerk
Supreme Court: Criminal Term
26 Central Avenue
Staten Island, NY 10301

Eric Nelson, Esq.
Special District Attorney
Richmond County
54 Florence Street
Staten Island, NY 10308

Mario Romano, Esq.
8118 13th Avenue
Brooklyn, NY 11228

Arthur Aidala, Esq.
546 5th Avenue, 6th Floor
New York, NY 10036

Honorable General Letitia James
Attorney General of the State of New York
Office of the Attorney General
The Capitol
Albany, NY 12224-0341
RE: NYAG Submission #1-419121442

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF RICHMOND: CRIMINAL TERM

-----X
THE PEOPLE OF THE STATE OF NEW YORK,

Plaintiff,

-against-

RICHARD LUTHMANN,

Defendant.

-----X
STATE OF FLORIDA)

COUNTY OF COLLIER)

SS:

I, HAROLD CHESNOFF being duly sworn says:

1) I am not a party to the action, am over 18 years of age, and reside in Collier County, Florida.

2) On January 11, 2022, I served a true copy of the following papers: Notice of Motion; Affidavit of Richard Luthmann in Support with Exhibits; in the following manner: By mailing the papers to the person at the address designated by him or her for that purpose by depositing the same in a first-class, postpaid, properly addressed wrapper, in a post office or official depository under the exclusive care and custody of the United States Postal Service, the addressees as indicated below.

**AFFIDAVIT OF
SERVICE**

Indictment No.: 379/2018

3) The name(s) and address(es) of person(s) served are indicated below:

Name(s) and address(es) of Person(s) served:

Clerk
Supreme Court: Criminal Term
26 Central Avenue
Staten Island, NY 10301

Eric Nelson, Esq.
Special District Attorney
Richmond County
54 Florence Street
Staten Island, NY 10308

Mario Romano, Esq.
8118 13th Avenue
Brooklyn, NY 11228

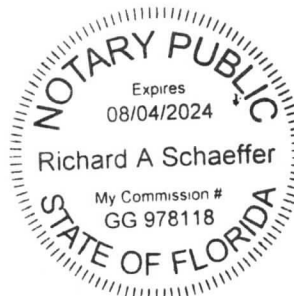
Arthur Aidala, Esq.
546 5th Avenue, 6th Floor
New York, NY 10036

Honorable General Letitia James
Attorney General of the State of New York
Office of the Attorney General
The Capitol
Albany, NY 12224-0341
RE: NYAG Submission #1-419121442

Sworn to before me
this 11th day of January 2023.


Notary Public


HAROLD CHESNOFF



SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF RICHMOND: CRIMINAL TERM

-----X
THE PEOPLE OF THE STATE OF NEW YORK,

Plaintiff,

-against-

RICHARD LUTHMANN,

Defendant.
-----X

**AFFIDAVIT IN
SUPPORT**

Indictment No.: 379/2018

STATE OF FLORIDA)
) SS:
COUNTY OF COLLIER)

RICHARD LUTHMANN, being duly sworn, deposes and says:

1. I am the Defendant in the above-captioned case
2. I make this Affidavit in support of the motion returnable on February 14, 2023. I respectfully request that this Honorable Court issues an order:
 - a. Permitting hybrid representation, or in the alternative permitting the Defendant to proceed *pro se*;
 - b. Excusing Defendant's physical appearance on the return date of the motion and either deciding the motion on the papers or allowing for a Zoom/videoconferencing appearance based on Federal pre-emption and the Supremacy Clause of the United States Constitution;
 - c. Disqualifying the Special District Attorney;
 - d. Vacating the Judgment of the Court pursuant to CPL § 440.10;
 - e. Dismissing this matter with prejudice; and

- f. Precluding the Special District Attorney from taking any fees or expenses on this motion;
- g. Precluding the Special District Attorney from billing the City or State of New York or any political, governmental, or administrative subdivision thereof, for the Special District Attorney's fees or expenses on this motion;
- h. Reprimanding and publicly censuring the Special District Attorney; or in the alternative
- i. Referring this matter for attorney discipline to the Attorney Grievance Department of the Appellate Division, Second Department;
- j. Referring this matter for investigation and criminal prosecution by New York State Attorney General Letitia James; and
- k. For such other and further relief as the Court shall deem just and proper.

I. Luthmann Asks the Court for Hybrid Representation, Or in The Alternative, Demands the Court Recognize His Constitutional Right To Self-Representation

3. Because a defendant has no constitutional right to hybrid representation, the decision to allow such representation lies within the sound discretion of the trial court. (*People v Rodriguez*, 95 NY2d 497, 500 [2000]).

4. The decision to allow hybrid representation implicates the trial court's function in ensuring the orderly administration of the proceedings. As such, it is a matter committed to the sound discretion of the trial judge. *Id.*

5. A defendant who chooses to defend through counsel cannot, as of right, make motions, file a supplemental brief on appeal, sum up before a jury, or otherwise participate personally in the proceedings. By accepting counseled representation, a defendant assigns control of much of the case to the lawyer, who, by reason of training and experience, is entrusted with sifting out weak arguments, charting strategy, and making day-to-day decisions over the course of the proceedings. *Id.*

6. Aidala and Romano make good arguments. Luthmann makes the best arguments. Denial of hybrid representation necessitates Luthmann's dismissal of Aidala and Romano because Luthmann believes in his opportunity to be heard under the Due Process Clause under the Fifth and Fourteenth Amendments of the US Constitution. Luthmann believes that counsel will muzzle him and his ability to seek and obtain every stitch of relief he is entitled to under the law.

7. Luthmann was formerly a "scorched earth" attorney litigator. Luthmann can easily sift out weak arguments, chart strategy, and make day-to-day decisions over the course of the proceedings. Luthmann would like to scorch the earth under and around Special Prosecutor Nelson's feet because Special Prosecutor Nelson is a dishonest Swamp Creature who engaged in at least two (2) felonies in the course of procuring Luthmann's Indictment in this matter.

8. And Special Prosecutor Nelson deserved the full measure of Luthmann's love and attention. To be as blunt as possible: the representative of the People of the State of New York in this case committed at least two (2) felonies to secure a felony indictment against Luthmann.

9. Special Prosecutor Nelson should be disqualified, censured, referred to Attorney Discipline, prosecuted, convicted, imprisoned, and ultimately disbarred (along with the co-conspirators giving him his marching orders; there is no way he did this by himself. Nelson belongs in the shed next to Family Court, is on the lower end of the attorney food chain, and is just incapable.)

10. Hybrid representation is the requested course, not for Luthmann, but for the overall administration of justice. Luthmann wants to launch missiles at Nelson and the Black Hand controlling him like a sock puppet. The Court has discretion on whether to keep Romano and Aidala on the case, if they want to stay on, to help resolve this matter. Luthmann doesn't care either way. Luthmann's "Hellbound Train" has left the station. Aidala and Romano are the only ones who might be able to apply the brakes. See **EXHIBIT "A."**

11. A Defendant must knowingly, voluntarily, and intelligently waive his right to counsel (see *Faretta v California*, 422 US 806, 95 S Ct 2525, 45 L Ed 2d 562 [1975]; *People v Arroyo*, 98 NY2d 101, 772 NE2d 1154, 745 NYS2d 796 [2002]; *People v Smith*, 92 NY2d 516, 705 NE2d 1205, 683 NYS2d 164 [1998]; *People v Pettus*, 22 AD3d 869, 870 [2d Dept 2005]).

12. If the Court wants to remove the guardrails and give Aidala and Romano their walking papers in this case, Luthmann is prepared to go it alone. Luthmann is a warrior.

13. Luthmann knowingly, voluntarily, and intelligently waives his right to counsel. Luthmann makes this decision with eyes wide open because Luthmann wants to bring his full force to bear on Nelson and his masters in the Staten Island Swamp.

14. Accordingly, the Court should permit hybrid representation or, in the alternative, rule that Luthmann may go it alone and self-represent.

II. Luthmann's Physical Appearance on the Return Date of the Motion Should Be Excused Because of Federal Pre-emption and the Operation of the Supremacy Clause of the US Constitution

15. Luthmann asks that the Court excuse his physical appearance generally. Luthmann wishes he were a more handsome guy.

16. Additionally, Luthmann cannot appear on the return date of this motion in the State of New York for several vital reasons.

17. First, Luthmann is serving a term of Supervised Release with the Federal Government until August 5, 2024. Pursuant to the Judgment of the US District Court for the Eastern District of New York (Weinstein, J.) (attached as **EXHIBIT "B"**) and US Probation Rules, Luthmann may not leave the Middle District of Florida, where Luthmann resides.

18. Under the Supremacy Clause of the United States Constitution (see US Const, art VI, cl 2), state law may be preempted "either by express provision, by implication, or by a conflict between federal and state law" (*New York State Conference of Blue Cross & Blue Shield Plans v Travelers Ins. Co.*, 514 US 645, 654, 115 S Ct 1671, 131 L Ed 2d 695 [1995]).

19. Luthmann's Federal Court Judgment preempts Luthmann's appearance on the return date hereof.

20. Additionally, Luthmann is now a citizen of the State of Florida and a resident of Collier County. See the attached **EXHIBIT "C."**

21. Luthmann has also been adjudged indigent in this matter by the New York State Supreme Court Appellate Division, Second Department. See the attached **EXHIBIT “D.”**

22. It would be an extreme hardship for Luthmann to appear on the return date of the motion. However, Luthmann wishes to be heard.

23. Accordingly, Luthmann requests that the Court excuse his appearance at the courthouse and allow an appearance by Zoom/videoconferencing means.

24. If the Court orders a hearing, Luthmann will attempt to petition the Federal Court for permission to conduct it in person. Luthmann would love to get his “New York Privileges,” if only so that he can hold a few press conferences.

25. In the alternative, Luthmann would agree to a Decision and Order on the papers, so there is no appearance of impropriety, fundamental unfairness, or *ex parte* communication. Luthmann knows how these sausages are made, so there is no need to pretend.

III. The Court Should Disqualify the Special District Attorney at This Juncture: The Appearance of Dishonesty, Misconduct, Felonious Activity, Billing Fraud, Improper Coordination with the District Attorney’s Office, and Violations of the Rules of Professional Conduct Will Only Further Discourage Public Confidence in Staten Island, New York Government (“The Swamp”) and the System of Law to Which It Is Dedicated Once All the Facts Come to Light.

26. Special Prosecutor Nelson has engaged in grave violations of the law, obligations imposed by the Rules of Professional Conduct for Attorneys, and the enhanced obligations applicable to government attorneys, particularly prosecutors, including but not limited to dishonesty, billing fraud, improper coordination with the District Attorney and his Office, and political/election manipulation.

A. Special District Attorney Eric Nelson Committed at Least Two Felonies and Serious Misconduct In Procuring Luthmann's Indictment in This Case

Aiding and Abetting the Unauthorized Practice of Law

27. Luthmann sent Nelson a certified letter on November 5, 2022. See the attached **EXHIBIT "E."** In the letter, Luthmann asked Nelson to do everyone a favor and resign from this case. The letter said:

This letter is a formal request for you to agree to a stipulated motion to vacate the judgment of conviction and dismiss all charges against me in the above-referenced matters with prejudice. As Special District Attorney, you violated my rights under the Grand Jury Clause, aided and abetted the unauthorized practice of law, conspired with felon and disbarred attorney Perry Reich to circumvent your responsibilities as legal advisor to the Grand Jury, knowingly presented false testimony to the Grand Jury intentionally and with reckless disregard for the truth, and committed numerous other serious and substantial constitutional and legal violations. See the attached.

28. The "attached" was the "smoking gun" email between Nelson and disbarred felon and former attorney Perry Reich. See the attached **EXHIBIT "F."**

29. Perry Reich was disbarred by the New York State Supreme Court Appellate Division, Second Department, on September 21, 2006. See the attached **EXHIBIT "G."** The Court's Order said:

ORDERED that respondent is commanded to desist and refrain from the practice of law in any form, either as principal or as agent, clerk or employee of another; respondent is forbidden to appear as an attorney or counselor-at-law before any court, judge, justice, board, commission or other public authority, or to give to another an opinion as to the law or its application, or any advice with relation thereto; and it is further

30. Nelson sought legal advice from Perry Reich on circumventing Nelson's duties as a prosecutor before the grand jury. Reich and Nelson tried to devise a way to

“get around” the First Amendment to ensure that Luthmann was indicted. Reich and Nelson discussed the law:

On Sun, Aug 12, 2018, 6:45 PM
<ericnelsonesq@comcast.net> wrote:
There have been some questions as to the line of First Amendment political satire and what is discussed in the Perkins case. Do I need to explain the law to the GJ?

Reich replied:

On Sun, Aug 12, 2018, 8:14 PM Perry Reich
<perry.reich@gmail.com> wrote:
Not in any detail. See people v calbud 49 ny2d 389

31. Under Education Law § 6512 (1), it is a crime for an unlicensed person to practice or offer to practice or hold himself out as being able to practice in any profession in which a license is a prerequisite to the practice of the acts. The text of the statute reads:

§ 6512. Unauthorized practice a crime
1. Anyone not authorized to practice under this title who practices or offers to practice or holds himself out as being able to practice in any profession in which a license is a prerequisite to the practice of the acts, or who practices any profession as an exempt person during the time when his professional license is suspended, revoked or annulled, or who aids or abets an unlicensed person to practice a profession, or who fraudulently sells, files, furnishes, obtains, or who attempts fraudulently to sell, file, furnish or obtain any diploma, license, record or permit purporting to authorize the practice of a profession, shall be guilty of a class E felony.
[emphasis added]

32. Nelson aided and abetted Reich in the unauthorized practice of law in order to effect Luthmann’s grand jury proceedings and “Get Luthmann” slapped with a felony indictment. Nelson and Reich should both be charged with class E felonies.

33. Additionally, Reich's "advice" was pretty crappy. I hope Nelson didn't pay him for it.

34. These two stooges came up with the *People v. Calbud, Inc.* case to support the loony assertion that a Special Prosecutor in New York is not obligated to advise the Grand Jury of the general application of the First Amendment in relevant Grand Jury presentations. (*People v Calbud, Inc.*, 49 NY2d 389 [1980]).

35. In reality, the New York State Court of Appeals, New York State's Highest Court (citing *Calbud*), said in the more recent case of *People v. Huston*, 88 NY2d 400 [1996]):

- Our State Constitution guarantees that "[n]o person shall be held to answer for a capital or otherwise infamous crime ... unless on indictment of a grand jury" (NY Const, art I, § 6; see also, CPL art 190). By acting as a "buffer between the State and its citizens," the Grand Jury shields against prosecutorial excesses and protects individuals from unfounded prosecutions (*People v Calbud, Inc.*, 49 N.Y.2d 389, 394, 396, 426 N.Y.S.2d 238, 402 N.E.2d 1140; see, *People v Pelchat*, 62 N.Y.2d 97, 108, 476 N.Y.S.2d 79, 464 N.E.2d 447).
- The prosecutor's discretion during Grand Jury proceedings is not absolute. As legal advisor to the Grand Jury, the prosecutor performs dual functions: that of public officer and that of advocate. The prosecutor is thus "charged with the duty not only to secure indictments but also to see that justice is done" (*People v Lancaster*, 69 N.Y.2d at 26; see also, *People v Pelchat*, 62 N.Y.2d at 105). With this potent authority, moreover, comes responsibility, including "the prosecutor's duty of fair dealing" (*People v Pelchat*, 62 N.Y.2d at 104).

- "These duties and powers, bestowed upon the District Attorney by law, vest that official with substantial control over the Grand Jury proceedings, requiring the exercise of completely impartial judgment and discretion" (*People v Di Falco*, 44 N.Y.2d at 487).

36. How is Special Richmond County District Attorney Eric Nelson engaging in "fair dealing" when Nelson is employing disbarred attorneys and convicted felons in order to violate Luthmann's Constitutional Rights?

37. Who is the "Black Hand" motivating Nelson with his hand up Nelson's hole – just like a "sock puppet?" Who is this "Smiling Jack"?

38. The New York State Supreme Court Appellate Division, Second Department said in *People v Samuels*, 12 AD3d 695 [2d Dept 2004]:

The District Attorney is required to instruct the grand jury on the law with respect to matters before it (see CPL 190.25 [6]). If the District Attorney fails to instruct the grand jury on a defense that would eliminate a needless or unfounded prosecution, the proceeding is defective, mandating dismissal of the indictment (see CPL 210.35 [5]; *People v Valles*, 62 N.Y.2d 36, 38, 464 N.E.2d 418, 476 N.Y.S.2d 50 [1984]; *People v Calbud, Inc.*, 49 N.Y.2d 389, 395-396, 402 N.E.2d 1140, 426 N.Y.S.2d 238 [1980]).

39. Nelson discussed how to get around the case of *People v Perkins*, 150 Misc 2d 543 [App Term 1991], with Reich, his shady co-conspirator and "legal advisor." In that case, a Brooklyn Appellate Court said:

Any proscription of pure speech must be sharply limited to words which, by their utterance alone, inflict injury or tend naturally to evoke immediate violence or other breach of the peace. (*People v Perkins*, 150 Misc 2d 543, 543 [App Term 1991])

40. On its face, Nelson's witness list before the Grand Jury shows that Luthmann was involved in First Amendment-protected political speech, or at least the Grand Jury should have been advised of that distinct possibility and the broad legal ramifications:

- **Michael Ryan**, Commissioner of the New York City Board of Elections, Former Democrat Party Candidate for Richmond County District Attorney, Attorney at Law, and Democrat Party Operative.
- **Joseph Borelli**, New York City Council Minority Leader (Republican Party) and Republican Party Operative.
- **Ronald Castorina, Jr.**, New York State Supreme Court Justice (Republican Party), Former New York State Assemblyman, Attorney at Law, and Republican Party Operative.
- **Ashleigh Owens**, Chief of Staff of the Richmond County District Attorney's Office, Attorney at Law, Former Staffer for Democrat Senator James Webb, and Democrat Party Operative.
- **Michael E. McMahon**, District Attorney for Richmond County, New York, Former Congressman for the Democrat Party loyal to Nancy Pelosi, Former New York City Councilman, Attorney at Law, and Democrat Party Operative.
- **John P. Gulino**, Staten Island Democrat Party Leader Emeritus, Attorney at Law, Democrat Party Operative, SAG Member, and Mob Lawyer in Steven Segal movies.
- **Debi Rose**, an effective New York City Councilwoman for Staten Island's North Shore for over a decade, a longtime community activist, and leader.

- **Stuart Brenker**, longtime Staten Island Democrat Party Operative and tanning aficionado.
- **Janine Materna**, failed New York State Assembly Candidate, failed New York City Council Candidate, Former Democrat Party Member, and Attorney at Law.

41. If that witness list doesn't make Luthmann's social media conduct smack of PROTECTED POLITICAL SPEECH, then bring in the Stasi because we're in East Germany *circa* 1968.

42. The indictment against Luthmann is literally "TRUMPED-UP" because the Falsification of Business Records charges are the exact charges that lousy, corrupt, and partisan New York State prosecutors have tried to hit Donald Trump with for years. For Luthmann, this is a badge of honor. For New York City Taxpayers, this is a black eye.

43. Nelson's Falsification of Business Records charge applies to Luthmann's "First Amendment Crimes." Many fail to understand that the truth value of protected political speech is legally irrelevant. Political satire and lampooning are part of political expression and have NO TRUTH VALUE. How can someone commit "Falsification" of political expression? It's like arresting and convicting someone for political opinion. This misuse of the criminal justice system is totalitarian, Anti-American, and a "tool in the criminal arsenal" of Swamp Creatures like Nelson and Smiling Jack.

44. But the best part is that since all of these Swamp Creatures have given sworn testimony (many of them attorneys), the New York Attorney General now has a shot at a "perjury trap" on every one of them.

Subornation of Perjury

45. Speaking of perjury, Nelson knowingly engaged in the Subornation of Perjury of the testimony of New York State Supreme Court Justice Ronald Castorina, Jr., in the grand jury proceedings in this case held on August 1, 2022. The November 5, 2022, letter to Nelson said:

You presented false evidence to the Grand Jury and knowingly suborned perjury. Particularly, you reviewed and/or introduced my phone records for the period relevant to the prosecution. Based on those phone records alone, you knew and/or recklessly disregarded the perjured testimony of New York Supreme Court Justice Ronald Castorina, Jr., who stated he was only “placating” me. The relationship was clearly a relationship of master and servant under New York law, and your actions, omissions, and reckless conduct injected invidious falsity into the Grand Jury proceedings.

46. Ronald Castorina, Jr. holds the Elected Office of New York State Supreme Court Justice.

47. Ronald Castorina, Jr. perjured himself on August 1, 2018, in the grand jury proceedings in this case.

48. Frank Parlato, an investigative journalist, is doing a series on The Swamp (or, in this case, “the Staten Island Dump”).

49. Parlato’s work has been cited in hundreds of news outlets, like The New York Times, The Daily Mail, VICE News, CBS News, Fox News, New York Post, New York Daily News, Oxygen, Rolling Stone, People Magazine, The Sun, The Times of London, CBS Inside Edition, among many others in all five continents. Parlato’s work to expose and take down the NXIVM cult is featured in books like “Captive” by Catherine Oxenberg, “Scarred” by Sarah Edmonson, “The Program” by Toni Natalie, and “NXIVM. La Secta Que Sedujo al Poder en México” by Juan Alberto Vasquez.

50. On January 9, 2022, Parlato made public on the Frank Report Website (www.frankreport.com) shocking evidence that leaves little doubt about Ronald Castorina, Jr.'s perjury on August 1, 2018, at the grand jury proceedings in this matter. The stunning publication of this new evidence is an immense impetus for filing this motion. Parlato's article, "On-Point Evidence of Judge Castorina's Perjury in Grand Jury Proceeding," is attached as **EXHIBIT "H."** The Court has access to the full transcripts if necessary. But Luthmann thinks everyone, even the Swamp Creatures, already "knows."

51. Luthmann was a party to the Facebook Conversations with Castorina. The Facebook Messenger conversations are attached hereto as **EXHIBIT "I."**

52. Nelson subpoenaed all of Luthmann's Facebook these records from Facebook, Inc., well before the grand jury was convened and proudly offered proof to the grand jury of this fact. See the attached **EXHIBIT "J."** Nelson based his presentation to the grand jury of the Luthmann Indictment's "Falsification," "Identity Theft," and "Digital Stalking" charges on these records.

53. According to records obtained from the New York City Comptroller's Office, Eric Nelson billed the City of New York \$700,635.78 for the period disclosed in the FOIA letter, covering legal work done on this case. See the attached **EXHIBIT "K."** Luthmann is still trying to get an answer to the question: "How much is Smiling Jack's Vanity Case costing New York City Taxpayers?"

54. Presumably, Nelson read the Facebook documents and records that he subpoenaed. Nelson should know what color Luthmann's underwear was for that amount of money.

55. Any reasonable person reading the Castorina-Luthmann Facebook Messenger messages attached as **EXHIBIT "I"** will know or should know that these statements made by Castorina, under oath at the Grand Jury Proceeding, are false:

A.

7 Q. And other times, in terms of the private messenger --
8 and I'll show you some documents in a few moments -- but did it
9 also indicate "Richard" on top? If you recall.
10 A. I -- I know that it had his name on it, I mean,
11 because I knew that it was a communication coming from somebody
12 purportedly as Richard Luthmann. I assumed it was him. I
13 believe it was him.
14 Q. Assemblyman, did you have any back communications with
15 him regarding some of the messages that you've described for the
16 grand jurors here today?
17 A. I told him -- I told him to stop. I told him not to
18 communicate this type of stuff to me. That's for sure.

B.

3 But any communications that he had with me were
4 unwanted communications, and as an elected official, at times
5 people contact you that probably you don't want them to, but you
6 have to kind of placate them.
7 And we have crazy people that contact me. There are
8 people that are just, you know, complainers. There are all
9 kinds of people when you're in the public eye. They will
10 gravitate to you for whatever reason and they will seek you out.

C.

7 Q. No, but from your own recollection at the time of the
8 events, Assemblyman, from your recollection in terms of what was
9 going on politically or -- or in public at the time and in
10 private based upon those messages, was there some discussion
11 about a fear of -- of yourself or your campaign coming across as
12 bullying and that could have a negative impact?

13 A. Not my campaign, but I can tell you what the -- I
14 think there was kind of this notion and belief that Luthmann had
15 created a fake Facebook page and that he was using that to
16 attack Miss Materna.

17 Now, he never indicated that he was going to create a
18 page or that nobody asked him to do anything like that, because
19 he was also doing this kind of stuff on his -- on his public
20 page, but I believe that I had a discussion with Joe about how
21 it might be Luthmann who's doing this, I hope he stops because I
22 don't want people to think that I'm supportive of or that I'm
23 behind this type of behavior, which I couldn't prove.

24 He never admitted to me at the time. He admitted
25 later on that it was him, but I believed that, if anybody, it
1 was probably him.

D.

14 And then on the private messenger side that wasn't
15 public, he would send all kinds of lewd, really disgusting
16 pornographic-in-nature-at-times, racially-biased-at-times images
17 that, you know, I would just kind of ignore or placate in some
18 way, and, you know, just to -- to get this person away.
19 I don't want to deal with this person, I don't want to
20 talk to this person, I want nothing do with this person, but
21 this person just keeps coming back.

E.

24 A. Mr. Luthmann was like a bad penny in the church
25 collection basket. He would show up uninvited at a variety of
1 events as a Democrat to Republican events, or to Independent --
2 I guess independent parties; events all over the spectrum.
3 He would infuse himself and be present.

F.

1 A. So, Mr. Luthmann, from what I had seen, liked to put
2 himself -- get involved in a variety of political races on
3 Staten Island. And what I mean by getting involved is he'd be
4 kind of a pot stirrer.
5 He'd be somebody that was looking to create problems,
6 issues. He -- he kind of enjoyed this type of situation.

56. If Luthmann was what Castorina called him: a Bad Penny, a Pot Stirrer, a Crazy Person, someone to be avoided at all costs, isn't a sitting New York State Supreme Court Justice now also all these things? They also forget Racist and Misogynist.

57. But this motion isn't about Castorina. I actually feel bad for Ron. He was my friend until "Smiling Jack" wanted me, and I was thrown under the bus in exchange for a judgeship. He can still have a life if he doesn't do anything stupid or, worse, tragic.

58. This branch of the motion is about Special Prosecutor Eric Nelson and his actions.

59. Luthmann asks, Your Honor, can any reasonable person read the above and the attached Facebook Messenger message and not believe that Nelson knowingly allowed false testimony to permeate the grand jury proceedings in this case?

60. Luthmann also asks, Your Honor, can any reasonable person read the above and the attached Facebook Messenger message and not believe that Eric Nelson knowingly engaged in the subordination of perjury in the grand jury proceedings in this case?

61. Nelson didn't even have to read the subpoenaed records to know what was happening. In 2018, he could have read the newspaper or watched TV because it was common knowledge that Castorina was involved in creating the Fake Facebook pages at issue. See the attached **EXHIBIT "L."**

62. Eric Nelson committed two (2) felonies related to the grand jury in this case. And that is what we know about. There may be a larger conspiracy afoot.

63. As "punishment" for his crimes, Eric Nelson has received hundreds of thousands of dollars in legal fees from New York City Taxpayers.

64. The Supreme Court should immediately refer this matter to the New York State Attorney General.

65. On September 5, 2018, at 10:07 AM, New York Attorney General Tish James tweeted:



Tish James 

@TishJames

Anyone—I mean ANYONE
—who betrays the public's
trust must be prosecuted to
the fullest extent of the law.

From Albany to DC, we
must root out corruption.

I'll fight tooth & nail for
authority to fight corruption
& use existing powers to
immediately take on corrupt
officials.

10:07 AM · 05 Sep 18

66. The People of the State of New York elected Tish James in 2018 to do a job. The People re-elected her in 2022. Tish James has a job to do in The Swamp, aka the Staten Island Dump.

The Presumption of Regularity

67. By Nelson's felonious actions and other serious misconduct, the grand jury proceedings in this case have lost the presumption of regularity. (See *Hamling v. United States*, 418 U.S. 87, 139 n.23 [1974]). This will be further discussed below.

68. This means that the protections afforded to honest prosecutors are not applicable. (See, e.g., *United States v. R. Enters.*, 498 U.S. 292, 300-01 (1991)).

69. With actual dishonesty, ethical violations, and criminality on Nelson's part, the substantial irregularity in this matter will compel the Courts to look beyond the face of the Indictment and into the tainted proceedings. (Cf. *United States v. Williams*, 504 U.S. 36, 54-55 (1992); *United States v. Costello*, 350 U.S. 359, 408-09 (1956)).

70. Special Richmond County District Attorney Eric Nelson's actions as Special Prosecutor in *People v. Luthmann* "shock the conscience." (*Bank of Nova Scotia v. United States*, 487 U.S. 250, 255-57 (1988)). Neither the People of the State of New York nor society at large has any interest in protecting corrupt prosecutors who engage in criminality to "get their man" in violation of the law and the constitution.

B. Special Prosecutor Nelson Has Knowingly Violated Several of the Rules of Professional Conduct: His Violations Are Compounded By the "Special Responsibility" Imposed Upon Prosecutors.

71. In New York State, all attorneys are subject to the Rules of Professional Conduct (RPCs) promulgated under 22 NYCRR 1200. These obligations under the RPCs extend to Prosecutors and Special District Attorneys and are enhanced for good reasons.¹ RPC Rule 3.8.

¹ Hon. Robert H. Jackson, "THE FEDERAL PROSECUTOR," An Address delivered at the Second Annual Conference of United States Attorneys (April 1, 1940):

72. Rule 3.3(a)(1) and (3) of the Rules of Professional Conduct states, in pertinent part:

Rule 3.3 Conduct before a tribunal.

(a) A lawyer shall not knowingly:

(1) make a false statement of fact or law to a tribunal or fail to correct a false statement of material fact or law previously made to the tribunal by the lawyer;

(3) offer or use evidence that the lawyer knows to be false.

73. Rule 3.4(a)(4), (5), and (6) of the Rules of Professional Conduct states, in pertinent part:

Rule 3.4 Fairness to opposing party and counsel.

A lawyer shall not:

- (a) (4) knowingly use perjured testimony or false evidence;
(5) participate in the creation or preservation of evidence when the lawyer knows or it is obvious that the evidence is false; or
(6) knowingly engage in other illegal conduct or conduct contrary to these Rules;

“The prosecutor has more control over life, liberty, and reputation than any other person in America. His discretion is tremendous. He can have citizens investigated and, if he is that kind of person, he can have this done to the tune of public statements and veiled or unveiled intimations. Or the prosecutor may choose a more subtle course and simply have a citizen's friends interviewed. The prosecutor can order arrests, present cases to the grand jury in secret session, and on the basis of his one-sided presentation of the facts, can cause the citizen to be indicted and held for trial. He may dismiss the case before trial, in which case the defense never has a chance to be heard. Or he may go on with a public trial. If he obtains a conviction, the prosecutor can still make recommendations as to sentence, as to whether the prisoner should get probation or a suspended sentence, and after he is put away, as to whether he is a fit subject for parole. While the prosecutor at his best is one of the most beneficent forces in our society, when he acts from malice or other base motives, he is one of the worst.” [emphasis added]

74. Rule 4.2(a) of the Rules of Professional Conduct states, in pertinent part:

Rule 4.2 Communication with person represented by counsel.

(a) In representing a client, a lawyer shall not communicate or cause another to communicate about the subject of the representation with a party the lawyer knows to be represented by another lawyer in the matter, unless the lawyer has the prior consent of the other lawyer or is authorized to do so by law.

75. Rule 8.4(b), (c), (d), and (h) of the Rules of Professional Conduct states, in pertinent part:

Rule 8.4 Misconduct.

A lawyer or law firm shall not:

(b) engage in illegal conduct that adversely reflects on the lawyer's honesty, trustworthiness or fitness as a lawyer;

(c) engage in conduct involving dishonesty, fraud, deceit or misrepresentation;

(d) engage in conduct that is prejudicial to the administration of justice;

(h) engage in any other conduct that adversely reflects on the lawyer's fitness as a lawyer.

76. Special Prosecutor Nelson's unequivocally dishonest actions are sanctionable. As a Special District Attorney, his behavior marks him as "one of the worst."

77. Special District Attorney Nelson's unequivocally criminal actions are compounded because of the unique responsibilities required of prosecutors and other government lawyers. Comment 1 to Rule 3.8 of the American Bar Association Model Rules of Professional Conduct states:

Comment

[1] A prosecutor has the responsibility of a minister of justice and not simply that of an advocate. This responsibility carries with it specific obligations to see that the defendant is accorded procedural justice, that guilt is decided upon the basis of sufficient evidence, and that special precautions are taken to prevent and to rectify the conviction of innocent

persons. The extent of mandated remedial action is a matter of debate and varies in different jurisdictions. Many jurisdictions have adopted the ABA Standards for Criminal Justice Relating to the Prosecution Function, which are the product of prolonged and careful deliberation by lawyers experienced in both criminal prosecution and defense. Competent representation of the sovereignty may require a prosecutor to undertake some procedural and remedial measures as a matter of obligation. Applicable law may require other measures by the prosecutor and knowing disregard of those obligations or a systematic abuse of prosecutorial discretion could constitute a violation of Rule 8.4. [emphasis added].

78. The Special District Attorney has shrouded himself and these proceedings with an unmistakable taint and an appearance of impropriety and criminality that threatens to undermine public confidence in our government and the system of law to which it is dedicated.

79. Special Prosecutor Eric Nelson cannot deny that he was previously jettisoned from the 18-B panel of attorneys because of billing dishonesty. Similarly, Special Prosecutor Eric Nelson cannot deny that the billing and expense records submitted to the 18-B panel and attached herewith as **EXHIBIT “K”** are not dishonest, deceitful, and/or misrepresented.

80. Continued billing dishonesty, a knowing disregard of the enhanced obligations owed by a Prosecutor under the Rules of Professional Conduct, and systematic abuse of the Special Prosecutor position, on top of apparently felonious conduct, make out a *prima facie* case for Special Prosecutor Nelson’s disqualification. (*People v Adams*, 20 NY3d 608, 612, 987 N.E.2d 272, 964 N.Y.S.2d 495 [2013]) (“the appearance of impropriety itself is a ground for disqualification. . . when the appearance

is such as to discourage public confidence in our government and the system of law to which it is dedicated” [internal quotation marks and brackets omitted]).

81. Additionally, if the Special District Attorney is and was communicating with District Attorney Michael E. McMahon and his Office, this entire matter has the unmistakable appearance and stench of a Political Vendetta. The Grand Jury Witness List is proof enough.

82. The appearance of impropriety itself is a ground for the disqualification of a prosecutor. Luthmann, and indeed the public at large, are entitled to protection against the appearance of impropriety and the risk of prejudice attendant on abuse of confidence, however slight. (*People v Shinkle*, 51 NY2d 417, 419 [1980], see also *People v Zimmer*, 51 NY2d 390 [1980]; *Greene v Greene*, 47 NY2d 447 [1979]); *Cardinale v Golinello*, 43 NY2d 288 [1977]; *People v People’s Trust Co.*, 180 AD 494 [2d Dept 1917]).

83. The Court has the power to *sua sponte* disqualify the Special District Attorney. “The disqualification of an attorney is a matter which rests within the sound discretion of the court” (*Boyd v Trent*, 287 AD2d 475, 476 [2d Dept 2001]; *Mondello v Mondello*, 118 AD2d 549 [2d Dept 1986]; *Schmidt v Magnetic Head Corp.*, 101 AD2d 268 [2d Dept 1984]).

84. Supreme Court Justice Stephen Rooney appointed Nelson. Supreme Court Justice Mundy has the power to dismiss him.

85. The Defendant also asks that the Court disqualifies the Special District Attorney

86. If the Court does not see fit to grant this relief at this juncture, Defendant asks the Court to Order Attorney Eric Nelson to produce all the evidence of his billing

activities both in this matter and while a member of the 18-B panel to either confirm that he is clean or to further bolster the argument of Special Prosecutor Nelson's pattern of misrepresentation and dishonesty.²

87. The great American and New Yorker Robert Jackson, U.S. Attorney General, Nuremberg Prosecutor, and U.S. Supreme Court Justice, said:

If the prosecutor is obliged to choose his cases, it follows that he can choose his defendants. Therein is the most dangerous power of the prosecutor: that he will pick people that he thinks he should get, rather than pick cases that need to be prosecuted. With the law books filled with a great assortment of crimes, a prosecutor stands a fair chance of finding at least a technical violation of some act on the part of almost anyone. In such a case, it is not a question of discovering the commission of a crime and then looking for the man who has committed it, it is a question of picking the man and then searching the law books, or putting investigators to work, to pin some offense on him. It is in this realm-in which the prosecutor picks some person whom he dislikes or desires to embarrass, or selects some group of unpopular persons and then looks for an offense, that the greatest danger of abuse of prosecuting power lies. It is here that law enforcement becomes personal, and the real crime becomes that of being unpopular with the predominant or governing group, being attached to the wrong political views, or being personally obnoxious to or in the way of the prosecutor himself. 24 J. Am. Jud. Soc'y 18 (1940), 31 J. Crim. L. 3 (1940) (address at Conference of United States Attorneys, Washington, D.C., April 1, 1940).

88. From the outset of this case, Special Prosecutor Nelson treated the Defendant very poorly. Luthmann was targeted for the heinous crime of not being a Smiling Jack Sycophant. Luthmann was targeted for protected political expression that did not tow the party line of The Swamp.

² As alluded to in the Affidavit in Opposition, the Defendant may need to seek Court-Ordered subpoenas on this point if there are issues with the various FOIL requests.

89. Originally, Thomas A. Tormey was appointed Special Prosecutor in this case. Mr. Tormey spent time and resources investigating this case and ultimately declined to prosecute. Smart man. Only Soviet prosecutors can successfully prosecute political opinions.

90. Almost as soon as Special Prosecutor Nelson was appointed, he convened a “not-so-secret” secret Political Grand Jury³ in this case, perhaps at the behest of powerful Democrat and Conservative Party allies⁴ to help sway the very close and bitterly-contested 2018 election for Richmond County Surrogate’s Court Judge between Matthew Titone and Ron Castorina. The former Staten Island Borough President, James Molinaro (aka Ten Percent Jimmy in the Castorina-Luthmann Facebook Messenger messages), told the whole world about the “secret” grand jury a month before the Indictment was unsealed. See the attached **EXHIBIT “L,”** “Titone is a Man of Integrity,” STATEN ISLAND ADVANCE (November 1, 2018) (“Mr. Castorina has had a long association with Richard Luthmann, who is the subject of a Grand Jury probe. As disclosed by the Campaign Finance Board, he has received thousands of dollars in donations from Luthmann.” – Former Staten Island Borough President James P. Molinaro).⁵

91. Additionally, the Indictment produced by Special Prosecutor Nelson’s felonious misconduct was particularly the type of exercise Justice Jackson warned of above. The Seventeen Count indictment was little more than a “scour the law books” exercise worthy of a second-year law student. The dangerous part about Special

³ The indictment in this case was “sealed” until Justice Rooney unsealed it on November 29, 2018. And yet these “secret” proceedings were a very public issue in an election that took place on three weeks earlier on November 6, 2018.

⁴ The political parties that support the McMahon “fiefdom,” and who are rewarded handsomely.

⁵ And the Defendant was the one charged with Election Law violations?

Prosecutor Nelson's conduct is how closely it resembles the work of so-called "prosecutors" under authoritarian regimes. The dissenter (Luthmann) in SmilinJack'ss' fiefdom had been found, and the Special Prosecutor would supply the crimes.⁶

92. The indictment also crosses a critical line delineated by Justice Jackson:

In the enforcement of laws that protect our national integrity and existence, we should prosecute any and every act of violation, but only overt acts, not the expression of opinion, or activities such as the holding of meetings, petitioning of [government], or dissemination of news or opinions. Only by extreme care can we protect the spirit as well as the letter of our civil liberties, and to do so is a responsibility of the [] prosecutor. 24 J. Am. Jud. Soc'y 18 (1940), 31 J. Crim. L. 3 (1940) (address at Conference of United States Attorneys, Washington, D.C., April 1, 1940).

The Indictment here crossed into criminalizing a category of activities at the heart of political expression in the First Amendment to the United States Constitution.

93. One of the political issues above that casts murk upon the Staten Island Dump is the misrepresentation and dishonesty in how Special Prosecutor Nelson bills his time and expenses. And the misrepresentation and deception may very well extend directly to Smiling Jack. The June 28, 2018, Financial Audit by the NYC Comptroller and the NYC Department of Investigation identified inadequate fiscal controls by the Office of the Richmond County District Attorney in what can only be termed as a "slush fund":

The audit found that the RCDA did not maintain adequate fiscal controls over its PS expenditures to ensure that salary, overtime and other payments made to its employees were reasonable, appropriate, adequately supported and properly approved. Most notably, in Fiscal Year 2017, the RCDA made "one-time payments" totaling \$1.4 million to its employees, in addition to their regular salaries, without formal written policies or procedures or adequate support documentation, and with funds that were earmarked for another purpose. In addition, the RCDA inappropriately approved employees'

⁶ The KGB motto is: "Show me the man, and I will find you the crimes."

overtime requests, did not always ensure that certain employees used a CityTime hand-scanner or web-clock to record their time, did not always review and approve timesheets before their paychecks were processed and did not adequately segregate its payroll, timekeeping and personnel functions.

The audit also found that the RCDA did not maintain adequate fiscal controls over its OTPS expenditures to ensure that they were reasonable, appropriate, adequately supported and properly approved. In addition, the RCDA improperly charged certain non-investigative expenditures to object code 460 which should be used only for confidential expenditures, inappropriately processed some expenditures using Miscellaneous Payment Vouchers and did not perform monthly bank reconciliations for four of its six agency-administered bank accounts. Audit Report of the Financial and Operating Practices of the Richmond County District Attorney's Office (RCDA), CITY OF NEW YORK: OFFICE OF THE COMPTROLLER, FK18-102A (June 28, 2018).

There remain significant questions about whether the “confidential expenditures” under object code 460 (or any other object code or slush fund) were dishonestly used in the instant case and whether misrepresentations and further dishonesty occurred when the required reporting was made. Special Prosecutor Nelson cannot deny that he had several investigators from the RCDA working on this case. The past billing and fiscal practices of the RCDA and Special Prosecutor Nelson raise more and more questions and cast a murky shadow over this entire case. The People deserve answers. And the People deserve honesty from their Special District Attorney and the Richmond County District Attorney.

94. Accordingly, the appearance of impropriety is too great for the Court to allow Special Prosecutor Nelson to continue. The Court should act and disqualify the Special District Attorney because the further investigation will only further discourage and decimate public confidence in the officials in the Staten Island, New York government and

the system of law to which it is dedicated, particularly with the recent explosion of crime and shrinking law enforcement budgets.

IV. The Supreme Court Should Vacate the Judgment Under CPL 440 And Dismiss this Case With Prejudice As A Matter of Law

95. Luthmann brings this motion to vacate the Judgment found in Section 440.10 of the New York Criminal Procedure Law. This motion challenges the fairness and/or legality of Luthmann's conviction. This motion attacks Luthmann's conviction by stating that the Supreme Court acted improperly when it found Luthmann guilty.

96. A motion under CPL § 440 is the proper vehicle for these claims because the record does not contain sufficient facts to allow an appeals court to review these errors. Luthmann requests a factual hearing on all contested issues to develop a factual record.

97. **If this motion is granted, Luthmann would receive a new trial. But for the reasons stated herein, this prosecution is fatally defective as a matter of law for several reasons. The Court should save resources and dismiss this case outright with prejudice. This result would be in everyone's best interests. Smiling Jack would have an "out," and Luthmann wouldn't be able to put him on trial in his election year. Nelson may be able to keep the money he pilfered from the City, keep his law license, and avoid disgrace. The community would benefit because it would no longer be bleeding taxpayer money into a Special Prosecutor's pocket on a dead case, where that money could better be used fighting crime or the heroin scourge. And maybe most importantly, it benefits the Swamp. It ends Luthmann's connection to Staten Island. This matter is the last thread that binds Luthmann to**

the “Forgotten Borough.” It may be best for all involved if Luthmann walks away into the sunset and is forgotten. If Luthmann remains, he will continue to be a Law-Abiding Citizen.

A. § 440.10(1)(a)- The Supreme Court Lacks Jurisdiction Over the Supplemental Criminal Information

98. Special Prosecutor Nelson filed a Supplemental Criminal Information (SCI) in this case. That SCI was procedurally defective.

99. Pursuant to CPL §§ 170.30 and 170.35, Luthmann moves to dismiss the SCI based on insufficiency and lack of jurisdiction. More specifically, Luthmann argues that the SCI is defective under CPL § 170.35 (1) (a) and (b) in that it is facially insufficient (CPL § 100.40) and, for that reason, the court does not have jurisdiction.

100. A legal predicate to the SCI is that Luthmann was arrested on the charges. Luthmann was never arrested.

101. Additionally, the SCI paperwork is a mess and should be thrown out. Apparently, Nelson would have problems filling out a parking ticket.

102. Accordingly, the Court should throw out that branch of the Judgment related to and/or based upon the SCI.

B. § 440.10(1)(b) – The Special Prosecutor Used Fraud, Misrepresentation, and False Statements to Secure Luthmann’s Conviction

103. As detailed above, Special Prosecutor engaged in felonious misconduct.

104. Special Prosecutor Nelson knew or should have known that Judge Castorina’s testimony was false.

105. This affidavit and the attached exhibits raise a triable issue of actual evidence of knowledge by Special Prosecutor Nelson that Judge Castorina's testimony was false. (*People v Brown*, 56 NY2d 242, 247 [1982]).

106. This affidavit and exhibits contain new, supporting evidentiary facts never before placed on the Court Record. Moreover, this submission unequivocally establishes Luthmann's entitlement to the relief of dismissal of the Indictment with prejudice under § 440.10(1)(b) without a hearing.

107. No reasonable person could conclude that Special Prosecutor Nelson did not know or should have known that Judge Castorina was offering false, dishonest, and perjured testimony to the grand jury.

108. Accordingly, the Judgment should be vacated on this basis.

C. § 440.10(1)(c) – The Special Prosecutor Submitted Materially False Evidence

109. Similar to the above, this affidavit and the attached exhibits raise a triable issue of actual evidence of knowledge by Special Prosecutor Nelson that Judge Castorina's testimony was false. (*People v Brown*, 56 NY2d 242, 247 [1982]).

110. Moreover, this submission unequivocally establishes Luthmann's entitlement to relief under § 440.10(1)(C) without a hearing. This affidavit and exhibits contain new, supporting evidentiary facts never before placed on the Court Record.

111. No reasonable person could conclude that Special Prosecutor Nelson did not know or should have known that Judge Castorina was offering false, dishonest, and perjured testimony to the grand jury.

112. Accordingly, the Judgment should be vacated on this basis.

D. § 440.10(1)(h) – Nelson Violated Luthmann’s Rights Under the Grand Jury Clause of the New York State Constitution

113. The right to indictment by a grand jury before being tried for an infamous crime is explicitly guaranteed by N.Y. Const. art. I § 6. That right is a fundamental one that ordinarily may not be waived by a defendant since it not only accrues to the benefit of the individual defendant but also serves to preserve a significant societal interest. (*People v Iannone*, 45 NY2d 589, 592 [1978]).

114. A jurisdictional defect in an indictment is not waived by a guilty plea and may be raised for the first time on appeal. *Id.*

115. The protection of N.Y. Const. art. I, § 6 is not a limitation directed to the courts but rather to the State, and its function is to prevent prosecutorial excess by ensuring that before an individual may be publicly accused of a crime and put to the onerous task of defending himself from such accusations, the State must convince a grand jury composed of the accused's peers that there exists sufficient evidence and legal reason to believe the accused guilty. (*People v Keizer*, 100 NY2d 114, 116 [2003])

116. Special Prosecutor Nelson, Judge Castorina, Perry Reich, and others attempt to abrogate this New York State Constitutional restriction through concerted felonious, fraudulent, dishonest misconduct raises fundamental jurisdictional issues.

117. To protect the liberty of all citizens, the Legislature requires that an indictment be dismissed where the Grand Jury proceeding is defective (see CPL 210.20 [c]).

118. Moreover, dismissal of the indictment is specifically compelled by statute when the integrity of the Grand Jury proceeding is impaired, "and prejudice to the defendant may result" (CPL 210.35 [5]).

119. Through Special Prosecutor Nelson's felonious actions and other serious misconduct, the grand jury proceedings in this case have lost the presumption of regularity. (See *Hamling v. United States*, 418 U.S. 87, 139 n.23 [1974]). This means that the protections afforded to honest prosecutors are not applicable. (See, e.g., *United States v. R. Enters.*, 498 U.S. 292, 300-01 (1991)). With actual dishonesty, ethical violations, and criminality on Nelson's part, the substantial irregularity in this matter will compel the Courts to look beyond the face of the Indictment and into the tainted grand jury proceedings. (Cf. *United States v. Williams*, 504 U.S. 36, 54-55 (1992); *United States v. Costello*, 350 U.S. 359, 408-09 (1956)).

120. The entirety of the Grand Jury proceedings in this case was defective. The felonious, dishonest, and reprehensible misconduct of Judge Castorina, Special Prosecutor Nelson, and others warrant the extreme remedy of dismissal of these proceedings with prejudice.

121. Special Richmond County District Attorney Eric Nelson's actions as Special Prosecutor in *People v. Luthmann* "shock the conscience." (*Bank of Nova Scotia v. United States*, 487 U.S. 250, 255-57 (1988)). Neither the People of the State of New York nor society at large has any interest in protecting corrupt prosecutors who engage in criminality to "get their man" in violation of the law and the constitution.

i. **Nelson's Knowing Introduction of False, Dishonest, and Perjured Testimony**

122. Here, Luthmann is entitled to dismissal of the Indictment because Judge Castorina (then-Assemblyman, Attorney, and Judicial Candidate Castorina) gave perjured testimony to the grand jury for several reasons. First, the clear record indicates

that Special Prosecutor knowingly used perjured testimony and appears to have engaged in the Subordination of Perjury.

123. Second, the false information, perjured testimony, and tainted evidence that Judge Castorina gave and Special Prosecutor Nelson elicited materially influenced the grand jury. Had Castorina testified truthfully, he would have been one of Luthmann's co-conspirators and naturally been influenced to defend the applicable First Amendment protections of the Fake Facebook activity. As it was, Castorina made a deal with The Swamp, and Special Prosecutor Nelson paraded the then-Assemblyman, Attorney, and Judicial Candidate out before the grand jury as a star witness.

124. Third, either as a matter of law and/or a nearly irrefutable practical matter, the testimony false testimony of attorneys and elected officials must be material to a proceeding because of the great weight that society and the legal system places on the truthful statements of such individuals. The statements and judgments of judges, lawyers, and elected officials are regarded as carrying greater authority than the lay witness. This is a fundamental facet of our system of justice. The Court should also infer that where judges, lawyers, and/or elected officials are dishonest in an official proceeding, the taint to that proceeding must be strongly presumed to be material.

125. Luthmann was clearly prejudiced by Castorina's false, dishonest, and perjured testimony. The testimony was clearly rehearsed, staged, and fanned to be inculpatory. Had Castorina stated truthfully that he had engaged in the conduct and did not view the activity as more than a political "Dirty Trick," that statement coming from the then-Assemblyman, attorney, and Judicial Candidate would have been largely exculpatory.

126. In sum, Castorina's testimony was material because the grand jury, which had already asked about the First Amendment given the Nelson-Reich email, may very well have been swayed to "no true bill" with truthful Castorina testimony.

127. The Indictment should be dismissed because of Judge Castorina's false and tainted testimony and Prosecutor Nelson's knowing introduction of the same.

ii. Nelson's Failure to Instruct the Grand Jury on Luthmann's First Amendment Defense

128. Luthmann also raises an independent basis for dismissing the Indictment: Special Prosecutor Nelson, relying on disbarred felon and former attorney Perry Reich, failed to adequately inform the grand jury of Luthmann's First Amendment defense.

129. A district attorney is required to instruct a grand jury on the law with respect to matters before it. (CPL 190.25(6)).

130. " '[A] prosecutor should instruct the Grand Jury on any complete defense supported by the evidence which has the potential for eliminating a needless or unfounded prosecution' " (*People v Grant*, 113 AD3d 875, 876, 978 NYS2d 905 [2014], quoting *People v Wilson*, 228 AD2d 708, 709, 645 NYS2d 498 [1996]; see *People v Mitchell*, 82 NY2d 509, 514, 626 NE2d 630, 605 NYS2d 655 [1993]; *People v Lancaster*, 69 NY2d 20, 26-27, 503 NE2d 990, 511 NYS2d 559 [1986]; *People v Valles*, 62 NY2d 36, 38, 464 NE2d 418, 476 NYS2d 50 [1984]).

131. If the District Attorney fails to instruct the grand jury on a defense that would eliminate a needless or unfounded prosecution, the proceeding is defective, mandating dismissal of the indictment (see CPL 210.35 [5]; *People v Valles*, 62 NY2d at 38; *People v Calbud, Inc.*, 49 NY2d at 395-396).

132. Nelson had ONE JOB: truthfully communicate the facts and the law to the grand jury. Nelson was unable to do that ONE JOB. Nelson should have appropriately advised the grand jury about the application of the First Amendment to facts presented in the grand jury proceedings. Luthmannn was denied consideration as to whether the grand jury believed that Luthmann's political mischief, lampooning of politicians, and dirty tricks rose to criminality or whether the First Amendment rendered them protected political expression. ("One man's Dirty Trick is another man's political participation." – Roger J. Stone, Jr.).

133. The indictment should be dismissed in line with other cases where the prosecutors were also abject failures.

134. In *People v Speros*, 186 AD2d 434, 434 [1st Dept 1992], the prosecution presented evidence to the grand jury that the defendant sold an undercover police officer five vials of crack cocaine. Evidence before the grand jury showed that the undercover officer said he could not buy any drugs, and the defendant offered to share his. The evidence showed that the undercover officer volunteered that he had a crack pipe in his car that they could use and gave the defendant a small bag of marijuana. The evidence showed that the defendant gave the undercover officer half of the vials he had purchased earlier and repeatedly refused the money the undercover officer offered. And the evidence showed that the defendant accepted the money later only to buy beer for the two of them to share. The grand jury was not instructed on the defense of entrapment

135. The New York State Appellate Division, First Department upheld the motion court's dismissal of the indictment. The court held that the defendant's account of the

"sale" sufficiently raised the elements of entrapment to warrant an instruction on entrapment to the grand jury.

136. In *People v Tunit*, 149 AD3d 1110, 1110 [2d Dept 2017]), the Supreme Court Appellate Division, Second Department stated the grand jury proceedings were defective within the meaning of CPL 210.35(5), where the evidence indicated that the defendant's relationship with the complainant was that of a partner, not an employee, and that defendant took the funds at issue under a claim of right. The district attorney's failure to instruct the grand jury concerning the definition of joint or common owner and the defense of claim of right under Penal Law §§ 155.00(5) and 155.15(1) so substantially impaired the integrity of the proceedings as to require the dismissal of the indictment.

137. The fact that Luthmann's Fake Facebook pages were lampooning, satirical, and had disclaimers that they were "unofficial" clearly placed the First Amendment at issue. How can business records be "false" if they are satire?

138. Additionally, the political subject matter of the Fake Facebook pages and that they targeted only political and public figures also places the First Amendment at issue. How can someone's identity be stolen if what is being "stolen" is their political or public personal that already belongs to the public domain?

139. Accordingly, the Indictment should be dismissed on this basis

iii. The Combination of Irregularities Mandates Dismissal of the Indictment

140. Luthmann introduces a third basis for dismissal of the Indictment under the Grand Jury Clause: the combination of irregularities.

141. Article 1, section 6 of the New York State Constitution states, "A citizen cannot be haled into court and tried for an infamous crime unless he has first been

indicted by a Grand Jury which has had the opportunity to consider the evidence against him.”

142. CPL § 210.35 mandates the dismissal of an indictment laden with irregularities.

143. If I need to go to a hearing on this issue, I will find a way. Special Prosecutor Nelson has a pattern of dishonesty, “sharp practice,” and conduct “unbecoming an officer and a gentleman.”

144. Nelson and/or his Investigators were present at Luthmann’s Sentencing in the Eastern District of New York. Blatant disinformation was presented at the Sentencing and in the Federal Court’s Statement of Reasons related to this case concerning the NYS charges against Luthmann and the Staten Island District Attorney that Special Prosecutor Eric Nelson failed to correct under his unique prosecutorial obligations under RPC 3.8. See United States v. Luthmann, 2019 U.S. Dist. LEXIS 184497; 2019 WL 5423570 [E.D.N.Y. October 23, 2019] attached hereto as **EXHIBIT “M,”** (“Luthmann also became involved in politics after his return to New York. See Def. Sent. Mem. 3-4. He is facing state law criminal charges relating to this involvement, including for allegedly trying to pay an exotic dancer to falsely report a sexual assault by the Staten Island District Attorney in an effort to disparage him and sway an election. PSR ¶ 75.”).

145. Nelson showed no candor towards the Tribunal, which was clearly mistaken and ill-informed.

146. I, Luthmann, solemnly swear I never “tried” to pay an exotic dancer \$10,000 to claim she was raped by Richmond County District Attorney Michael E. McMahon as part of this case. Not one scintilla of this is true.

147. This KGB-style Russian disinformatsiya was garnered from a wet-brain alcoholic and former client, ROBERT J. CASTRO, who once worked for and was fired by Helen Vitaliano (Bill Clinton appointee Judge Eric Vitaliano's wife) for being an impossible drunk. Castro, probably in a drunken stupor, told the FBI that Luthmann was a "mob lawyer" and plenty of other bullshit stories that the corrupt FBI used in their bogus Federal case. Luthmann will get that case overturned.

148. Castro, the wet-brain alcoholic, is a known Staten Island Democratic Party operative and former District Leader who spouted lies about Luthmann, including about "the stripper" and about Luthmann wanting to kill John Gulino and Kevin Elkins to anyone who would listen - because Luthmann wouldn't be extorted represent him for free when Luthmann was a lawyer.

149. Incidentally, the same FBI bullshit happened with Russell Davenport. He wanted Luthmann to sue NYS Supreme Court Justice Thomas Aliotta because Davenport was the ward of a Guardianship where Aliotta was the Judge. Davenport was schizophrenic and believed Aliotta was "out to get him." Luthmann kindly told Mr. Davenport no, and after that, Davenport had an axe to grind with Luthmann. The Federal Government, namely Swamp Prosecutrix Moira Penza, knowing all the facts and that Davenport was an insane schizophrenic, still offered his testimony and Luthmann's Sentencing.

150. Russell Davenport was recruited by the Government's star witness, five-time felon and pedophile Guy Cardinale. The FBI really blundered by getting into bed with this guy, but they will never tell you that. Stay tuned. Luthmann has already sent

some of the goods to Congressional Republicans. Maybe they will defund these bastards.

151. In any event, Castro's false statements are all part of the wet-brain alcoholic's deranged mind. Still, the dirty cops in the FBI were all too happy to use this disinformation as part of their campaign against Luthmann, motivated by a political "contract" with Smiling Jack.

152. And because the Special Prosecutor failed to act to correct these falsehoods, my sentencing was enhanced by US District Court Judge Jack Weinstein.

153. Luthmann holds Eric Nelson and Smiling Jack personally responsible for his enhanced misery. Because of the bogus and unfounded pending New York State Indictment, Luthmann's Federal Bureau of Prison (BOP) safety classification was much higher than it otherwise would have been. Instead of going to a "Club Fed" Prison Camp, Luthmann went to a higher security level correctional institution. Luthmann was surrounded by the dredges of the earth, particularly CHOMOs (Child Molesters and Baby Rapists).

154. Luthmann made a LIST. Luthmann thought about this LIST constantly. It was the first thing he thought about when he woke up in the morning. The LIST was the last thing he thought about when he went to bed at night. And all day in between, Luthmann thought about the LIST. And on a good night, Luthmann would dream about the LIST.

155. The late Charles Hector Balducci was on Luthmann's LIST. When Luthmann heard Balducci had died of a drug overdose, Luthmann was giddy like a schoolgirl and had an unbreakable smile for well over a month.

156. Turnabout is fair play, and Luthmann intends to return the same in kind ten-fold to The Swamp. Luthmann thinks he's a bit too big to be an imp. But if only an imp may achieve "Swamp Justice," then a big-ass imp Luthmann shall become. To borrow the words of the Devil:

"My faithful friends, you have done the work
And the devil never can a payday shirk.

"You've bullied the weak, you've robbed the poor,
The starving brother you've turned from the door;
You've laid up gold where the canker rust,
And have given free vent to your beastly lust.

"You've justice scorned, and corruption sown,
And trampled the laws of nature down.
You have drunk, rioted, cheated, plundered, and lied,
And mocked at God in your hell-born pride.

"You have paid full fair, so I'll carry you through,
For it's only right you should have your due.
Why, the laborer always expects his hire,
So I'll land you safe in the lake of fire,

"Where your flesh will waste in the flames that roar,
And my imps torment you forevermore."

157. The false claims allowed to be propagated by Special Counsel are preposterous. First of all, no stripper "tries" and fails to take \$10,000 when offered. Find me this "stripper," and I will show you a liar.

158. Moreover, the statements made by Robert Castro, the wet-brain alcoholic, a former dirty MTA Police Officer who was fired for drunkenness after 9-11-01 (and against by Helen Vitaliano at Rivercrest Realty on Staten Island for the same reason), are not at all credible, not at all corroborated, and are known by the Special District Attorney to be false and unrelated to the charges levied in this case.

159. Luthmann calls upon Special Prosecutor Nelson to live up to the obligations of a Special District Attorney in unequivocally disavowing and putting to bed these false and unfounded allegations.

160. This case has nothing to do with District Attorney Michael E. McMahon trying to rape a stripper, and it never did. Nor did Luthmann ever “try” to pay a “stripper” \$10,000 to falsely say so.

161. Suppose the Special District Attorney will not set the record straight. In that case, Luthmann will be compelled, if a hearing is granted, to ask for Court-ordered subpoenas of HELEN VITALIANO (the Judge’s wife), and ROBERT J. CASTRO, the wet-brained alcoholic so that I can take their testimony and prove the falsity of these baseless allegations that have dishonestly crept into the record. We can also try to subpoena the “stripper” and also bring in Santa Claus, the Easter Bunny, the Tooth Fairy, and an honest Ron Castorina while we’re at it.

162. Here, the Court should dismiss the Indictment based upon the combination of the irregularities detailed herein and the totality of the circumstances.

v. No Re-Indictment: The Statute Has Run

163. Also, as a matter of law, Luthmann’s activities are well beyond the Statute of Limitations date. The Special Prosecutor cannot return to the grand jury to cure the defects. Luthmann was taken into custody by the Federal Government on December 15, 2017.

164. Assuming *arguendo* that any of Luthmann’s alleged criminal activity was continuing conduct, all of that necessarily ended once the Feds took him into custody.

165. Five years later, it was December 15, 2022. That was the last day that the People could have brought an indictment against Luthmann.

166. Luthmann was released from Federal Custody on August 5, 2022. Since that date, Luthmann has not set foot into the State of New York or the County of Richmond, nor does he intend to unless this case goes back to trial. In that case, Luthmann may have to get a new bowtie.

167. As a prisoner, Luthmann was never in the custody of New York State Corrections or the New York State Courts, except for a couple of hours on his arraignment date in November 2018.

168. Additionally, the facts here do not support an “equitable revival” of the Indictment. The People cannot be rewarded for prosecutorial misconduct.

169. Accordingly, for the reasons stated above, the Court should dismiss the Indictment and dismiss this case with prejudice.

E. § 440.10(1)(h) – Right To Counsel Under the US and NYS Constitutions

170. In New York State, the right to counsel, both as to the time of its attachment and as to its waiver, is broader than the protection afforded under Federal law. See *People v Velasquez*, 68 NY2d 533, 536 [1986]]; *People v Settles*, 46 NY2d 154, 161.

171. in addition to minimizing the adversarial imbalance in trial preparation and presentation, the right to counsel protects an accused in pretrial dealings with the overwhelming, coercive power of the State. (*People v Skinner*, 52 NY2d 24, 32; *People v Settles*, 46 NY2d 154, 161, *supra*).

172. As a prisoner, Luthmann was never in the custody of New York State Corrections or the New York State Courts, except for a couple of his arraignment date in November 2018.

173. At all relevant times, Luthmann was committed to the custody of the United States Attorney General and warehoused in the Federal Bureau of Prisons (BOP).

174. Luthmann's incarceration in the BOP deprived him of the right to counsel guaranteed under the New York State Constitution. In short, Luthmann requested to be brought back into the New York State Correctional System to resolve this case one way or another and to be able to receive the benefits of the right to counsel. Luthmann never received these benefits, constitutionally guaranteed under the New York State Constitution.

175. Luthmann requested to be brought back to New York State and in front of the New York State Courts to resolve this case in person under the provisions of the Interstate Agreement on Detainers Act (IADA), the procedure authorized by the New York State Legislature for securing the physical appearance of a Defendant held in Federal custody. See the attached **EXHIBIT "N."** Luthmann never signed any specialized affidavit constituting a waiver of my rights under the IADA. And Luthmann obviously never appeared in open court and specifically waived these rights.

176. Luthmann was effectively deprived of his right to counsel. See *Gideon v. Wainwright*, 372 U.S. 335, 339–343, 83 S. Ct. 792, 794–796, 9 L. Ed. 2d 799, 802–804, [1963] (reversing conviction because the defendant was not appointed counsel); *People v. Hilliard*, 73 N.Y.2d 584, 586–587, 540 N.E.2d 702, 702–703, 542 N.Y.S.2d 507, 507–508 [1989] (reversing conviction because the trial court did not allow the defendant to

contact his attorney for thirty days following his arraignment, and stating that it does not matter whether this affected the outcome); *People v. McLean*, 15 N.Y.3d 117, 121, 931 N.E.2d 520, 522, 905 N.Y.S.2d 536, 538 [2010]; *People v. Arthur*, 22 N.Y.2d 325, 329, 239 N.E.2d 537, 539, 292 N.Y.S.2d 663, 666 [1968].

177. In New York, Luthmann was entitled to “meaningful representation.” See *People v. Baldi*, 54 N.Y.2d 137, 147, 429 N.E.2d 400, 405, 444 N.Y.S.2d 893, 898 (1981) (“So long as the evidence, the law, and the circumstances of a particular case, viewed in totality and as of the time of the representation, reveal that the attorney provided meaningful representation, the constitutional requirement will have been met.”).

178. While in Federal custody, Luthmann had no meaningful representation vis à vis the charges stemming from the instant indictment. Luthmann had no access to New York law or legal research on New York issues. Additionally, Luthmann had no copy of the Penal Law or the Criminal Procedure Law. These resources were not available while Luthmann was in Federal custody, which is one of the reasons why the New York State Legislature mandated the IADA as the method to deal with prisoners in Luthmann’s situation. At least at Rikers Island, Luthmann would have had access to the proper legal materials to aid his defense and understand his legal predicament intelligently.

179. Luthmann relied solely on his attorneys to provide him with an intelligent understanding of what was going on – a severe disadvantage from every prisoner in the custody of the New York State Department of Corrections that has access to law and legal materials relevant to their case. This fundamental access to information allowing a defendant to act intelligently is a touchstone to the due process guarantees of our legal system and the rule of law.

180. Luthmann was effectively and de facto denied his due process rights and the right to counsel. Effective communication with counsel was impossible while Luthmann was in Federal custody for many reasons, the least of which was the COVID-19 protocols established by the Federal Bureau of Prisons (BOP).

181. Luthmann's serious health conditions compounded his ability to obtain NYS constitutionally-guaranteed counsel. Luthmann is a disabled person under Florida law. See the attached **EXHIBIT "O."** Luthmann suffers from numerous serious and debilitating health ailments. Luthmann has multiple active medical conditions, and Luthmann is prescribed innumerable medications for Luthmann's various disorders. These conditions were the same or worse while Luthmann was in the custody of the BOP but went untreated.

182. Many of the effective medications that Luthmann now takes and the basic medical procedures Luthmann has access to are not available to prisoners in Federal custody who, in the 21st century, enjoy the same legal status and treatment as runaway slaves in the early 1800s. U.S. Constitution, Amendment XIII, Sec. 1. [Slavery prohibited.] ("Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." *[emphasis added]*). It doesn't matter if Clarence Darrow is your lawyer if you can't talk to him and are treated like a runaway slave.

183. Luthmann's ability to meaningfully confer with his attorneys while in the custody of the BOP was nil. Luthmann could not speak freely with Romano or Aidala because no in-person visits were available.

184. Additionally, Luthmann was located in White Deer, Pennsylvania, and never returned to the State of New York (IADA requirement) to a New York State Corrections facility (Rikers Island) where an in-person meeting with counsel on this case could be possible.

185. Unlike New York law, the BOP monitors all telephonic and e-mail conversations, so Luthmann was effectively denied any meaningful ability to confer with and understand counsel because no attorney-client privilege exists.

186. Luthmann was hamstrung from freely expressing himself and intelligently questioning and understanding my legal rights and their ramifications. See the attached **EXHIBIT “P.”** BOP TRULINCS e-mails do not qualify for the protection of attorney-client privilege. (United States v. Mejia, 655 F.3d 126, 133-35 (2d Cir. 2011) (finding that inmate waived attorney-client privilege because the BOP was recording his phone conversation)).

187. In the ten (10) years since Mejia, the BOP has not improved - all phone calls and electronic communication to attorneys are still not privileged and are recorded and monitored by law enforcement. (United States v Asaro, 2014 US Dist LEXIS 97396, at *4 [EDNY July 15, 2014, No. 14-Cr-26 (ARR)] (“Certainly, it would be a welcome development for BOP to improve TRULINCS so that attorney-client communications could be easily separated from other e-mails and subject to protection.”))

188. Severe limitations throughout the Federal Bureau of Prisons were implemented because of the COVID-19 pandemic, further hamstringing my access to counsel. See the attached **EXHIBIT “P.”**

189. On March 13, 2020, the BOP announced that it was implementing the “COVID-19 Phase Two Action Plan” to minimize the risk of COVID-19 transmission into and inside its facilities. The Action Plan and its subsequent iterations were comprised of many measures, including all incoming inmates being screened,⁷ all staff being regularly screened; contractor visits are limited to essential services, while all attorney, social, and volunteer visits are suspended; inmate movements between federal facilities are limited (IADA transfers still took place); and institutions are taking additional steps to modify operations to maximize social distancing.

190. The courts debunked the BOP’s Action Plan as ineffective almost immediately. See *United States v. Gorai*, 2020 U.S. Dist. LEXIS 72893 [D. Nev Apr. 24, 2020]; *United States v. Esparza*, No. 1:07-CR-00294-BLW, 2020 WL 1696084, at *2 [D. Idaho Apr. 7, 2020]. The restrictive BOP Modified Operations continued, unchanged, the entire time Luthmann was in BOP custody and continue in the Federal System to the present day in some form because COVID-19 is still a “national emergency” declared by the President and the “covered emergency period” remains in effect. CARES Act sec. 12003(a)(2), 134 Stat. at 516. Access to attorneys in the BOP remains limited.

191. The restrictions during Modified Operations undoubtedly caused the punishment Luthmann experienced to be much harsher than prison under normal conditions. Luthmann squarely blames Nelson and Smiling Jack for experiencing these more brutal conditions because they knew the state detainer would place Luthmann in a higher security-level BOP facility. In Luthmann’s mind, Nelson and Smiling Jack attempted “institutional homicide.” And they managed to kill the old Luthmann. The clown

⁷ Federal inmates were still moving between sovereigns pursuant to IADA orders.

is dead. Now they must deal with something that has a fundamentally changed nature. The animal part of Luthmann is mighty pissed. What animal wouldn't be when it comes upon those who tried to kill it?

192. The BOP's Action Plan imposed onerous lockdowns and restrictions. These burdensome measures have made the incarceration of prisoners far harsher than usual. Restrictions on family visits and gatherings; quarantine LOCKDOWNS lasting weeks at a time; limited access to basic things like showers, food/commissary, and television; the suspension of operations in the prison Education, Recreation, Religion, and Psychology Departments; the banning of all outside personnel – including priests and rabbis for religious services and counseling; the prohibition of all attorney visits; restrictive use of the phones and the BOP TRULINCS system - all of these restrictions are part of the BOP's "Action Plan." See, e.g., *United States v Lizardi*, 2020 US Dist LEXIS 188147, at *11 [SDNY Oct. 9, 2020]. And all of these restrictions made inmate life much harsher, including the ability to communicate with those outside prisons. (See *United States v. Rodriguez*, No. 00 Cr. 761-2 (JSR), 2020 U.S. Dist. LEXIS 181004, 2020 WL 5810161, at *3 [S.D.N.Y. Sept. 30, 2020] ("The pandemic, aside from posing a threat to [a defendant's] health, has made [a defendant's] incarceration harder and more punitive than would otherwise have been the case. This is because the federal prisons, as 'prime candidates' for the spread of the virus, have had to impose onerous lockdowns and restrictions that have made the incarceration of prisoners far harsher than normal."); *United States v. Salemo*, No. 11 Cr. 0065-01 (JSR), 2020 U.S. Dist. LEXIS 86977, 2020 WL 2521555, at *3 (S.D.N.Y. May 17, 2020) (noting that the BOP has taken some steps to mitigate the spread of the virus in federal prisons, including restrictions on visitors

(including attorney visits), restrictions on gatherings and lockdowns lasting at least 14 days (where inmates have no access to phones or TRULINCS communications)).

193. These restrictions only tightened when COVID-19 struck LSCI-Allenwood, the BOP facility where I was housed. See the attached **EXHIBIT “Q.”**

194. Accordingly, Luthmann’s Judgment of conviction should be vacated, and the Indictment in this matter should be dismissed for the reasons stated above.

V. The Supreme Court Has the Authority to Preclude the Special District Attorney from Further Billing and Bilking the People of The State of New York for His Dishonest Work.

195. The Supreme Court has the administrative authority to preclude Special Prosecutor Nelson from billing the People of the State of New York and protect the taxpayers and voters that elected the Justice to act as a Public Official.

196. The Supreme Court, and courts in general, have broad inherent powers to take action in the administration of justice: “Every court has inherent power to do all the things that are reasonably necessary for the administration of justice within the scope of its jurisdiction.” (14 Am Jur, Courts, § 171; 21 CJS, Courts, § 14; *Langan v First Trust & Deposit Co.*, 270 AD 700, 701 [4th Dept 1946]).

197. On its equity side, the Supreme Court of the State of New York side, has all the power and authority that formerly existed in the Court of Chancery in England and was continuously exercised by it. (*Walker v Walker*, 82 NY 260, 262 [1880]). Further, the Supreme Court possesses inherent powers to enforce respect and obedience, not necessarily expressed in fixed precedents or statute law. (*De Lancey v Piepgras*, 141 NY

88, 93 [1894]). As stated more recently in *Bankers Trust Co. v Braten*, (101 Misc 2d 227, 235-236 [Sup Ct, NY County 1979]):

To suggest that no power exists in the Supreme Court to handle special cases in special ways because of the omission of all conceivable delegated powers is tantamount to calling for trains to run without wheels and armies to march without shoes.

Even absent any statutory authority, the Supreme Court may grant relief if it has general subject matter jurisdiction. (*Alphonso C. v Morgenthau*, 50 AD2d 97 [1st Dept 1975]). This inherent power is not limited to the exercise of purely judicial functions. Quite to the contrary, the inherent power of the court is non-adjudicatory. It does not deal with justiciable matters. It relates to the administration of the court's business (*Braten*, 101 Misc 2d at 237).

198. The Courts are not left helpless in the face of problems not dealt with by existing rules promulgated by the Legislature. The Judiciary Law, a specific enactment by the Legislature, recognizes and encourages judicial resourcefulness in crafting appropriate remedies in the absence of express authority. Subdivision 3 of section 2-b of the Judiciary Law provides:

A court of record [defined to include the Supreme Court] has power

3. to devise and make new process and forms of proceedings, necessary to carry into effect the powers and jurisdiction possessed by it.

199. The powers of the Supreme Court, both inherent and statutory, are broad and intentionally so. The orderly administration of justice requires that a single Justice of the Supreme Court be given jurisdiction over, supervise, and preside over all phases of all such actions. (*Goldblatt v Wm. S. Merrell Co.*, 22 AD2d 886, 886 [1st Dept 1964]).

200. The courts may adopt procedures that are fair and which facilitate the performance of their responsibilities. (*People v Ricardo B.*, 73 NY2d 228, 233 [1989] [“A court of record has power...to devise and make new process and forms of proceedings, necessary to carry into effect the powers and jurisdiction possessed by it”]); (*People v Callace*, 151 Misc 2d 464 [Suffolk County Ct 1991][County Court had authority under CLS Jud § 2-b(3) to order district attorney to produce and permit DNA testing of physical evidence produced at defendant’s 1987 trial, consisting of semen and other secretions found on victim’s clothing, and to order taking of sample of defendant’s blood, in connection with defendant’s 1991 motion under CLS CPL § 440.10(1)(g) to set aside conviction for various sex offenses on ground of newly discovered evidence.]).

201. The power of the Supreme Court does have its limits. But as the Court of Appeals has observed, exceptional circumstances may necessitate exceptional procedures. (*People v Wrotten*, 14 NY3d 33, 40 [2009] [Live televised testimony is certainly not the equivalent of in-person testimony, and the decision to excuse a witness’s presence in the courtroom should be weighed carefully. Televised testimony requires a case-specific finding of necessity; it is an exceptional procedure to be used only in exceptional circumstances.]).

202. Here, the exceptional circumstances have been created by the Special District Attorney’s own actions, and the Court is well within its powers to act under such circumstances. (*C.C. v A.R.*, 69 Misc 3d 983, 992 [Sup Ct, Kings County 2020]).

203. Clearly, the Court has the inherent right to regulate the conduct of attorneys as officers of the court, which includes determining the reasonableness of

attorney's fees even when no opposition has been filed (*In re Estate of Von Hofe*, 145 AD2d 424 [2d Dept 1988]).

204. And the Court must not forget that in one of the recent pronouncements on the power of the Supreme Court by the Richmond County Supreme Court, where Former Administrative Judge for the 13th Judicial District Justice Philip G. Minardo said: "...Plaintiff's request for Trial by Combat is denied, although this Court does not deny that such power resides with the Supreme Court." *Foley v. Luthmann*, Index No.: 150175/2014 [Sup Ct, Richmond County] (Minardo, J.)

205. Thus, the Court has the ability and power to put Nelson on the shortest of leashes.

VI. The Court Should Preclude the Special District Attorney from Bilking Fees and Expenses on This Motion and Otherwise Censure the Special District Attorney For Special Prosecutor Nelson's Dishonesty and Violations of the Rules of Professional Conduct.

206. As detailed in the Affidavit in Opposition to the Special District Attorney's pending motion, Special Prosecutor Nelson has engaged in grave, serious, and felonious misconduct and violations of the obligations imposed by the Rules of Professional Conduct (RPCs) for Attorneys, and the enhanced duties applicable to government attorneys, particularly prosecutors.

207. This Indictment is a wounded animal that is begging to be put down.

208. It would seem basic common sense that, at a minimum, Special Prosecutor Nelson should not be permitted to bill the taxpayers for fees and expenses, already compounding this enormous waste of scarce judicial and law enforcement resources.

209. Moreover, as part of the sanction, the Court should publicly censure Special Prosecutor Nelson to send a message to the community that dishonesty will not be

tolerated – particularly by attorneys serving as special prosecutors, which has been a hallmark of Smiling Jack’s tenure.⁸ The Court has a strong interest in assuring the People of the State of New York that the billing “churn” does not continue.

VII. The Conduct of Special Prosecutor Nelson in the Grand Jury Should Be Referred to The Attorney Grievance Department for the Appellate Division, Second Department and to Attorney General Letitia James for Investigation and Criminal Prosecution

210. Special Prosecutor Nelson and Judge Castorina’s conduct in this case has been egregious, unethical, and criminal.

211. Judge Castorina has already been reported to the New York Attorney General’s Public Integrity Bureau under NYAG Letitia James. See the attached **EXHIBIT “R.”**

212. Luthmann sent General James a letter on November 7, 2022, detailing Castorina’s misdeeds and urging General James to investigate and prosecute. See the attached **EXHIBIT “S.”** The letter also addressed social justice issues and prisoner treatment while under the custody of the BOP.

213. Accordingly, Castorina, Nelson, and the rest of The Swamp should be held accountable.

⁸ These “patronage” special prosecutor positions have done much to advance the political interests of Smiling Jack, his wife, and their “fiefdom” over The Swamp. But the Special Prosecutors do very little to combat the explosion of crime on Staten Island. And Smiling Jack chose to send \$1 million on this “vanity case.” Can anyone honestly say that they are better off now than they were four years ago, particularly when millions of dollars have been sunk into the sieve of Swamp patronage?

CONCLUSION

214. For the reasons stated above, the Court should grant all the relief requested in the Defendant's motion.

215. I believe in good faith that I am entitled to all the relief I seek.

WHEREFORE, I respectfully ask the Court to grant all the relief requested in the Defendant's motion returnable on February 14, 2023, issuing an Order:

- a. Permitting hybrid representation, or in the alternative permitting the Defendant to proceed *pro se*;
- b. Excusing Defendant's physical appearance on the return date of the motion and either deciding the motion on the papers or allowing for a Zoom/videoconferencing appearance based on Federal pre-emption and the Supremacy Clause of the United States Constitution;
- c. Disqualifying the Special District Attorney;
- d. Vacating the Judgment of the Court pursuant to CPL § 440.10;
- e. Dismissing this matter with prejudice; and
- f. Precluding the Special District Attorney from taking any fees or expenses on this motion;
- g. Precluding the Special District Attorney from billing the City or State of New York or any political, governmental, or administrative subdivision thereof, for the Special District Attorney's fees or expenses on this motion;
- h. Reprimanding and publicly censuring the Special District Attorney; or in the alternative

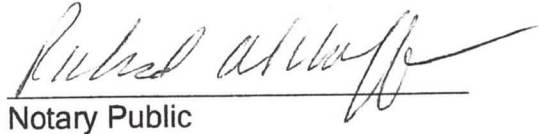
- i. Referring this matter for attorney discipline to the Attorney Grievance Department of the Appellate Division, Second Department;
- j. Referring this matter for investigation and criminal prosecution by New York State Attorney General Letitia James; and

For such other and further relief as the Court shall deem just and proper.



RICHARD LUTHMANN
Defendant

Sworn to before me
this 11th day of January 2023.



Notary Public



EXHIBIT A

Hellbound Train

A Texas cowboy lay down on a barroom floor,
Having drunk so much he could drink no more;
So he fell asleep with a troubled brain
To dream that he rode on a hell-bound train.

The engine with murderous blood was damp
And was brilliantly lit with a brimstone lamp;
An imp, for fuel, was shoveling bones,
While the furnace rang with a thousand groans.

The boiler was filled with lager beer
And the devil himself was the engineer;
The passengers were a most motly crew—
Church member, atheist, Gentile, and Jew,

Rich men in broadcloth, beggars in rags,
Handsome young ladies, and withered old hags,
Yellow and black men, red, brown, and white,
All chained together—O God, what a site!

While the train rushed on at an awful pace—
The sulphurous fumes scorched their hands and face;
Wider and wider the country grew,
As faster and faster the engine flew.

Louder and louder the thunder crashed
And brighter and brighter the lightning flashed;
Hotter and hotter the air became
Till the clothes were burned from each quivering frame.

And out of the distance there arose a yell,
"Ha, ha," said the devil, "we're nearing hell!"
Then oh, how the passengers all shrieked with pain
And begged the devil to stop the train.

But he capered about and danced for glee,
And laughed and joked at their misery.
"My faithful friends, you have done the work
And the devil never can a payday shirk.

"You've bullied the weak, you've robbed the poor,
The starving brother you've turned from the door;
You've laid up gold where the canker rust,
And have given free vent to your beastly lust.

"You've justice scorned, and corruption sown,
And trampled the laws of nature down.
You have drunk, rioted, cheated, plundered, and lied,
And mocked at God in your hell-born pride.

"You have paid full fair, so I'll carry you through,
For it's only right you should have your due.
Why, the laborer always expects his hire,
So I'll land you safe in the lake of fire,

"Where your flesh will waste in the flames that roar,
And my imps torment you forevermore."
Then the cowboy awoke with an anguished cry,
His clothes wet with sweat and his hair standing high

Then he prayed as he never had prayed till that hour
To be saved from his sin and the demon's power;
And his prayers and his vows were not in vain,
For he never rode the hell-bound train.

EXHIBIT B

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

UNITED STATES DISTRICT COURT

★ OCT 23 2019 ★

Eastern District of New York

BROOKLYN OFFICE

UNITED STATES OF AMERICA

v.

RICHARD LUTHMANN

JUDGMENT IN A CRIMINAL CASE

Case Number: CR17-664 (JBW)

USM Number: 90564-053

Arthur Aidala 8118 13th Ave. B'klyn, N.Y. 11228

Defendant's Attorney

THE DEFENDANT:

☒ pleaded guilty to count(s) 1 and 9 of the indictment

AUSA- James McDonald

☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.☐ was found guilty on count(s) _____
after a plea of not guilty.

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
18 USC 1343, 18 USC 1349	Wire Fraud Conspiracy		1
18 USC 894(a)	Extortionate collection of credit conspiracy		9

The defendant is sentenced as provided in pages 2 through 7 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

☐ The defendant has been found not guilty on count(s) _____☒ Count(s) remaining _____ ☐ is ☒ are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

9/9/2019

Date of Imposition of Judgment

Signature of Judge

Jack B. Weinstein Sr. USDJ

Name and Title of Judge

10/21/2019

Date

Exhibit F

DEFENDANT: RICHARD LUTHMANN
CASE NUMBER: CR17-664 (JBW)

IMPRISONMENT

The defendant is hereby committed to the custody of the Federal Bureau of Prisons to be imprisoned for a total term of:

48 months

☒ The court makes the following recommendations to the Bureau of Prisons:

That the defendant be incarcerated at a facility in or as close to New York City as possible.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____

☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____

☐ as notified by the United States Marshal.

☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: RICHARD LUTHMANN
 CASE NUMBER: CR17-664 (JBW)

STANDARD CONDITIONS OF SUPERVISION

As part of your supervised release, you must comply with the following standard conditions of supervision. These conditions are imposed because they establish the basic expectations for your behavior while on supervision and identify the minimum tools needed by probation officers to keep informed, report to the court about, and bring about improvements in your conduct and condition.

1. You must report to the probation office in the federal judicial district where you are authorized to reside within 72 hours of your release from imprisonment, unless the probation officer instructs you to report to a different probation office or within a different time frame.
2. After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.
3. You must not knowingly leave the federal judicial district where you are authorized to reside without first getting permission from the court or the probation officer.
4. You must answer truthfully the questions asked by your probation officer.
5. You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with), you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
6. You must allow the probation officer to visit you at any time at your home or elsewhere, and you must permit the probation officer to take any items prohibited by the conditions of your supervision that he or she observes in plain view.
7. You must work full time (at least 30 hours per week) at a lawful type of employment, unless the probation officer excuses you from doing so. If you do not have full-time employment you must try to find full-time employment, unless the probation officer excuses you from doing so. If you plan to change where you work or anything about your work (such as your position or your job responsibilities), you must notify the probation officer at least 10 days before the change. If notifying the probation officer at least 10 days in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change.
8. You must not communicate or interact with someone you know is engaged in criminal activity. If you know someone has been convicted of a felony, you must not knowingly communicate or interact with that person without first getting the permission of the probation officer.
9. If you are arrested or questioned by a law enforcement officer, you must notify the probation officer within 72 hours.
10. You must not own, possess, or have access to a firearm, ammunition, destructive device, or dangerous weapon (i.e., anything that was designed, or was modified for, the specific purpose of causing bodily injury or death to another person such as nunchakus or tasers).
11. You must not act or make any agreement with a law enforcement agency to act as a confidential human source or informant without first getting the permission of the court.
12. If the probation officer determines that you pose a risk to another person (including an organization), the probation officer may require you to notify the person about the risk and you must comply with that instruction. The probation officer may contact the person and confirm that you have notified the person about the risk.
13. You must follow the instructions of the probation officer related to the conditions of supervision.

U.S. Probation Office Use Only

A U.S. probation officer has instructed me on the conditions specified by the court and has provided me with a written copy of this judgment containing these conditions. For further information regarding these conditions, see *Overview of Probation and Supervised Release Conditions*, available at: www.uscourts.gov.

Defendant's Signature _____

Date _____

DEFENDANT: RICHARD LUTHMANN
CASE NUMBER: CR17-664 (JBW)

SUPERVISED RELEASE

Upon release from imprisonment, you will be on supervised release for a term of:

3 years

MANDATORY CONDITIONS

1. You must not commit another federal, state or local crime.
2. You must not unlawfully possess a controlled substance.
3. You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
 - ☐ The above drug testing condition is suspended, based on the court's determination that you pose a low risk of future substance abuse. *(check if applicable)*
4. ☐ You must make restitution in accordance with 18 U.S.C. §§ 3663 and 3663A or any other statute authorizing a sentence of restitution. *(check if applicable)*
5. ☒ You must cooperate in the collection of DNA as directed by the probation officer. *(check if applicable)*
6. ☐ You must comply with the requirements of the Sex Offender Registration and Notification Act (34 U.S.C. § 20901, *et seq.*) as directed by the probation officer, the Bureau of Prisons, or any state sex offender registration agency in the location where you reside, work, are a student, or were convicted of a qualifying offense. *(check if applicable)*
7. ☐ You must participate in an approved program for domestic violence. *(check if applicable)*

You must comply with the standard conditions that have been adopted by this court as well as with any other conditions on the attached page.

DEFENDANT: RICHARD LUTHMANN
CASE NUMBER: CR17-664 (JBW)

ADDITIONAL SUPERVISED RELEASE TERMS

- The defendant shall comply with the forfeiture order and restitution order.
- The defendant shall participate in a mental health treatment program as approved by the Probation Department. The defendant shall contribute to the cost of such services rendered and/or any psychotropic medications prescribed to the degree he is reasonably able, and shall cooperate in securing any applicable third-party payment. The defendant shall disclose all financial information and documents to the Probation Department to assess his ability to pay.
- Upon request, the defendant shall provide the U.S. Probation Department with full disclosure of his financial records, including co-mingled income, expenses, assets and liabilities, to include yearly income tax returns. With the exception of the financial accounts reported and noted within the presentence report, the defendant is prohibited from maintaining and/or opening any additional individual and/or joint checking, savings, or other financial accounts, for either personal or business purposes, without the knowledge and approval of the U.S. Probation Department. The defendant shall cooperate with the Probation Officer in the investigation of his financial dealings and shall provide truthful monthly statements of his income and expenses. The defendant shall cooperate in the signing of any necessary authorization to release information forms permitting the U.S. Probation Department access to his financial information and records.
- The defendant shall cooperate with the U.S. Probation Office in the investigation and approval of any position of self-employment, including any independent, entrepreneurial, or freelance employment or business activity. If approved for self-employment, the defendant shall provide the U.S. Probation Office with full disclosure of his self-employment and other business records, including, but not limited to, all of the records identified in the Probation Form 48F (Request for Self Employment Records), or as otherwise requested by the U.S. Probation Office.
- The defendant is to comply with disciplinary actions taken by any state bar associations, and assist the Probation Department with monitoring such compliance.

The defendant is permitted to assist attorneys with legal work but not as an attorney.

DEFENDANT: RICHARD LUTHMANN
CASE NUMBER: CR17-664 (JBW)

CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 6.

	<u>Assessment</u>	<u>Restitution</u>	<u>Fine</u>	<u>AVAA Assessment*</u>	<u>JVTA Assessment**</u>
TOTALS	\$ 200.00	\$ 559,911.26	\$	\$	\$

☐ The determination of restitution is deferred until _____. An Amended Judgment in a Criminal Case (AO 245C) will be entered after such determination.

☐ The defendant must make restitution (including community restitution) to the following payees in the amount listed below:

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(f), all nonfederal victims must be paid before the United States is paid.

<u>Name of Payee</u>	<u>Total Loss***</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
GDB International Inc.		\$209,734.96	
Civil Metals Inc.		\$57,457.74	
JC Horizon Ltd.		\$64,625.87	
JLI International Holdings LLC		\$22,370.39	
UYA Recycling Inc.		\$10,000.00	
AMG Resources Corp.		\$195,722.30	

TOTALS	\$	0.00	\$	559,911.26
--------	----	------	----	------------

☐ Restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant must pay interest on restitution and a fine of more than \$2,500, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 6 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☐ The court determined that the defendant does not have the ability to pay interest and it is ordered that:

☐ the interest requirement is waived for the ☐ fine ☐ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, Pub. L. No. 115-299.

** Justice for Victims of Trafficking Act of 2015, Pub. L. No. 114-22.

*** Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

DEFENDANT: RICHARD LUTHMANN
CASE NUMBER: CR17-664 (JBW)

ADDITIONAL FORFEITED PROPERTY

SEE ORDER OF FORFEITURE ATTACHED TO THIS JUDGMENT.

EXHIBIT C

DECLARATION OF DOMICILE

To the Clerk of the Circuit Court (County Comptroller) of Collier County, Florida.
This is my declaration of domicile in the State of Florida that I am filing this day
in accordance and in conformity with Section 222.17, Florida Statutes.

I HEREBY CERTIFY THAT this is a true
and correct copy of a document recorded
in the OFFICIAL RECORDS of Collier County
WITNESS my hand and official seal
date 5/20/2022
CRYSTAL K. KINZEL
CLERK OF THE CIRCUIT COURT AND COMPTROLLER

BY: [Signature] D.C.

FOR DOMICILIARIES OF THE STATE OF FLORIDA:

I hereby declare that I reside in and maintain a place of abode at:

338 Sugar Pine Lane

(street and number)

City of Naples, County of Collier

, Florida

(city and county)

which place of abode I recognize and intend to maintain as my permanent home and, if I maintain another place or
places of abode in some other state or states, I hereby declare that my above-described residence and abode in the
State of Florida constitutes my predominant and principal home, and I intend to continue it permanently as such. I am,
at the time of making this declaration, a bona fide resident of the State of Florida residing at:

338 Sugar Pine Lane

(street and number)

City of Naples, County of Collier

, Florida

(city and county)

I formerly resided at:

700 Victory Boulevard, Apt. 7-L

(street and number)

Staten Island, County of Richmond, State of New York

(city, county and state)

and the place or places where I maintain another or other place or places of abode are as follows: (Here list
street address, city, county, and state of any other place or places of abode.)

(Signature)

Richard Luthmann

(Print Name)

Sworn to and subscribed before me this 18 of MARCH, 2022

Crystal K. Kinzel
Clerk of the Circuit Court & Comptroller

(Signature of Deputy Clerk)

(Printed Name of Deputy Clerk)

(Signature of Notary Public, State of Florida)

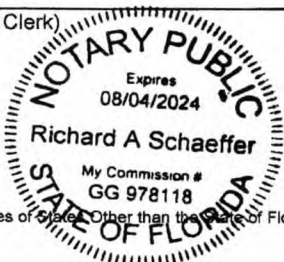
(Print, type or stamp commissioned name of Notary Public)

Personally known _____ or Produced Identification ✓

(Check One)

Type of identification produced FL DRIVER'S LICENSE

by means of ✓ physical presence or online notarization



(See reverse side for Domiciliaries of State Other than the State of Florida)



Crystal K. Kinzel
Clerk of the Circuit Court and Comptroller

Official Receipt

Customer	Deputy Clerk	Clerk Office Location
RICHARD LUTHMANN 338 SUGAR PINE LN NAPLES, FL 34108-2566	Deana Jimenez Deana.Jimenez@collierclerk.com (239) 252-2646	Collier County Govt. Center Building LA, 2nd Floor 3315 Tamiami Trl E Ste 102 Naples, Florida 34112-4901

1 Document Recorded

DOC TYPE	INSTRUMENT	BOOK	PAGE	AMOUNT
Affidavit	6255637	6129	3068	\$10.00
1 Copy(s) - Official Records				\$1.00
1 Copy Certification				\$2.00
60 Postage/Mailing Costs				\$0.60
TOTAL AMOUNT DUE				\$13.60
Cash Tendered				(\$20.60)
Cash Returned				\$7.00
BALANCE DUE				\$0.00

Note:

5/20/2022 12:54:22 PM Deana Jimenez:

Disclaimer: All transactions are subject to review/verification. The Clerk reserves the right to correct for clerical errors and to assess or refund charges as needed.

EXHIBIT D

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

M283545
AFA/

COLLEEN D. DUFFY, J.P.
BETSY BARROS
REINALDO E. RIVERA
ROBERT J. MILLER, JJ.

2022-01456

The People, etc., respondent,
v Richard Luthmann, appellant.

DECISION & ORDER ON MOTION
Motion for Poor Person Relief

(Ind. No. 379/2018)

Motion by Richard Luthmann, in effect, pursuant to CPL 460.30 for an extension of time to take an appeal from a judgment of the Supreme Court, Richmond County, rendered October 27, 2020, for leave to prosecute the appeal as a poor person, and for leave to proceed pro se.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the branch of the motion which is, in effect, pursuant to CPL 460.30 for an extension of time to take an appeal from the judgment is granted and the moving papers are deemed to constitute a timely notice of appeal; and it is further

ORDERED that the branches of the motion which are for leave to prosecute the appeal as a poor person and to proceed pro se are granted; and it is further,

ORDERED that the appeal will be heard on the original papers (including a certified transcript of the proceedings, if any) and on the appellant's and the respondent's briefs; the appellant and the respondent are directed to upload, through the digital portal on this Court's website, digital copies of their respective briefs, with proof of service of one hard copy on each other, or, if the appellant is self-represented and unable to upload a digital copy, to file one original copy with the Clerk of this Court, with proof of service of one hard copy on the respondent (22 NYCRR 670.9[a]); additionally, the appellant is directed to file proof of service of a subpoena upon the clerk of the court of original instance requiring all documents constituting the record on appeal to be filed with the Clerk of this Court (22 NYCRR 1250.9[a][4][i]); and it is further,

ORDERED that the stenographer of the trial court is directed promptly to make, certify, and file two transcripts of the proceedings of any pretrial hearings, of the plea of guilty or of the trial, and of the imposition of sentence in this action, except for those minutes previously transcribed and certified (*see* 22 NYCRR 671.9); and it is further,

ORDERED that in the event that the case was tried to a conclusion before a jury, the stenographer shall also make, certify, and file two transcripts of the minutes of proceedings during jury selection; and it is further,

ORDERED that the Clerk of the trial court shall file one certified transcript of each of the proceedings set forth above to the Clerk of this Court, without charge (*see* CPL 460.70) and the Clerk of this Court, or her designee, shall deliver those transcripts to the person in charge of the institution wherein the appellant is incarcerated for examination by the appellant; the transcripts shall be returned to this Court when the appellant files a brief; the Clerk of this Court, or her designee, shall provide a copy of the transcript to the respondent after the appellant's brief has been filed; and it is further,

ORDERED that in the event the stenographer has already prepared a copy of any of the minutes for a codefendant, then the Clerk of the trial court is directed to reproduce a copy thereof and furnish that copy to the Clerk of this Court; and it is further,

ORDERED that the appellant's time to perfect the appeal is enlarged; the appellant shall prosecute the appeal expeditiously in accordance with this Court's rules (*see* 22 NYCRR 670.1, *et seq.*) and written directions; and it is further,

ORDERED that the appellant's brief shall not be accepted for filing unless the appellant files a waiver of the right to appellate counsel, in the form set forth below, acknowledged before a notary public, when the appellant proffers a brief for filing:

WAIVER OF RIGHT TO APPELLATE COUNSEL

I, Richard Luthmann, understand that I have the right to be represented by an attorney in prosecuting my appeal. If I cannot afford to retain counsel, one will be assigned to represent me at State expense. I understand that if I elect to waive my right to counsel and I am incarcerated at the time my appeal is heard, the Court will not permit me to present oral argument. Knowing these rights I voluntarily elect to waive them and to represent myself on the appeal. I have not been forced to waive my rights and I believe myself to be of sufficient intelligence and ability to properly protect my own interests without the assistance of a lawyer to, among of things, write an appellate brief.

Richard Luthmann

State of

ss.:

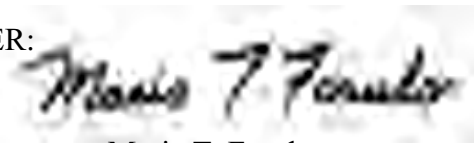
County of

On the day of in the year 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared Richard Luthmann, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same, and that by his signature on the instrument, the individual executed the instrument.

Notary Public

DUFFY, J.P., BARROS, RIVERA and MILLER, JJ., concur.

ENTER:

A handwritten signature in dark ink, appearing to read "Maria T. Fasulo". The signature is written in a cursive, flowing style.

Maria T. Fasulo
Clerk of the Court

EXHIBIT E



Richard A. Luthmann
338 Sugar Pine Lane
Naples, FL 34108
Tel: (239) 631-5957
richard.luthmann@gmail.com

Via Certified U.S. Mail RRR

November 5, 2022

Eric Nelson, Esq.
Special District Attorney
Richmond County
54 Florence Street
Staten Island, NY 10308

**RE: People v. Luthmann
Ind. No: 379-2018 (Richmond County)
App. Div. No.: 2022-01456 (2d Dep't)
Request for Stipulation of Dismissal
Notice of Personal and Professional Liability**

Mr. Nelson:

I am the Pro Se Defendant-Appellant in the above-referenced matters in which you have entered an appearance as Special District Attorney for Richmond County.

This letter is a formal request for you to agree to a stipulated motion to vacate the judgment of conviction and dismiss all charges against me in the above-referenced matters with prejudice. As Special District Attorney, you violated my rights under the Grand Jury Clause, aided and abetted the unauthorized practice of law, conspired with felon and disbarred attorney Perry Reich to circumvent your responsibilities as legal advisor to the Grand Jury, knowingly presented false testimony to the Grand Jury intentionally and with reckless disregard for the truth, and committed numerous other serious and substantial constitutional and legal violations. See the attached.

You presented false evidence to the Grand Jury and knowingly suborned perjury. Particularly, you reviewed and/or introduced my phone records for the period relevant to the prosecution. Based on those phone records alone, you knew and/or recklessly disregarded the perjured testimony of New York Supreme Court Justice Ronald Castorina, Jr., who stated he was only "placating" me. The relationship was clearly a relationship of master and servant under New York law, and your actions, omissions, and reckless conduct injected invidious falsity into the Grand Jury proceedings.

I could care less about the Kangaroo Court that is the Attorney Grievance process in New York State. But you have clearly:

- a. Violated RPC Rule 3.3 by knowingly making false statements of fact before the Court and the Grand Jury;
- b. Violated RPC Rule 3.3 by failing to correct false statements of material fact made to the tribunal;
- c. Violated RPC Rule 3.3 by failing to correct false statements of law made to the tribunal;
- d. Violated RPC Rule 3.4 by knowingly using false evidence;
- e. Violated RPC Rule 3.4 by participating in the creation of evidence that is obviously false;
- f. Violated RPC Rule 3.4 by engaging in conduct contrary to the Rules of Professional Conduct;
- g. Violated RPC Rule 4.2 by communicating directly with parties the lawyer knows to be represented by counsel;
- h. Violated RPC Rule 8.4 by engaging in conduct that adversely reflects on the lawyer's honesty, trustworthiness, and/or fitness as a lawyer.
- i. Violated RPC Rule 8.4 by engaging in conduct involving dishonesty, fraud, deceit, or misrepresentation;
- j. Violated RPC Rule 8.4 by engaging in conduct prejudicial to the administration of justice;
- k. Violated RPC Rule 8.4 by engaging in conduct that adversely reflects on the lawyer's fitness as a lawyer;
- l. Violated RPC Rule 3.8 by engaging in conduct that ignores the special responsibilities and duties of a prosecutor;
- m. Improperly communicated with District Attorney Michael E. McMahon in the instant case;
- n. Improperly followed orders of District Attorney Michael E. McMahon in the instant case;
- o. Engaged in other improper, dishonest and/or sanctionable conduct.

I do not intend to file a grievance against you. Attorney Grievances are toilet paper that I wouldn't use to wipe my ass with. They have no teeth whatsoever.

What I am prepared to do is to take you for everything you are worth and cripple you personally and professionally by way of the courts. Your actions in violating the Rules of Professional Conduct, consulting with a felon to circumvent my constitutional rights, and committing what appears to be the crime of aiding and abetting the Unauthorized Practice of Law (a felon), all while acting as Special Richmond County District Attorney are beyond extreme and outrageous. They are virtually unprecedented, as is the nature of your prosecution for First Amendment violations.

By your actions, you have lost the presumption of regularity in the Grand Jury proceedings. See Hamling v. United States, 418 U.S. 87, 139 n.23 (1974). This means that the protections afforded to honest prosecutors are not applicable. See United States v. R. Enters., 498 U.S. 292, 300-01 (1991). With actual dishonesty, ethical violations, and criminality on your part, the actual irregularity in this matter will compel the Courts to look beyond the face of the Indictment and into the tainted proceedings. Cf. United States v.

Williams, 504 U.S. 36, 54-55 (1992); United States v. Costello, 350 U.S. 359, 408-09 (1956). Your actions as Special Prosecutor “shock the conscience.” Bank of Nova Scotia v. United States, 487 U.S. 250, 255-57 (1988). Neither the People nor society has an interest in protecting corrupt prosecutors who engage in criminality to “get their man” in violation of the law and the constitution.

When I win my appeal to set aside the bogus plea agreement in this case as legal nullity based upon a mode of proceeding error and violations of the C.P.L. and the Interstate Agreement on Detainers Act, I will go on the offensive. The law and the societal costs of a trial on First Amendment “crimes” justify dismissal of this matter, even absent your shocking and outrageous misconduct in the earlier grand jury proceedings, which incidentally fall far outside the ambit of harmless error. See, e.g., United States v. Mechanik, 475 U.S. 66, 73 (1986). But then, my fun only begins.

When the time is right, I intend to sue you personally, and you will enjoy no qualified immunity. Morse v. Fusto, 804 F.3d 538, 540 (2d Cir. 2015) (Qualified immunity is unavailable on a claim where that claim is premised on proof that a defendant knowingly fabricated evidence and where a reasonable jury could so find). You engaged in the knowing creation and introduction of false and/or misleading evidence by a government officer acting in an investigative capacity qualifies as an unconstitutional deprivation of my victim's rights. Morse, 804 F.3d at 540.

The United States Supreme Court has observed: “[w]hen a prosecutor performs the investigative functions normally performed by a detective or police officer, it is neither appropriate nor justifiable that, for the same act, immunity should protect the one and not the other.” Buckley v. Fitzsimmons, 509 U.S. 259, 273, 113 S. Ct. 2606, 2615 (1993). Prosecutors and police officers are equally responsible for preserving the “truth-seeking function of the trial process. Ricciuti v. N.Y.C. Transit Auth., 124 F.3d 123, 130 (2d Cir. 1997); see also Napue v. State of Ill., 360 U.S. 264, 269, 79 S. Ct. 1173, 3 L. Ed. 2d 1217 (1959) (stating as a general rule that “a State may not knowingly use false evidence, including false testimony, to obtain a tainted conviction”).

Accordingly, I am going to offer you a deal. I want McMahon. Give him to me willingly, and you walk away scot-free. I am requesting your truthful testimony as to McMahon’s misdeeds. I don’t need to take you for all you are worth, particularly because I can justify in my mind that you had no business leaving the shed next to Family Court, where you engaged in back-child support collections. Tom Tormey, Esq., looked at this case, and saw no criminality. You are just being used as a “useful idiot” by the powers that be, in a vanity prosecution that has cost New York City taxpayers over \$1 million and by which you have personally been enriched to the tune of half a million dollars. Unlike you, I don’t want to take the livelihood of any man, particularly one who is knocking on the doors of retirement. But I will. And this legal mess will haunt you for the rest of your life.

I want you to appear before the Supreme Court, Richmond County (Mundy, J.), and make a joint motion with Mario Romano, Esq. You will stipulate to the withdrawal of the purported plea, vacate the judgment of conviction, and dismiss all charges against me with prejudice. You will also provide, as an Officer of the Court, a truthful affidavit to Mario

Romano, Esq., detailing all of McMahon's misdeeds. While you're at it, you can throw in some stuff about Castorina, Gulino, and Janine Materna too. Let's be clear. This is not a bargained-for-exchange. This is you doing the right thing.

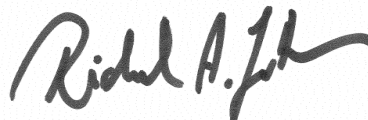
At the very least, you should resign as Special Prosecutor in this case and save the Appellate Division the trouble of disqualifying you. Your personal liability gives you an impermissible interest in my continued prosecution, and your actions rise well beyond the level of an appearance of impropriety. Your crimes and misdeeds are actual and provable, and your continued participation in this case renders the entire justice system in the State of New York farcical. Your actions validate and give credence to the worst allegations of corrupt and politically-motivated prosecutors in the State of New York lodged by Former United States President Donald Trump, and others.

This letter is a final courtesy to you, after which I will proceed in a legal matter against you in all appropriate and available forums at a time and place of my choosing and without further notice to you.

And it goes without saying that this letter serves as a Spoliation Notice. Please preserve all evidence potentially related to the matters discussed herein.

If you have any questions or concerns, please do not hesitate to contact Attorney Romano, who is prepared to stipulate to the withdrawal of the purported plea, the vacating of the judgment, and the dismissal of all charges on my behalf.

Respectfully,

A handwritten signature in black ink, appearing to read "Richard A. Luthmann", with a stylized flourish at the end.

Richard A. Luthmann

CC: File

Mario Romano, Esq., 8118 13th Avenue, Brooklyn, NY 11228

Arthur Aidala, Esq., 546 5th Avenue, 6th Floor, New York, NY 10036

Encl: Perry Reich - Eric Nelson email circumventing Luthmann's Grand Jury Rights and aiding and abetting the unauthorized practice of law

NYC Billing Records for Special Prosecutor Eric Nelson

EXHIBIT F

Eric Nelson

From: ericnelsonesq@comcast.net
Sent: Thursday, September 27, 2018 10:56 PM
To: ericnelson@ericnelsonesq.com
Subject: FW: FW: People v. Perkins

From: ericnelsonesq@comcast.net <ericnelsonesq@comcast.net>
Sent: Sunday, August 12, 2018 8:43 PM
To: 'Perry Reich' <perry.reich@gmail.com>
Subject: RE: FW: People v. Perkins

Thank you. I am also going to include a misdemeanor false reporting an incident and stalking on a candidate.

From: Perry Reich <perry.reich@gmail.com>
Sent: Sunday, August 12, 2018 8:19 PM
To: ericnelsonesq@comcast.net
Subject: Re: FW: People v. Perkins

49 ny2d 389

On Sun, Aug 12, 2018, 8:14 PM Perry Reich <perry.reich@gmail.com> wrote:

Not in any detail. See people v calbud 49 ny2d

On Sun, Aug 12, 2018, 6:45 PM <ericnelsonesq@comcast.net> wrote:

There have been some questions as to the line of First Amendment political satire and what is discussed in the Perkins case. Do I need to explain the law to the GJ?

-----Original Message-----

From: Westlaw@westlaw.com <Westlaw@westlaw.com>
Sent: Sunday, August 12, 2018 6:39 PM
To: ericnelsonesq@comcast.net
Subject: People v. Perkins

ERIC NELSON sent you content from Westlaw.
Please see the attached file.

Item: People v. Perkins
Citation: 150 Misc.2d 543
Sent On: Sunday, August 12, 2018
Sent By: ERIC NELSON
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IN RE: Perry S. REICH (2006)

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Supreme Court, Appellate Division, Third Department, New York.

**IN RE: Perry S. REICH, a Suspended Attorney. Committee on Professional Standards,
Petitioner; Perry S. Reich, Respondent.**

Decided: September 21, 2006

Before: MERCURE, J.P., CREW III, SPAIN, MUGGLIN and ROSE, JJ. Mark S. Ochs, Committee on Professional Standards, Albany (Geoffrey E. Major of counsel), for petitioner. Mischel & Horn, P.C., New York City (Richard E. Mischel of counsel), for respondent.

Respondent was admitted to practice by the Appellate Division, Second Department in 1975. He maintained an office for the practice of law in Queens County.

In August 2005, respondent was convicted in the United States District Court for the Eastern District of New York, after a jury trial, of obstruction of justice (see 18 USC § 1512[c][2]), making false statements to federal law enforcement officials (see 18 USC § 1001[a][2]), and forging a federal judge's signature (see 18 USC § 505), all of which are federal felonies. It appears from the indictment that respondent forged a court order in civil litigation in which he was a defendant, faxed a copy of the order to opposing counsel, and then made false statements to FBI agents who were investigating the matter. In March 2006, respondent was sentenced to 27 months in prison, to be followed by supervised release for two years. He was ordered to pay the following monetary penalties: \$300 assessment, \$6,000 fine, and \$2,625 restitution.

By decision prior to respondent's sentencing, this Court found that respondent had been convicted of serious crimes and suspended respondent from the practice of law until such time as a final order could be entered pursuant to Judiciary Law § 90(4)(g) (Matter of Reich, 25 A.D.3d 1063, 807 N.Y.S.2d 705 [2006]). Petitioner now moves for such an order and we have heard respondent in mitigation.

Respondent's crimes strike at the heart of the administration of justice insofar as they include forgery of a judicial order and lying to FBI agents. Although respondent's career has included commendable years of private practice and public service, we conclude that, under all of the

circumstances herein, respondent should be disbarred (see e.g. Matter of Henning, 32 A.D.3d 161, 819 N.Y.S.2d 540 [2006]).

ORDERED that petitioner's motion is granted; and it is further

ORDERED that respondent is disbarred and his name is stricken from the roll of attorneys and counselors-at-law of the State of New York, effective immediately; and it is further

ORDERED that respondent is commanded to desist and refrain from the practice of law in any form, either as principal or as agent, clerk or employee of another; respondent is forbidden to appear as an attorney or counselor-at-law before any court, judge, justice, board, commission or other public authority, or to give to another an opinion as to the law or its application, or any advice with relation thereto; and it is further

ORDERED that respondent shall comply with the provisions of this Court's rules regulating the conduct of disbarred attorneys (see 22 NYCRR 806.9).

PER CURIAM.

MERCURE, J.P., CREW III, SPAIN, MUGGLIN and ROSE, JJ., concur.

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EXHIBIT H

On-Point Evidence of Judge Castorina's Perjury in Grand Jury Proceeding

🕒 January 9, 2023



FR has been reporting on New York State Supreme Court Justice Ronald Castorina, Jr. possible perjurious testimony in a grand jury proceeding on August 1, 2018.

Did NYS Supreme Court Justice Ronald Castorina Commit Perjury in Phony Facebook Case?

More Evidence of Judge Castorina's Potential Perjury In Fake Facebook Case.

U.S. District Court, Southern District of New York



This article focuses on Judge Castorina's testimony about his 2016 Republican primary when he ran against Janine Materna for NYS 62nd Assembly District.



We will look at never-before-published evidence and contrast it with his testimony. Then look at the legal implications of felonious, perjurious testimony.

August 1, 2018:

Richmond County District Attorney Michael McMahon sought the prosecution of Richard Luthmann, then a lawyer, now a writer for Frank Report. McMahon said he was a victim of Luthmann, who created Facebook and other social media pages to lampoon him when he ran for office in 2015.

One post lampooned McMahon's campaign team and depicted them as an Irish Mafia family, listing his wife, then-Staten Island Administrative Judge Judith McMahon, as head of it.



As a “victim” of Luthmann, McMahon could not use his office to pursue Luthmann directly.

McMahon arranged to appoint a special prosecutor, criminal attorney Thomas Tormey, to indict Luthmann for felonies for using Facebook to mimic, heckle and impersonate him and others, including Castorina’s former opponent.

Attorney Tormey declined to prosecute Luthmann based on First Amendment concerns.

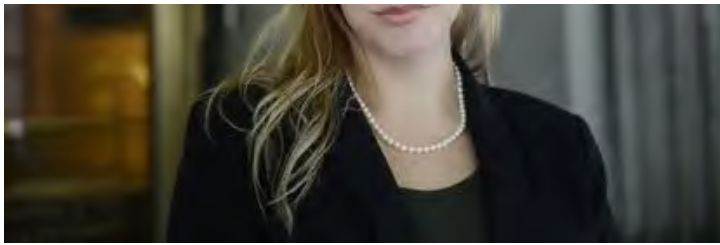
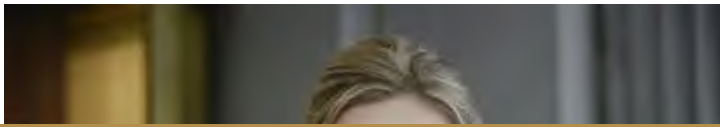
McMahon appointed a second special prosecutor, attorney **Eric Nelson**.

As special prosecutor, Nelson convened a grand jury to indict Luthmann. Nelson called then-NYS State Assemblyman Castorina to testify.

Nelson asked Castorina about his 2016 assembly campaign against Janine Materna, which got him elected to his first term in the assembly.

In the grand jury, Nelson showed Luthmann was behind a fake Facebook page that mocked, lampooned, and impersonated Materna.

Materna the Victim



Attorney Janine Materna

Janine Materna claimed the fake Facebook page Luthmann made was ruinous to her campaign and the cause of her defeat.

At first, she thought Castorina was behind it – for he had the motive.

“They are making false claims, and I’m getting physical threats,” Materna told the [New York Post](#).

[She said her campaign](#) was derailed and “lost the race because of the fake profile and its posts.”

The Charges

It would be a first-of-its-kind prosecution. Nelson targeted Luthmann for felony charges of falsifying Facebook business records, identity theft, criminal impersonation, election law violations, and digital stalking.

Fake Materna Facebook Page

The issue was primarily not having this overturned based on First Amendment via state criminal penalties for identity theft and impersonation.

Was Castorina criminally impersonating Materna was the question?

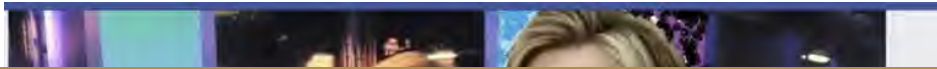
One of the issues Nelson had to overcome was that at the top of the fake Materna Facebook page, Luthmann declared the Facebook page was not an official page for



Some postings and photos were satirical.

After Castorina could not find a photo of Materna with Hillary Clinton, the image below appeared on Facebook.

It was a Photoshopped image.



A cursory examination of the photo above reveals it is a laughably crude fake.

Castorina's Role

Special Prosecutor Nelson showed Luthmann alone was behind the fake Facebook page, but his challenge was that Castorina was the beneficiary. Castorina got elected.

Castorina was not the target of McMahon's prosecution.

The most important thing for Castorina was to get out of the way.

The Testimony

August 1, 2018, before a Richmond County grand jury, Ron Castorina testified. Four statements appear to warrant an examination for perjury.

Castorina Statement #1

[Luthmann] never indicated he was going to make a page or that nobody asked him to do anything like



7 Q. No, but from your own recollection at the time of the
8 events, Assemblyman, from your recollection in terms of what was
9 going on politically or -- or in public at the time and in
10 private based upon those messages, was there some discussion
11 about a fear of -- of yourself or your campaign coming across as
12 bullying and that could have a negative impact?

13 A. Not my campaign, but I can tell you what the -- I
14 think there was kind of this notion and belief that Luthmann had
15 created a fake Facebook page and that he was using that to
16 attack Miss Materna.

17 Now, he never indicated that he was going to create a
18 page or that nobody asked him to do anything like that, because
19 he was also doing this kind of stuff on his -- on his public
20 page, but I believe that I had a discussion with Joe about how
21 it might be Luthmann who's doing this, I hope he stops because I
22 don't want people to think that I'm supportive of or that I'm
23 behind this type of behavior, which I couldn't prove.

24 He never admitted to me at the time. He admitted
25 later on that it was him, but I believed that, if anybody, it
1 was probably him.

Q. No, but from your own recollection at the time of the events, Assemblyman, from your recollection in terms of what was going on politically or — or in public at the time and in private based upon those messages, was there some discussion about a fear of — of yourself or your campaign coming across as bullying and that could have a negative impact?

A. Not my campaign, but I can tell you what the — I think there was kind of this notion and belief that Luthmann had created a fake Facebook page and that he was using that to attack Miss Materna.

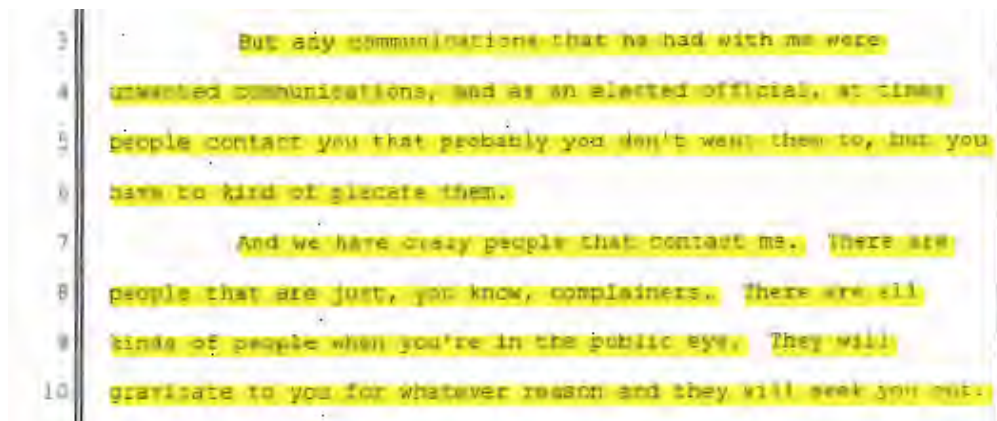


asked him to do anything like that, because he was also doing this kind of stuff on his — on his public page, but I believe that I had a discussion with Joe [Borelli, New York City Councilman] about how it might be Luthmann who's doing this, I hope he stops because I don't want people to think that I'm supportive of or that I'm behind this type of behavior, which I couldn't prove.

He never admitted to me at the time. He admitted later on that it was him, but I believed that, if anybody, it was probably him.

Castorina Statement #2

Any communications that he had with me were unwanted communications



But any communications that he had with me were unwanted communications, and as an elected official, at times, people contact you that probably you don't want them to, but you have to kind of placate them.

And we have crazy people that contact me. There are people that are just, you know, complainers. There are all kinds of people

when you're in the public eye. They will gravitate to you for whatever reason and they will seek you out.



I Don't Want to Deal With This Person, I Don't Want To Talk To This Person, I Want Nothing To Do With This Person"

Castorina had contacted Luthman via private messaging on Facebook. Castorina swore he was only "placating" him:

14 And then on the private messenger side that wasn't
15 public, he would send all kinds of lewd, really disgusting
16 pornographic-in-nature-at-times, racially-biased-at-times images
17 that, you know, I would just kind of ignore or placate in some
18 way, and, you know, just to -- to get this person away.
19 I don't want to deal with this person, I don't want to
20 talk to this person, I want nothing do with this person, but
21 this person just keeps coming back.

A. And then on the private messenger side that wasn't public, he would send all kinds of lewd, really disgusting pornographic-in-nature-at-times, racially-biased-at-times images that, you know, I would just kind of ignore or placate in some way, and, you know, just to — to get this person away.

I don't want to deal with this person, I don't want to talk to this person, I want nothing do with this person, but this person just keeps coming back.

Castorina Statement #4:



Avoid"

The special prosecutor asked Castorina if he was an associate of Luthmann.

Q. And how do you know Mr. Luthmann?

A. Mr. Luthmann is, I believe currently and was, a member of the New York State bar. He was an attorney, and so I knew of him from just appearing in the courts; you know, going to bar association functions where he would regularly be.

He was hard to — to miss and hard to not — he was hard to miss because he was always very — a very boisterous guy, a very big personality, and so he was somebody that I would typically like to avoid.

Castorina Statement #5:

"[A]ny Communications That He Had With Me Were Unwanted Communications"

The special prosecutor asked about communications with Luthmann. Castorina said Luthmann was crazy, and Luthmann contacted him without receiving encouragement from Castorina:

A. But any communications that he had with me were unwanted communications, and as an elected official, at times people contact you that probably you don't want them to, but you have to kind of placate them.

And we have crazy people that contact me. There are people that are just, you know, complainers. There are all kinds of people

when you're in the public eye. They will gravitate to you for whatever reason and they will seek you out.



cases that I had, and in particular —

Q. Just don't —

A. Yes.

Q. Leave it at that.

Indicted

In late November 2018, Luthmann was indicted.

On November 29, 2018, District Attorney Michael McMahon was quoted in the [The Staten Island Advance](#) :

“As one of the victims in this case, I am happy the grand jury voted this indictment holding accountable this defendant,” said McMahon. “We know that he has been alleged to misuse many weapons in his arsenal... and, particularly here in this case, social media to allegedly steal people’s identities, further his criminal enterprises, and to try and subvert the election process.”

Evidence

Special District Attorney Nelson introduced some, but not all, Facebook Messenger messages between Castorina and Luthmann as evidence before the grand jury.

Nelson subpoenaed Luthmann’s entire Facebook record. As a result, he had every conversation before Castorina took the stand.

New York Perjury Law?

Judge Castorina gave testimony at a grand jury proceeding. He is subject to a class D felony defined in New York Penal Law § 210.15 if a future prosecution determines



NY PENAL LAW § 210.15

Perjury in the first degree.

A person is guilty of perjury in the first degree when he swears falsely and when his false statement (a) consists of testimony, and (b) is material to the action, proceeding or matter in which it is made.

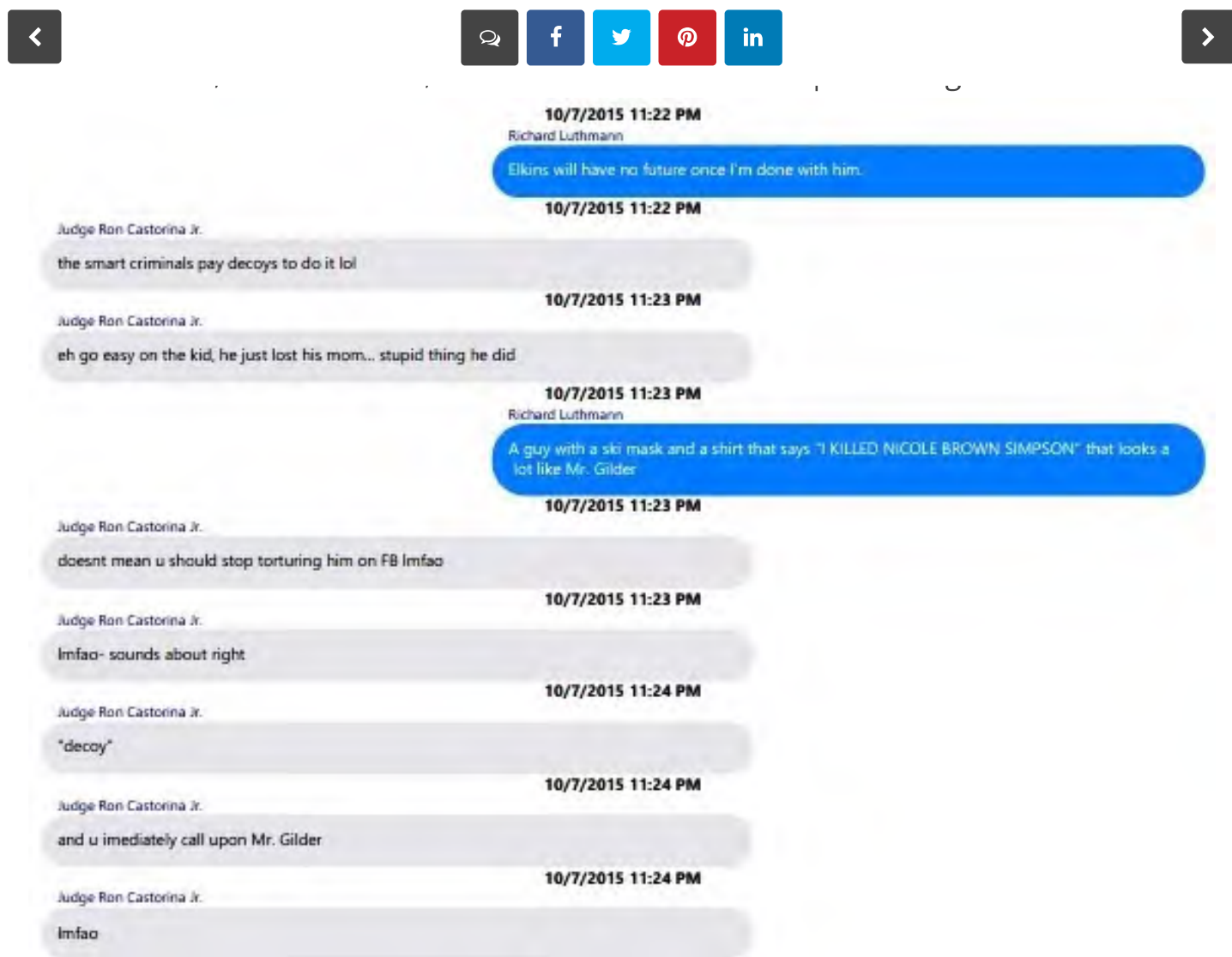
Perjury in the first degree is a class D felony.

Judge Castorina's Statements Compared to Facebook Messages Between him and Luthmann



As part of a contentious 2015 Staten Island District Attorney's race and October allegations that a staffer for McMahon's campaign, Kevin Elkins, stole lawn signs from

McMahon's opponents, Luthmann used the fake McMahon page to attack Elkins.



Luthmann: Elkins will have no future once I'm done with him.

Castorina: the smart criminals pay decoys to do it lol

eh go easy on the kid, he just lost his mom... stupid thing he did

Luthmann: A guy with a ski mask and a shirt that says "I KILLED NICOLE BROWN SIMPSON" that looks a lot like Mr. Gilder

Castorina: doesnt mean u should stop torturing him on FB Imfao

Imfao- sounds about right

"decoy"

and u immediately call upon Mr. Gilder Imfao

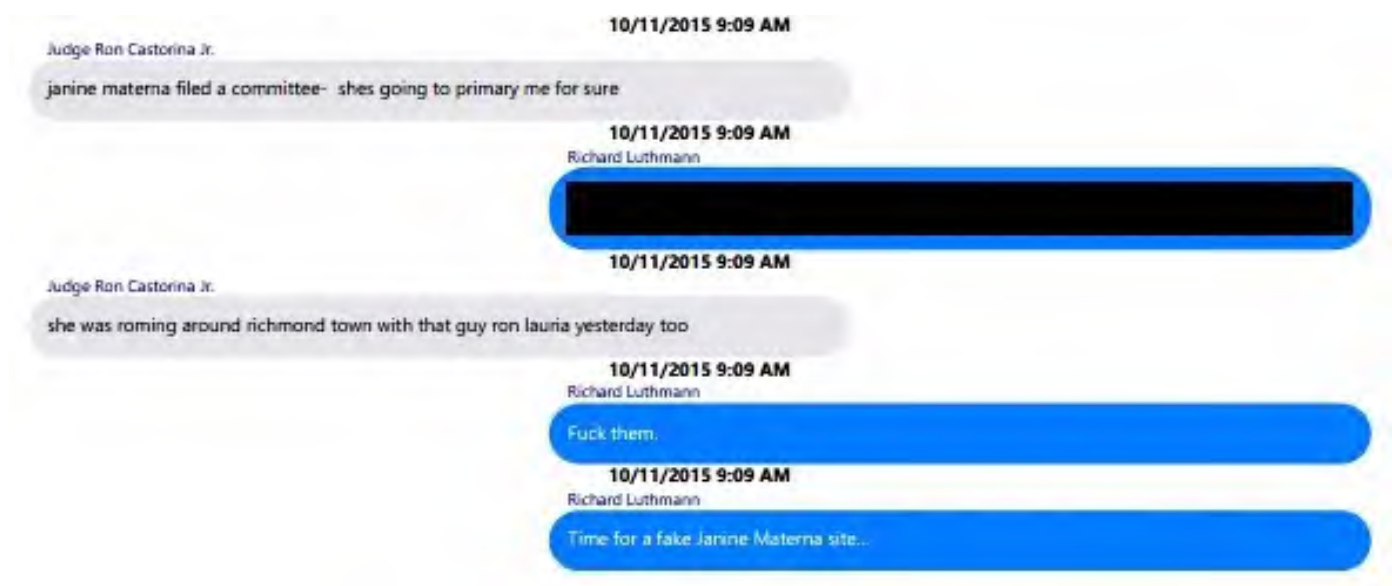
He said months before he campaigned against Materna, about McMahon's campaign, "doesnt mean u should stop torturing him on FB."

Castorina swore under oath that:

1. **[Luthmann never indicated he was going to make a page...**
2. **Any communications that he had with me were unwanted.**
3. **I don't want to deal with this person**
4. **I don't want to talk to this person**
5. **I want nothing to do with this person**
6. **He was someone I would typically like to avoid.**

On October 11, 2015, Castorina told Luthmann that Janine Materna had filed a campaign committee and was going to primary him next year "for sure."

Luthmann: "Time for a fake Janine Materna site..."



Castorina: janine materna filed a committee- shes going to primary me for sure



Luthmann: Fuck them.

Time for a fake Janine Materna site...

From his messages, Castorina knew Luthmann intended to make a fake Janine Materna Facebook page in October 2015, 11 months before the election.

In the same conversation, Castorina said Materna had been preparing website capabilities for five years.

Luthmann had a one-word response: "Facebook..."

Castorina replied: "Yes – I need to talk to talk to you about that race, and I'm going to need your expertise."

Castorina and Luthmann collaborated on strategy, including a search for a picture of Materna with Hillary Clinton to be used on Facebook "smear tactics."

10/11/2015 9:09 AM

Judge Ron Castorina Jr.

that bitch has had a URL for assembly congress and senate for 5 years- shes fucking nuts



Judge Ron Castorina Jr.

yes- i need to talk to you about that race, and im going to need your expertise

10/11/2015 9:10 AM

Richard Luthmann

Then turn it into RINO Janine Materna

10/11/2015 9:10 AM

Richard Luthmann

FLIP FLOP

10/11/2015 9:10 AM

Richard Luthmann

FLIPPITY FLOPPITY FLOOP

10/11/2015 9:11 AM

Judge Ron Castorina Jr.

shes a republican, but she took the working fam parties endorsement and worked for hillary

10/11/2015 9:11 AM

Richard Luthmann

Republican today..Dem yesterday

10/11/2015 9:11 AM

Richard Luthmann

Is there a picture of her with Hillary?

10/11/2015 9:11 AM

Judge Ron Castorina Jr.

yes, so much bullshit- shes a first year law student- its like legally blond

10/11/2015 9:11 AM

Judge Ron Castorina Jr.

im looking for one, but theres a few with chucky schumer

Castorina: that bitch has had a URL for assembly congress and senate for 5 years- shes fucking nuts

Luthmann: Facebook...

Castorina: yes- i need to talk to you about that race, and im going to need your expertise

Luthmann: Then turn it into RINO Janine Materna

FLIP FLOP

FLIPPITY FLOPPITY FLOOP

Castorina: shes a republican, but she took the working fam parties endorsement and worked for hillary



Castorina: yes, so much bullshit- shes a first year law student- its like legally blond im looking for one, but theres a few with chunky schumer

Castorina ostensibly consented that Facebook was a good idea before the campaign. He asked for Luthmann's help.

In 2015, Castorina wanted Luthmann to do social media dirty tricks and help get him an endorsement on a third-party ballot line.

"I'd like to sit down with you soon," Castorina said.

Luthmann asks, "Do you want the Reform Line?"

10/11/2015 9:14 AM

Judge Ron Castorina Jr.

id like to sit down with u soon

10/11/2015 9:14 AM



Judge Ron Castorina Jr.

that XXXXX song is rather witty

10/11/2015 9:14 AM

Richard Luthmann

Do you want the Reform line?

10/11/2015 9:15 AM

Judge Ron Castorina Jr.

lol

10/11/2015 9:15 AM

Judge Ron Castorina Jr.

yes, the astorino line yes

10/11/2015 9:15 AM

Richard Luthmann

I can broker that too.

10/11/2015 9:15 AM

Richard Luthmann

Larry is no longer the Chairman

10/11/2015 9:15 AM

Judge Ron Castorina Jr.

ok, maybe you should form a consulting firm..

10/11/2015 9:15 AM

Judge Ron Castorina Jr.

what happened?

10/11/2015 9:15 AM

Judge Ron Castorina Jr.

he resigned?

10/11/2015 9:15 AM

Richard Luthmann

He is 5% Larry. He joined the Reform Party.

10/11/2015 9:15 AM

Judge Ron Castorina Jr.

ha ha ha ha ha

Castorina: id like to sit down with u soon

Luthmann: Ok. Let's put it in the schedule.

Castorina: that XXXXX song is rather witty

Luthmann: Do you want the Reform line?

**Castorina: lol
yes, the astorino line yes**



**Castorina: ok, maybe you should form a consulting firm...
what happened?
he resigned?**

Luthmann: He is 5% Larry. He joined the Reform Party.

Castorina: ha ha ha ha ha

Castorina wanted to sit down with Luthmann. He sought his advice.

Castorina ran on the Reform Line in the 2016 primary, delivered to him in part by Luthman.

10/11/2015 9:16 AM

Judge Ron Castorina Jr.

jimmy mo is 10%



10/11/2015 9:16 AM

Richard Luthmann

He wants to support Trump, the NRA and cut political corruption in half.

10/11/2015 9:16 AM

Richard Luthmann

He will be half as corrupt as Jimmy Mo.

10/11/2015 9:16 AM

Judge Ron Castorina Jr.

hes a renaissance man for staten island. i think he should run against debi rose

10/11/2015 9:16 AM

Judge Ron Castorina Jr.

only half? lol

10/11/2015 9:16 AM

Richard Luthmann

Notice that he will still be corrupt..and he is honest about that..

10/11/2015 9:17 AM

Richard Luthmann

Brothers have to get their rent money and their weed money from somewhere.

10/11/2015 9:17 AM

Judge Ron Castorina Jr.

honesty about your corruption really vitiates the negativity

10/11/2015 9:17 AM

Richard Luthmann

I robbed you. I robbed all of you. But I was honest about it. SO you can't blame me.

10/11/2015 9:18 AM

Richard Luthmann

I think that was Bill Clinton's slogan.

10/11/2015 9:18 AM

Judge Ron Castorina Jr.

yea, its an all american statement- very wholesome

10/11/2015 9:18 AM

Judge Ron Castorina Jr.

of u have time wednesday evening, maybe we can grab dinner at danico

Castorina: jimmy mo is 10%
i think larry is short changed

Luthmann: He wants to support Trump, the NRA and cut political corruption in half. He will be half as corrupt as Jimmy Mo.

Castorina: hes a renaissance man for staten island. i think he should run against debi rose

only half? lol

Luthmann: Notice that he will still be corrupt...and he is honest



from somewhere

Castorina: honesty about your corruption really vitiates the negativity

Luthmann: I robbed you. I robbed all of you. But I was honest about it. SO you can't blame me.

I think that was Bill Clinton's slogan.

Castorina: yea, its an all american statement- very wholesome of u have time wednesday evening, maybe we can grab dinner at danico

On October 11, 2015, Luthmann shared the link to the Janine Materna Fake Facebook page with Castorina for the first time.

Castorina approved one of the links. He responded, "I want to crush her – such a phony bitch."

10/11/2015 9:57 AM

Richard Luthmann

"Poop Shoot Princess"



Shared Link: <https://www.facebook.com/SeeYouNextTuesdaySI/>
<https://www.facebook.com/Janine-Materna-862847303822389/timeline/>
 Link title: Log in or sign up to view
 Link description: See posts, photos and more on Facebook

10/11/2015 1:22 PM

Judge Ron Castorina Jr.

Ha ha ha

10/11/2015 1:32 PM

Richard Luthmann

We'll get her about 500 likes...

10/11/2015 1:34 PM

Richard Luthmann



10/11/2015 1:34 PM

Judge Ron Castorina Jr.

I want to crush her- such a phony bitch

10/11/2015 1:34 PM

Judge Ron Castorina Jr.

She's such a phony self serving bitch. Can't stand her

Luthmann: "Poop Shoot Princess"

Shared Link: <https://www.facebook.com/SeeYouNextTuesdaySI/>
<https://www.facebook.com/Janine-Materna-862847303822389/timeline/>

Link title: Log in or sign up to view

Link description: See posts, photos and more on Facebook.

Castorina: Ha ha ha

Luthmann: We'll get her about 500 likes...

Castorina: I want to crush her- such a phony bitch

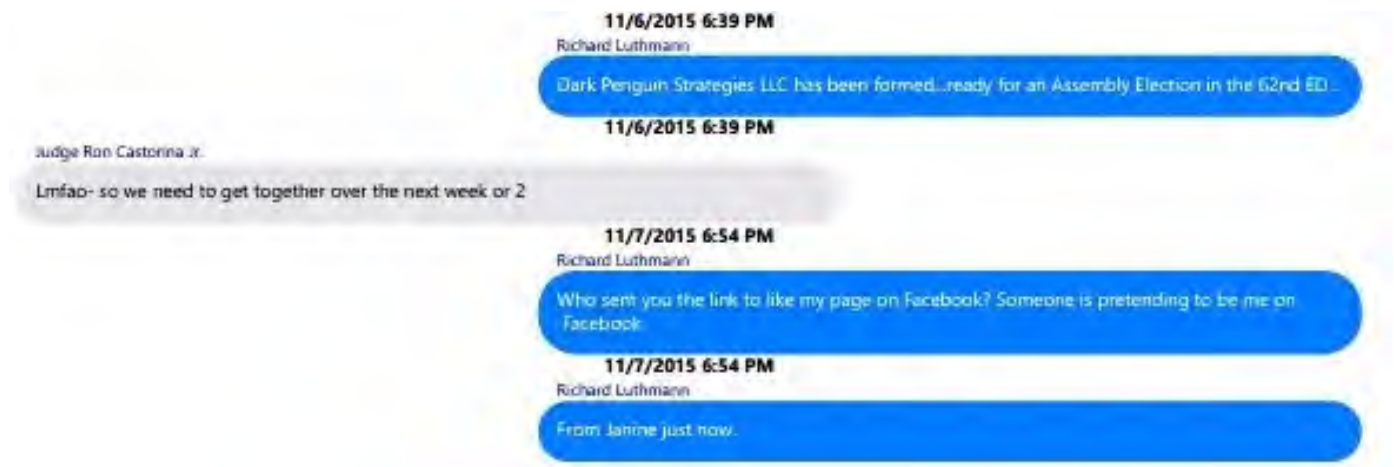
She's such a phony self serving bitch. Can't stand her

Castorina knew about the fake Materna page in October 2015.



Castorina wanted to meet Luthmann.

Luthmann alerted Castorina that Materna messaged him about the Fake Facebook site.



Luthmann: Dark Penguin Strategies LLC has been formed...ready for an Assembly Election in the 62nd ED...

Castorina: Lmfao- so we need to get together over the next week or 2

**Luthmann: Who sent you the link to like my page on Facebook?
Someone is pretending to be me on Facebook
From Janine just now.**

Castorina knew Luthmann was doing political work for him, confirmed by the "Dark Penguin Strategies, LLC" formation in November 2015.

He knew Luthmann indicated he was behind the Materna Facebook, and Castorina collaborated with him, and it appears he offered to pay Luthmann for his expertise.

The Castorina-Materna Republican Primary Election for NYS Assembly took place on September 13, 2016.

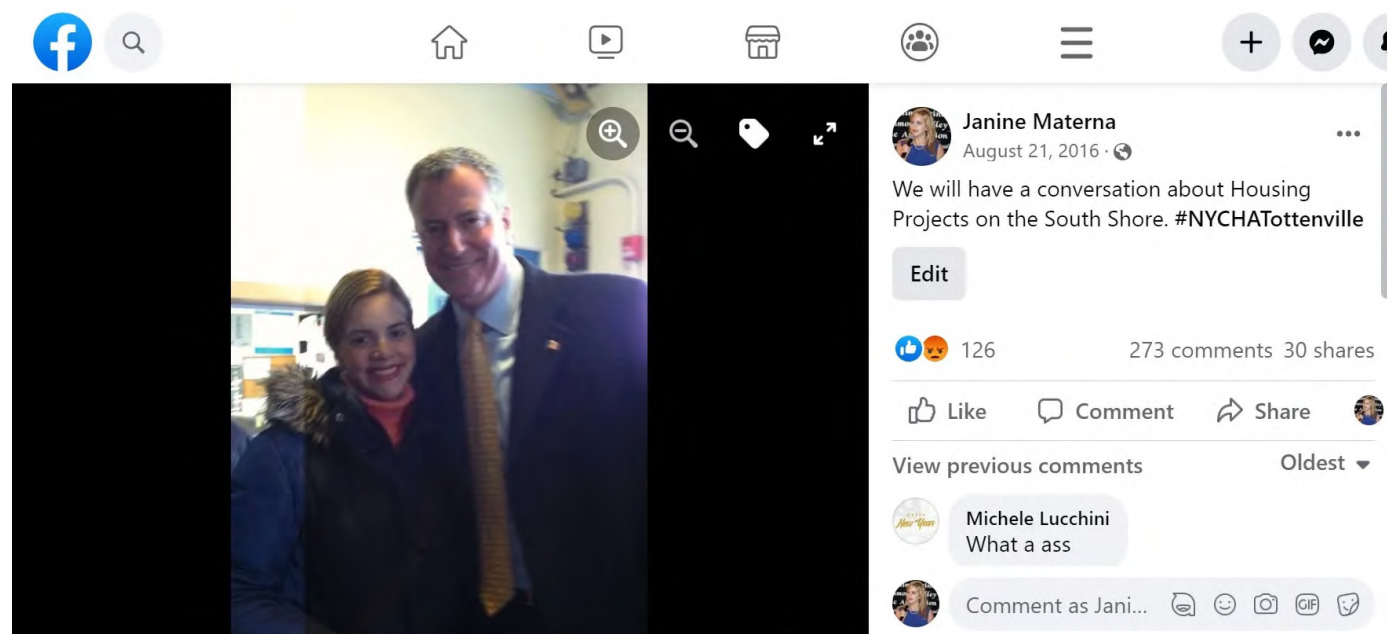


Castorina.

The first was a picture of Materna with former NYC Mayor Bill DeBlasio, a politician reviled in the Staten Island Assembly District.

The Facebook post stated: "We will have a conversation about Housing Projects on the South Shore. #NYCHATottenville."

The post sparked backlash and anger in the voter base – Luthmann and Castorina's goal.



The second post had Materna with reviled sex offender Anthony Weiner. That post said: "SOLID ON WOMEN'S ISSUES."

Castorina replied: "Imfao ha ha ha."

SOLID ON WOMEN'S ISSUES

Edit

95

129 comments 12 shares

Like

Comment

Share

View previous comments

Oldest ▾

Eddie Torres

Are you kidding me!

Like

Hide

6y

Comment as Jani...

8/21/2016 6:24 PM

Richard Luthmann

Shared Link: <https://www.facebook.com/SeeYouNextTuesdaySI/photos/a.863484487092004/1043643762409408/?type=3>

Shared Link: <https://www.facebook.com/SeeYouNextTuesdaySI/photos/a.863484487092004/1043643762409408/?type=3>
You sent an attachment.

8/21/2016 6:30 PM

Richard Luthmann

The Dark Penguin strikes!

8/21/2016 6:37 PM

Judge Ron Castorina Jr.

Lmfao ha ha ha

8/21/2016 6:37 PM

Judge Ron Castorina Jr.

Don't forget this one

8/21/2016 6:37 PM

Judge Ron Castorina Jr.



8/21/2016 6:38 PM

Richard Luthmann

In a news feed near you very soon!

8/21/2016 6:38 PM

Judge Ron Castorina Jr.

good!

8/21/2016 6:38 PM

Judge Ron Castorina Jr.

shes a vicious anima

8/21/2016 6:38 PM

Judge Ron Castorina Jr.

I

8/21/2016 6:38 PM

Richard Luthmann

Ah yes. But I'm Luthmann!

8/21/2016 6:38 PM

Judge Ron Castorina Jr.

Lol

8/21/2016 6:40 PM

Richard Luthmann

Shared Link: <https://www.facebook.com/SeeYouNextTuesdaySI/photos/a.863484487092004/1043665285740589/?type=3>
<https://www.facebook.com/862847303822389/photos/a.863484487092004.1073741830.862847303822389/1043665285740589/?type=3&theater>

Judge Robert Castorina
That's just historical view

Luthmann: Shared Link: (DeBlasio Post)

8/21/2016 6:44 PM

That's just historical view

[https://www.facebook.com/SeeYouNextTuesdaySI/photos/](https://www.facebook.com/SeeYouNextTuesdaySI/photos/a.863484487092004/1043643762409408/?type=3)



<https://www.facebook.com/SeeYouNextTuesdaySI/photos/a.863484487092004/1043643762409408/?type=3>

The Dark Penguin strikes!

Castorina: Lmfao ha ha ha

Don't forget this one (Holder and Materna picture)

Luthmann: In a news feed near you very soon!

Castorina: good!

shes a vicious animal

Luthmann: Ah yes. But I'm Luthmann!

Castorina: Lol

Luthmann: Shared Link: (Holder and Materna Post)

<https://www.facebook.com/SeeYouNextTuesdaySI/photos/a.863484487092004/1043665285740589/?type=3>



DuckDuckGo

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We blocked Facebook from tracking you when the page loaded. If you unblock this content, Facebook will know your activity. [Learn](#)

[More](#)

[Unblock Post](#)

***a.863484487092004.1073741830.862847303822389/
1043665285740589/?type=3&theater***



On August 21, 2016, at 6:37 pm, Castorina sent Luthmann a picture of Materna with Obama Attorney General Eric Holder.

At 6:40 pm, three minutes later, the picture was posted to the Materna Fake Facebook page with the caption: "BLACK LIVES MATTER #BLM."



Castorina said, "That's just hysterical wow."

On August 30, 2016, two weeks before the primary election, Luthmann sent a message to Castorina. "I think we have to do a new video," he said. "Janine Materna is not a democrat. Janine Materna is a cunt."

"She's a rotten one at that," Castorina replied.

Luthmann said, "Janine Materna XXX?" and sent a photoshopped picture of a blonde woman performing a lewd act on a man. "She will jump in front of a bus," Luthmann said.

Castorina replied: "Lmfaooo omg. Her and Weiner. There's her pearl necklace she always wears"

<

f

in

>

8/30/2016 8:12 AM

Richard Luthmann

Janine Materna is not a democrat. Janine Materna is a cunt.

8/30/2016 8:13 AM

Judge Ron Castorina Jr.

She's a rotten one at that.

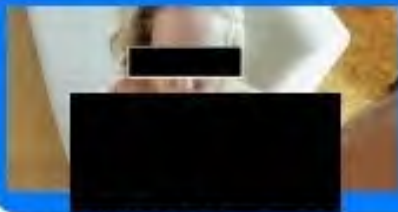
8/30/2016 8:13 AM

Richard Luthmann

Janine Materna XXX?

8/30/2016 8:13 AM

Richard Luthmann



8/30/2016 8:14 AM

Richard Luthmann

She will jump in front of a bus.

8/30/2016 8:14 AM

Judge Ron Castorina Jr.

Lmfaooo omg.

8/30/2016 8:14 AM

Judge Ron Castorina Jr.

Her and wiener

8/30/2016 8:14 AM

Judge Ron Castorina Jr.

there's her pearl necklace whe always wears...

8/30/2016 8:14 AM

Richard Luthmann

"Carlos Danger and me."

8/30/2016 8:46 AM

Richard Luthmann

[messages/inbox/bobbyzahn_10153620355631929/photos/14152034_10154562618561929_1169834963_o_10154562618561929.png](#)

8/30/2016 8:50 AM

Judge Ron Castorina Jr.

That's just terrible OMG lol

Luthmann: I think we have to do a new video.

Janine Materna is not a democrat. Janine Materna is a cunt.

Castorina: She's a rotten one at that.

Richard Luthmann: Janine Materna XXX?



Castorina: Lmfaooo omg.

Her and wiener

there's her pearl necklace whe always wears...

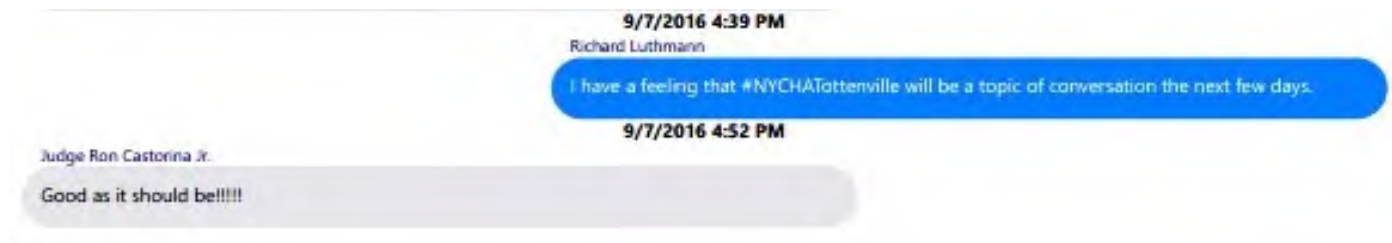
Richard Luthmann: "Carlos Danger and me."

Castorina: That's just terrible OMG lol

On September 7, 2016, less than a week before the primary election, Luthmann sent Castorina a message saying the hashtag #NYCHATottenville would be trending.

The #NYCHA Tottenvilla came from the Materna fake Facebook.

Castorina responded, "Good as it should be!!!!!"



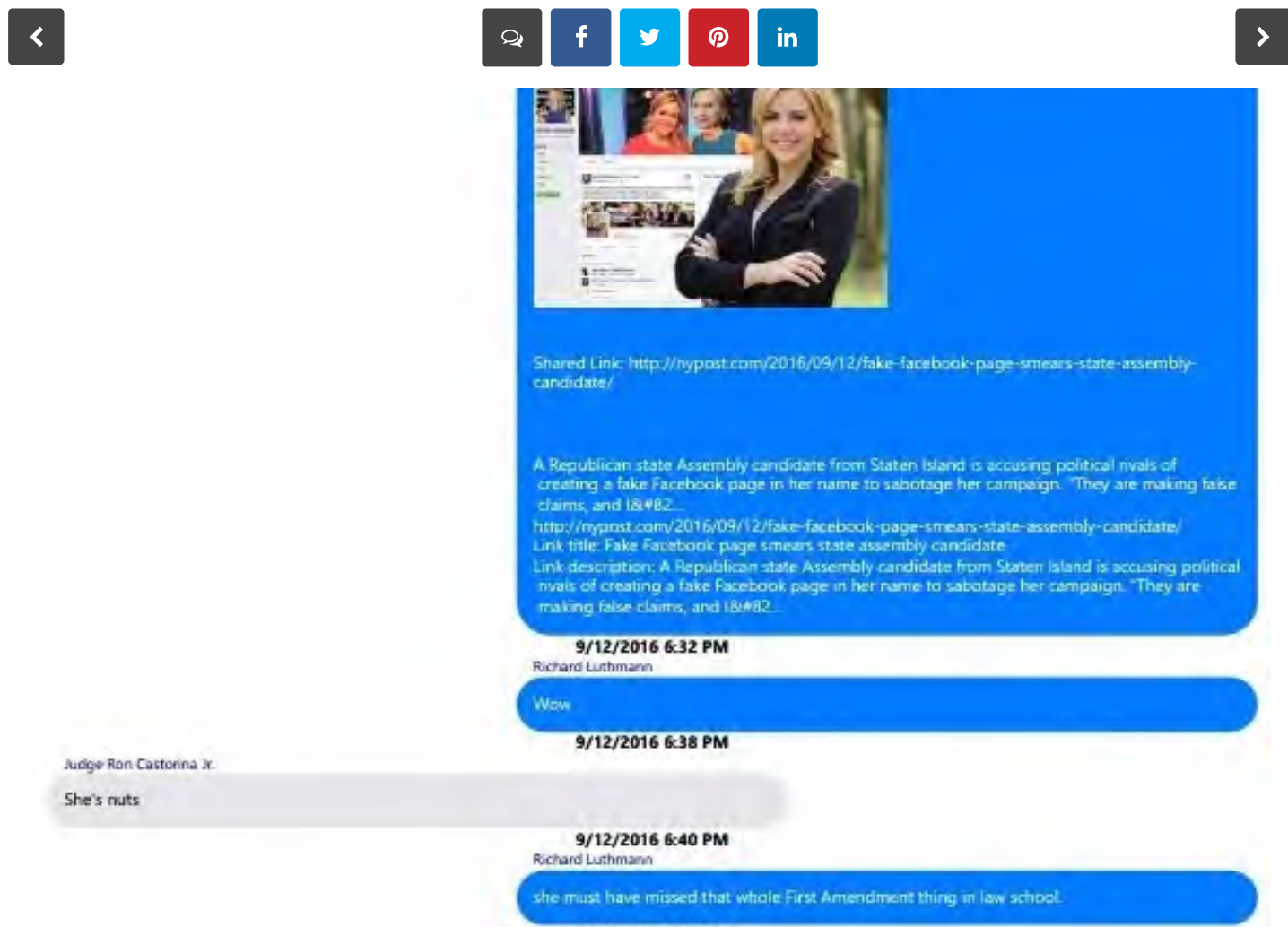
Luthmann: I have a feeling that #NYCHATottenville will be a topic of conversation the next few days.

Castorina: Good as it should be!!!!!

On September 12, 2016, the night before the election, Tina Moore and Carl Campanile of the NY Post broke an article entitled: **Fake Facebook page smears state assembly candidate.**

At 6:32 pm, Luthmann forwarded the story to Castorina, who replied, "she's nuts."

Luthmann said, "she must have missed that whole First Amendment thing in law school."



Luthmann: Shared Link: Fake Facebook page smears state assembly candidate

<http://nypost.com/2016/09/12/fake-facebook-page-smears-state-assembly-candidate/>

Wow

Castorina: She's nuts

Luthmann: she must have missed that whole First Amendment thing in law school.

Castorina testified in the grand jury in a manner calculated to persuade jurors that Luthmann acted alone and was solely guilty.



To reiterate, Castorina testified:

- [Luthmann] never indicated he was going to make a page...
- Any communications that he had with me were unwanted.
- I don't want to deal with this person
- I don't want to talk to this person
- I want nothing to do with this person
- He was someone I would typically like to avoid.

Perjury?

New York Penal Law § 210.15

Perjury in the first degree.

A person is guilty of perjury in the first degree when he swears falsely and when his false statement (a) consists of testimony, and (b) is material to the action, proceeding or matter in which it is made.

Perjury in the first degree is a class D felony.

NY PENAL LAW § 210.30

It is no defense to a prosecution for perjury that:

1. The defendant was not competent to make the false statement alleged; or
2. The defendant mistakenly believed the false statement to be immaterial.





About the author



Frank Parlato

Please leave a comment: Your opinion is important to us! (Email & username are optional)

Enter your comment here...



Casterina- bias against women/hostile

EDIT

January 9, 2023 at 7:49 pm

Luthmann sends Castorina a direct link to the fake FB page, and Castorina then reminds him to include the picture of Holder and Materna on the fake FB page. Luthmann confirms it'll be coming soon.

The grand jury was deprived of critical information by the special prosecutor. This indictment was manipulated, and favors paid behind the scenes. Target was



an embarrassment to the bench. And personally he is despicable.

His vile language when referring to women was tossed out with ease and no provocation. I expect he is a biased judge from his negative, depraved commentary.

Luthmann: Shared Link: (DeBlasio Post)

<https://www.facebook.com/SeeYouNextTuesdaySI/photos/a.863484487092004/1043645315742586/?type=3>

Shared Link: (Weiner Post)

<https://www.facebook.com/SeeYouNextTuesdaySI/photos/a.863484487092004/1043643762409408/?type=3>

The Dark Penguin strikes!

Castorina: Lmfao ha ha ha

Don't forget this one (Holder and Materna picture)

REPLY



Dovi

January 9, 2023 at 7:43 pm

EDIT

Castorina perjured himself repeatedly.

"[Luthmann] never indicated he was going to make a page...

Any communications that he had with me were unwanted.

I don't want to deal with this person

I don't want to talk to this person

I want nothing to do with this person

He was someone I would typically like to avoid."

Each of these statements has been proven false with the evidence provided on FR.
How is it that special prosecutor avoided presenting all of this information when

he had contents of Luthman's entire FB account?

~~It's evident the prosecutor was given a directive (likely from McMahon) that said to~~



him from saying too much. Warning – just don't and leave it at that.

Q. Just don't —

A. Yes.

Q. Leave it at that.

No moral compass. Castorina should step down from the bench; not wait to be forced out of his position. Show he has some ethical principles, and step down.

He clearly has no respect for women. He's an embarrassment to the judiciary.

REPLY



Brian Laline with Oranges the Size of Raisins

EDIT

January 9, 2023 at 4:43 pm

Judge Mundy sentenced Luthmann to "time served" three years into his Federal bid. That means he basically got three years for Fake Facebook pages with a disclaimer.

Castorina should get at least three years and a day for perjury. The fact that he thought he was above the law as a judge makes his activity far worse than Luthmann's. Luthmann ran around like some big clown. Castorina was an Assemblyman, the Republican Party Leader, and now a Judge.

Also Eric Nelson, the Special Prosecutor should come clean on McMahon's involvement or else he should share the cell with Castorina for subordination of perjury. Nelson had to have had all of these messages and still let Ron say what he said on the stand – full-blown, unquestionable perjury. The only question in my mind is how and who pressured/manipulated him. Thomas Tormey was the first Special Prosecutor and he gave the case back. Smart man.

I have a feeling that this is just the tip of the iceberg. There were a lot of politicians / lawyers who took the stand in Luthmann's grand jury. Anyone of them could fall



Michael McMahon

Michael Ryan

Ashleigh Owens

Joe Borelli

John Gulino

Stuart Brenker

Janine Materna

Debi Rose

If New York Attorney General Letitia James starts reviewing grand jury testimony, she might have a field day. McMahon's Maybury RFD is about to get perp-walked.

[REPLY](#)



Paul Halas

[EDIT](#)

January 9, 2023 at 4:04 pm

Besides committing perjury, Castorina lacks morals. There's no respect in his language and he gleefully indulges in derogatory banter with Luthmann.

He's a conniver and schemer. He applauds and contributes to Luthmann's underhanded tactics and inspires and encourages Luthmann for his own personal gain.

Time to step down from the bench.

[REPLY](#)



Anonymous

[EDIT](#)

January 9, 2023 at 12:55 pm

Political games- dirty games but Luthmann made a disclaimer. Not sure how this is a crime or criminal impersonation.



Looks like McMahon was out for revenge and would get it, if he could silence Castorina.

[REPLY](#)



Anonymous

[EDIT](#)

January 9, 2023 at 12:53 pm

It's great a high court judge degrades his rival by calling her a dirty cunt and suggests sexual acts with Anthony wiener.

This is the mentality of a "dignified" judge. God help us.

[REPLY](#)



Anonymous

[EDIT](#)

January 9, 2023 at 12:51 pm

They're both vile. Castorina has no business being a judge.

[REPLY](#)

EXHIBIT I

Messages exported from: Richard Luthmann (richard.luthmann@gmail.com)
With: Judge Ron Castorina Jr. (judgeroncastorinajr)

10/22/2013 11:39 PM

Judge Ron Castorina Jr.

Hey buddy- congrats on your sisters wedding. Check out this website <http://www.getmarriedny.com>. There's a market for this stuff- idk how you pull it off- but you never cease to amaze me. Lol there's money to be made here!!! Lol. Hope all is well. Call me when you are free to catch up.

10/23/2013 4:33 PM

Richard Luthmann

I want to package the Las Vegas deal... Pre-Nup, Wedding and Annulment (hold license in escrow for 5 days) all in one!

10/24/2013 7:54 AM

Judge Ron Castorina Jr.

I love it lol

10/24/2013 8:33 AM

Richard Luthmann

you in the office?

11/29/2013 3:47 PM

Richard Luthmann



11/29/2013 3:47 PM

Richard Luthmann

Happy Birthday. Have a blessed day.

11/1/2014 5:50 PM

Richard Luthmann

Shared Link: <http://www.richmondcountydems.com/news.html>

Dedicated Democrats in Staten Island work for Congress to move on the Zadroga Act to protect 9/11 Responders with FDNY URFA, John Sollazzo, Congressman Dan Donovan
<http://www.richmondcountydems.com/news.html>

11/18/2014 10:38 PM

Richard Luthmann

Here's where we do dinner next! Let me know the day!

11/22/2014 4:24 AM

Judge Ron Castorina Jr.

that looks awesome- where is that?

11/22/2014 9:41 AM

Richard Luthmann

Waterfalls by Victory and Jewett

11/29/2014 9:40 AM

Richard Luthmann

Happy Birthday Mr. Commish!

1/5/2015 10:21 AM

Richard Luthmann

They're looking for you in Civil Court.

1/15/2015 5:48 PM

Richard Luthmann

For your reading pleasure...

1/15/2015 6:06 PM

Judge Ron Castorina Jr.

nice letter, lol omg what a shit storm

1/16/2015 7:34 PM

Richard Luthmann

The Chairman gave the Advance an interview today.

1/16/2015 9:26 PM

Judge Ron Castorina Jr.

I can't wait to read about it. I think he's a swell guy. Great letter btw. I'm sure it went over like a lead balloon. Lol

1/16/2015 9:27 PM

Richard Luthmann

The best part is he was questioned about his support for the Second Amendment.

1/16/2015 9:27 PM

Judge Ron Castorina Jr.

Is he an NRA member yet?

1/16/2015 9:28 PM

Richard Luthmann

And he went off..."NRA 1 - America 0"

1/16/2015 9:28 PM

Judge Ron Castorina Jr.

i knew it! Lol

1/16/2015 9:29 PM

Richard Luthmann

<http://m.youtube.com/watch?v=vECNffbiQw>

1/16/2015 9:29 PM

Judge Ron Castorina Jr.

Checking it out now

1/16/2015 9:31 PM

Judge Ron Castorina Jr.

A great PSA! I love the hat!

1/16/2015 9:32 PM

Judge Ron Castorina Jr.

He's a very charming chairman- I think he is very like able.

1/16/2015 9:33 PM

Judge Ron Castorina Jr.

He's prob be a good fundraiser.

1/16/2015 9:38 PM

Richard Luthmann

Yeah...for Donovan...lol

1/16/2015 9:38 PM

Richard Luthmann

Everyone on the South Shore will write a check!

1/16/2015 9:50 PM

Judge Ron Castorina Jr.

Lol- tell Larry I said hello! Btw- I wana do dinner next week- if you're around. It my treat- u pick place.

1/16/2015 9:52 PM

Richard Luthmann

I'm in the UK next week...Will have to be in a couple of weeks

1/16/2015 9:54 PM

Richard Luthmann

Larry says hi and wants to know when you're going to cut the check.

1/17/2015 12:33 AM

Judge Ron Castorina Jr.

Lol- well have fun in the UK barrister!

1/19/2015 8:55 PM

Richard Luthmann

http://www.silive.com/news/index.ssf/2015/01/democrat_critical_of_staten_is.html#incart_river

1/23/2015 1:05 AM

Judge Ron Castorina Jr.

Hey- just a heads up- forgot to call you before and while it's in my mind- just wanted to let you know that there are 2 delinquent committees with your name on them with the state board of elections. One has you as treasurer (most important) and one has nick popolo. You might want to check it out before they start filing OSC's. Call me if you need anything. Ron

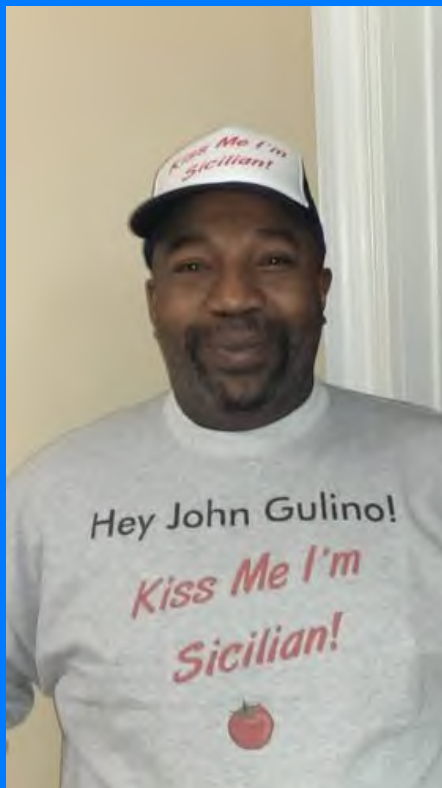
1/23/2015 10:31 AM

Richard Luthmann

Yeah...one is with Larry...no activity...Will get them affidavit when back from UK.

1/29/2015 1:35 PM

Richard Luthmann



1/29/2015 1:35 PM

Richard Luthmann

Larry got a new outfit. Maybe Gulino will give him an interview now.

1/29/2015 4:31 PM

Judge Ron Castorina Jr.

Imfao, i dont know what to say- but im laughing my ass off ha ha ha ha ha

2/2/2015 5:47 PM

Richard Luthmann

801 Manor Road Apt 5-C SINY 10314

2/9/2015 10:21 AM

Richard Luthmann

LETTER TO THE EDITOR
STATEN ISLAND ADVANCE

Richard A. Luthmann
700 Victory Boulevard, Apt. 7-L
Staten Island, NY 10301
(Silver Lake)
Office: 718-447-0003
Cell: 917-453-3718

ONLINE EDITION (500 words)

GULINO OWES SI DEMS AN EXPLANATION OR HIS RESIGNATION

Anyone who knows this native Islander and Monsignor Farrell and Columbia University graduate can tell you that there is no love lost between me and the Democratic Party Leader in New Dorp, a fellow attorney. Even if I would have done my best mischief at every opportunity, it has become a fool's errand to try to make that man look bad – he does it all by himself. Remember 2013, when the Party Leader's questionable pick for Borough Presidential candidate paved the way for the historic Republican victory with nearly 70 percent of the vote. A pattern has emerged.

Recently, Gulino alienated the DCCC with the "Train-Recchia" debacle. The national Dems have conceded the Special Congressional Election as "unwinnable." To the Washington elite, our Congressional District is politically on par with Amarillo or Midland, Texas – and to the Politicos – Islanders are backwards people that are not likely to change their mind.

The problem is that Staten Island is not Midland or Amarillo. There are no Cracker Barrels or Waffle Houses here. If you call what Pizza Hut produces "pizza" compared to Goodfellas or Denino's, you will get you laughed at - or worse. No, what makes Staten Islanders appear on the national stage as ignorant and indistinguishable from shirtless, shoeless, toothless rednecks is the total failure of Democratic Leader Gulino to identify, support and cultivate political candidates and build a "Party Machine".

In the 1970s, Guy Molinari set the groundwork for the Republican Party's Political Machine we still see today. Candidates are identified and cultivated for races now and in the future. No matter who the candidate is, no matter which seat, the Republican machine gets its contributors ready and arms its candidates with monetary support. The signs appear like clock-work up and down Richmond Avenue, Hylan Boulevard, Richmond Road, Amboy Road and all points in-between. You're guaranteed to know who is running – if they are a Republican

Simple question: Why don't the Democrats have a "machine"? Why doesn't John Gulino want a machine to control the process? What is his motivation? Can we expect anything other than more of the same?

Simple Answer: John Gulino's (laughable) legacy will be that the local Democratic Party became a "Raccoon Lodge" while the Republicans solidified their Political Machine. And until the bitter end, Gulino remains secure as the "Grand Pubah" of the "Raccoon Lodge" because he prevents diversity of opinion on his County Committee, desiring total control.

Now a Political Machine is no guarantee of victory. Other factors are relevant, like putting an unelectable Brooklynite up for the NY-11 Congressional seat (maybe twice). No matter how good your machine or money, that's a pill that Staten Island won't swallow. But this pattern should be disturbing to all. A strong Democratic Party and a strong two-party system is vital to our political process. It makes elections matter.

Chairman Gulino owes Staten Island Democrats and our entire local community an explanation of what he will do to produce viable Democratic candidates - or his resignation.

Regards,

Richard A. Luthmann
700 Victory Boulevard, Apt. 7-L
Staten Island, NY 10301
(Silver Lake)
Office: 718-447-0003
Cell: 917-453-3718

2/9/2015 11:06 AM

Judge Ron Castorina Jr.

did you receive any response from the advance on the matter? i read it the other night.

2/9/2015 11:14 AM

Richard Luthmann

No.

2/9/2015 11:14 AM

Richard Luthmann

I want it to buzz around if the advance won't pick it up

2/9/2015 5:32 PM

Richard Luthmann

Shared Link: http://www.silive.com/opinion/letters/index.ssf/2015/02/democratic_leader_should_expla.html

By Richard A. Luthmann Silver Lake Anyone who knows this native Islander and Monsignor Farrell and Columbia University graduate can tell you that there is no love lost between me and Democratic Party Leader John Gulino in New Dorp, a...
http://www.silive.com/opinion/letters/index.ssf/2015/02/democratic_leader_should_expla.html#incart_river

2/10/2015 5:37 AM

Judge Ron Castorina Jr.

Well done opinion piece. I expected to see more comments. Gulino must be doubled over right now. The hits just keep on comin' lol

2/10/2015 5:38 AM

Richard Luthmann

screw him

2/10/2015 5:39 AM

Richard Luthmann

i'm going to email it to the entire county committee

2/10/2015 5:41 AM

Judge Ron Castorina Jr.

Of course you are- I'd expect no less. What do you think of my complaint? I'll email you my memo of law later on too.

2/10/2015 5:43 AM

Richard Luthmann

it's good...technical...makes the argument turn on "shall"

2/10/2015 5:44 AM

Richard Luthmann

what does shall mean?

2/10/2015 5:45 AM

Richard Luthmann

if the Governor can pocket the special indefinitely, shall has no meaning

2/10/2015 5:47 AM

Richard Luthmann

i would have added tax argument...so Larry could call for his brethren to stop paying taxes...

2/10/2015 5:48 AM

Judge Ron Castorina Jr.

Exactly- I make the point using the relevant circuit ct case law and supremacy clause in my memo.

2/10/2015 5:48 AM

Richard Luthmann

no taxation without representation

2/10/2015 5:50 AM

Richard Luthmann

We'll dress Larry up like an Indian and have him throw lipton into the Kill Van Kull

2/10/2015 5:52 AM

Judge Ron Castorina Jr.

Three cornered hats only

2/10/2015 5:55 AM

Richard Luthmann

Shared Link: https://myteabreakblog.files.wordpress.com/2011/07/btp_pic9.jpg
https://myteabreakblog.files.wordpress.com/2011/07/btp_pic9.jpg

2/10/2015 5:58 AM

Judge Ron Castorina Jr.

Lol classic shot

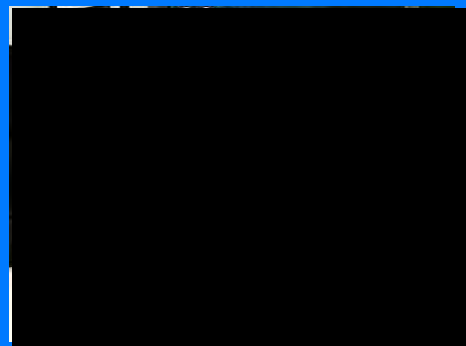
2/13/2015 6:45 AM

Richard Luthmann

Shared Link: <https://www.facebook.com/John-Sollazzo-801017016636663/>
<https://www.facebook.com/pages/John-Sollazzo/801017016636663>
Link title: Log in or sign up to view
Link description: See posts, photos and more on Facebook.

3/21/2015 7:23 PM

Richard Luthmann



3/21/2015 7:23 PM

Richard Luthmann



3/21/2015 7:25 PM

Richard Luthmann

[REDACTED]

3/21/2015 10:07 PM

Richard Luthmann

Kinder, gentler Luthmann is out the fucking window.

3/21/2015 10:08 PM

Richard Luthmann

Ask Jimmy for Détente...I really want to [REDACTED]

3/21/2015 10:24 PM

Judge Ron Castorina Jr.

Lmfao

3/21/2015 10:25 PM

Judge Ron Castorina Jr.

it begins

3/31/2015 11:57 AM

Richard Luthmann

Where does Dan Donovan stand on Bo Bergdahl?

3/31/2015 11:57 AM

Richard Luthmann

Do you know?

3/31/2015 6:58 PM

Richard Luthmann

No call today?

3/31/2015 6:58 PM

Richard Luthmann

I'm still in the air so I can't talk anyway.

3/31/2015 9:47 PM

Judge Ron Castorina Jr.

I sat with them today and I have numbers. When are you free to talk.

5/13/2015 10:45 PM

Richard Luthmann



Shared Link: <http://www.nysegov.com/cjn/system/applicationDownload.cfm>

New job: <http://nysegov.com/cjn/system/applicationDownload.cfm>

Link title: Commission on Judicial Nomination

5/13/2015 10:45 PM

Richard Luthmann

Chief Judge Castorina

5/13/2015 11:18 PM

Judge Ron Castorina Jr.

Lol- is that a nomination rich? Lol

5/13/2015 11:21 PM

Richard Luthmann

Could be...I'm having Larry put one in too...

5/13/2015 11:21 PM

Richard Luthmann

Chief Judge Larry

5/13/2015 11:21 PM

Richard Luthmann

Sheeeeeeeeit

5/13/2015 11:22 PM

Richard Luthmann

A chicken in every pot and Hennessy in every glass!

5/13/2015 11:59 PM

Judge Ron Castorina Jr.

You have no limits- and that's what makes me find of you my friend!!! Dinner and drinks soon!

5/13/2015 11:59 PM

Judge Ron Castorina Jr.

Fond*

5/14/2015 6:23 PM

Richard Luthmann

I need Larry to get a letter of rejection for the job of Chief Judge...it's more than he got from Gulino in his application to become Congressman

5/15/2015 11:11 PM

Richard Luthmann

So how are you tonight Mr. Assemblyman?

5/15/2015 11:12 PM

Richard Luthmann

Let me know if you do it...I'll write you a check.

5/15/2015 11:12 PM

Richard Luthmann

I'm already writing one for Joe.

5/15/2015 11:14 PM

Richard Luthmann

Even though I still might run a shill on the South Shore to cause trouble...we'll see...some pro 2nd amendment 24 year old stripper broad with huge fake tits

5/15/2015 11:14 PM

Richard Luthmann

if you don't think that would be fun, you're insane

5/16/2015 3:34 AM

Judge Ron Castorina Jr.

It does sound fun- I ha ha ha

5/19/2015 5:28 PM

Richard Luthmann



Shared Link: <https://www.youtube.com/watch?v=nqiB0eL9pW0>
<https://www.youtube.com/watch?v=nqiB0eL9pW0>
Link title: The Luthmann Law Firm, PLLC - - Credit Repair
Link description:

5/19/2015 7:13 PM

Judge Ron Castorina Jr.

teaming up with sorrento i see- good job. best of luck

5/19/2015 7:14 PM

Richard Luthmann

I've been teaming with him for years...

5/19/2015 7:14 PM

Richard Luthmann

Shane and I have been doing this shit together since like 2011

5/19/2015 9:35 PM

Judge Ron Castorina Jr.



5/22/2015 6:03 PM

Richard Luthmann

Shared Link: <http://www.shareonfb.com/1dnI3u/>
BREAKING_Federal_Indictment_For_SI_Democratic_Party_Leader

Sources close to the acting Assistant U.S. Attorney for the Eastern District of New York confirmed earlier today that prosecutors are seeking an indictment of the Staten Island Democratic Party Leader surrounding questionable business deals
You sent a link.

5/26/2015 11:48 PM

Richard Luthmann

Castorina For DA...come on...I'll cross party lines to support you on that!

6/26/2015 11:29 PM

Richard Luthmann

Shared Link: <http://www.shareonfb.com/64q96/>
Will_Gulino_Challenge_to_Dems_Petitions_to_Secure_Re-Election_as_Party_Leader_Embolden_Republican_Challenge

Michael McMahon's ballot position as the Democratic Party's Candidate for S.I. District Attorney may be in jeopardy as some question whether Party Leader Gulino will challenge Dems petitions to ensure his own re-election as Party Leader, inviting You sent a link.

7/8/2015 8:56 AM

Richard Luthmann

Sirs:

These offices represent Mr. Lawrence Gilder who is copied hereto.

Mr. Gilder has directed that I release the attached Draft Complaint for Settlement Purposes. Please contact these offices, either personally or by way of your legal representatives if you would like to discuss settlement terms.

Mr. Gilder has directed that this Complaint be finalized and e-filed with the Federal District Court upon the earlier of Monday, July 13, 2015 or the receipt of Objections to any NYS Election Law Designating Petitions that have been filed and to which Mr. Gilder is involved. Mr. Gilder intends to make an application for temporary and preliminary restraints.

Mr. Gilder has also indicated his desire to file the attached as a grievance to the New York State Democratic Party and the Democratic National Committee.

Time is of the essence or as Mr. Gilder has so artfully termed it: "No fuckery."

Please be governed accordingly.

Richard A. Luthmann, Esq., JD LLM

7/8/2015 8:57 AM

Richard Luthmann

Let me know if received.

7/8/2015 3:53 PM

Richard Luthmann

No Fuckery...

7/15/2015 8:56 PM

Richard Luthmann

<http://m.nydailynews.com/new-york/hamill-eric-garner-death-haunts-neighborhood-article-1.2291102>

7/17/2015 5:42 PM

Richard Luthmann

Spoke to your buddy Steve Kitzinger the other day. He sounded like I peed in his Cheerios. Steve: "You sued my client today.". Me: "Yep. I've been known to do that.". I like Steve. Smart guy.

7/17/2015 6:16 PM

Judge Ron Castorina Jr.

Lol- the fact that you and I can separate litigation from friendship makes you a true friend. I hope you are enjoying my old stomping grounds in buffalo! Duffs has better wings than the anchor bar and Jims Steak Out is awesome!!!!

7/19/2015 6:08 PM

Richard Luthmann

<http://nypost.com/2015/07/19/i-was-passed-up-for-rep-grimms-seat-because-im-black-lawsuit/>

7/19/2015 7:23 PM

Judge Ron Castorina Jr.

They left out who mr. Gilder's attorney is..... Great picture of him.

7/19/2015 8:20 PM

Richard Luthmann

I heard the Post thinks its Ron Castorina.

7/19/2015 8:22 PM

Richard Luthmann

Larry already has it printed out and laminated...unequivocal proof that he is a LOVER...the NY Post said it.

7/19/2015 9:58 PM

Judge Ron Castorina Jr.

Lol- I loved that article. It's mostly true- that's the said part

7/19/2015 9:59 PM

Richard Luthmann

Political acumen...

7/19/2015 9:59 PM

Richard Luthmann

The one and only Chairman.

7/19/2015 10:02 PM

Richard Luthmann

The best part is that your lawsuit against Cuomo establishes Larry as a political activist.

7/19/2015 10:17 PM

Judge Ron Castorina Jr.

Yes- it truly does lol

7/22/2015 2:00 PM

Richard Luthmann

http://www.silive.com/news/index.ssf/2015/07/local_attorney_seeks_to_defeat.html#incart_2box_silive-homepage-featured

7/22/2015 2:00 PM

Richard Luthmann



7/24/2015 6:43 AM

Richard Luthmann

File message judgeroncastorinajr_10153620355776929-attachments/ReplyAffirmationofRichardALuthmann_101535746642569291.pdf

7/24/2015 6:43 AM

Richard Luthmann

My case on today.

7/24/2015 6:43 AM

Richard Luthmann

You'll get a kick out of this.

7/24/2015 7:42 AM

Judge Ron Castorina Jr.

Probably the most amusing affirmation I have ever read. You had me at "comic book affirmation"- but then "trial by combat"..... I nearly pissed my pants. Lmfao. Who is this case before ?

7/24/2015 7:50 AM

Richard Luthmann

Dollar

7/24/2015 7:50 AM

Richard Luthmann

Dollard

7/24/2015 6:26 PM

Richard Luthmann

Trial by Combat

7/25/2015 3:07 PM

Richard Luthmann



7/25/2015 3:07 PM

Richard Luthmann



7/25/2015 3:07 PM

Richard Luthmann

Gulino's white weasel

7/25/2015 5:28 PM

Judge Ron Castorina Jr.

Lmfao- how did trial by combat go

7/25/2015 5:59 PM

Richard Luthmann

Well know in August after Dollard reads the papers

7/26/2015 4:28 AM

Judge Ron Castorina Jr.



8/6/2015 10:26 AM

Richard Luthmann

Youd better get paid up front from te BOE

8/6/2015 10:27 AM

Richard Luthmann

Gilder strikes!

8/6/2015 10:43 AM

Richard Luthmann

File message judgeroncastorinajr_10153620355776929-attachments/
FullMotionforDefaultJudgment_101536045002219291.pdf

8/6/2015 10:43 AM

Richard Luthmann

NYC Board of Elections just defaulted in Larry's case. The Chairman is set to collect \$10 million and change.

8/11/2015 9:23 PM

Richard Luthmann

Shared Link: <http://www.tpn.com/2015/04/30/guess-who-the-1st-legal-slave-owner-in-america-was-dont-expect-the-media-to-report-this/>

Read the latest news, opinion, exclusive interviews, and in-depth analysis on Politics, US News, Sports, Lifestyle, Commentary and more from The Western Journal.
You sent a link.

8/11/2015 10:58 PM

Judge Ron Castorina Jr.

Interesting article... Reparations in 2016??? That's outrageous !!!

8/11/2015 10:58 PM

Richard Luthmann

Kills Larry's reparations case.....damn!

8/11/2015 10:59 PM

Judge Ron Castorina Jr.

Lol may have to withdraw that claim lol

8/11/2015 10:59 PM

Judge Ron Castorina Jr.

without prejudice tho

8/11/2015 11:00 PM

Judge Ron Castorina Jr.

u never got back to me about dinner tonight!

8/11/2015 11:00 PM

Richard Luthmann

Plymouth Rock landed on...aw shit...niggas be ruining it for other niggas!

8/11/2015 11:01 PM

Judge Ron Castorina Jr.

Lol sickkkkkk

8/11/2015 11:01 PM

Judge Ron Castorina Jr.

let me know about dinner for this week or next

8/11/2015 11:01 PM

Richard Luthmann



8/11/2015 11:01 PM

Richard Luthmann



8/11/2015 11:02 PM

Richard Luthmann

Out with Sollazzo!

8/11/2015 11:02 PM

Judge Ron Castorina Jr.

I thought that was phil minardo for a second

8/11/2015 11:02 PM

Richard Luthmann

Hey!

8/11/2015 11:02 PM

Judge Ron Castorina Jr.

lol

8/17/2015 1:40 PM

Richard Luthmann

File message judgeroncastorinajr_10153620355776929-
attachments/150817114858_0001_101536331575669291.pdf

8/27/2015 7:01 PM

Richard Luthmann



8/28/2015 8:19 PM

Richard Luthmann

ok did it

8/28/2015 8:19 PM

Richard Luthmann

File message judgeroncastorinajr_10153620355776929-attachments/
NYSupremeQueens89452015Order_101536623134069291.pdf

8/28/2015 8:19 PM

Richard Luthmann

Already served this on BOE...fyi

8/30/2015 7:29 PM

Richard Luthmann

Gulino is going to luck out.

8/30/2015 7:30 PM

Richard Luthmann

I have to kick your ass with my brief in opp this week.

8/30/2015 7:30 PM

Richard Luthmann

I can't wait.

8/30/2015 7:30 PM

Richard Luthmann

I love the smell of napalm in the morning.

8/30/2015 7:55 PM

Richard Luthmann

Audio message judgeroncastorinajr_10153620355776929-attachments/Audio1.mp4

8/31/2015 7:56 AM

Richard Luthmann

I sent you a nice message from the plane last night...I was toasted.

8/31/2015 7:56 AM

Richard Luthmann

Hehe

8/31/2015 12:05 PM

Judge Ron Castorina Jr.

Ha ha ha- thanks for the kind words Imfao. Hope it was a decent scotch!

8/31/2015 12:06 PM

Richard Luthmann

Just got a notice for court in the mail today for the 2319 case

8/31/2015 12:07 PM

Richard Luthmann

I wonder if they take this down at the courthouse.

8/31/2015 12:07 PM

Richard Luthmann



8/31/2015 12:08 PM

Richard Luthmann

Or at La Strada

8/31/2015 3:51 PM

Richard Luthmann

WHOOO!

8/31/2015 3:51 PM

Richard Luthmann



9/2/2015 3:01 PM

Richard Luthmann

You're going to love this brief...it is actually going to be fun to argue this one.

9/2/2015 3:02 PM

Richard Luthmann

"Post Hobby Lobby, there may not even be a corporate veil, your Honors, so everything that Mr. Castorina said is bullshit."

9/2/2015 3:02 PM

Richard Luthmann

Shared Link: http://www.americanbar.org/content/dam/aba/publications/supreme_court_preview/briefs-v3/13-354-13-356_amcu_cclp.authcheckdam.pdf
http://www.americanbar.org/content/dam/aba/publications/supreme_court_preview/briefs-v3/13-354-13-356_amcu_cclp.authcheckdam.pdf

9/4/2015 5:17 PM

Richard Luthmann

Shared Link: <https://callportal.robodial.org/orderRecPlayPopup.php?uid=dcfd364ac0f096bdf709404e77a0ebbe>
<https://callportal.robodial.org/orderRecPlayPopup.php?uid=dcfd364ac0f096bdf709404e77a0ebbe>

9/6/2015 10:20 PM

Richard Luthmann

Shared Link: <https://www.facebook.com/richmondcountydems/photos/a.752203428162530/875260925856779/?type=3>
You sent an attachment.

9/6/2015 11:40 PM

Judge Ron Castorina Jr.

Skeletor Imfao

9/6/2015 11:41 PM

Richard Luthmann

Fuck him

9/6/2015 11:41 PM

Richard Luthmann

McMahon's people must be going crazy by now.

9/6/2015 11:41 PM

Judge Ron Castorina Jr.

Totally nuts - good for u

9/7/2015 2:05 AM

Richard Luthmann

You'll appreciate this...I use the SIDA Constitution to piss on McMahon.

9/7/2015 1:54 PM

Richard Luthmann

This is getting great:

https://www.facebook.com/groups/85882947737/10154218629847738/?notif_t=group_comment

9/10/2015 1:32 AM

Richard Luthmann

Shared Link: <https://twitter.com/realjohngulino>

Senaste tweets från Real John Gulino (@realjohngulino). I am the Exalted Leader from New Dorp, Staten Island, New York. Talk to me about hair care products and gels, creams and devices that stimulate. Staten Island, NY
<https://twitter.com/realjohngulino>

9/10/2015 9:27 PM

Richard Luthmann

Shared Link: <https://www.facebook.com/richard.luthmann/posts/pfbid0e2FuCAzoobiqCmenyw1qELefYXDZFNv6mDZHUV8PKeHcKB8LF6kUNnHYBLWUEfyXI>
You sent an attachment.
Link title: Richard Luthmann
Link description: Victory at 700!
Richard A. Luthmann 47
Nedzad Marsic 45
Rian Silverman 17

Luthmann and Marsic are on the Democratic County Committee.

9/11/2015 8:45 AM

Judge Ron Castorina Jr.

I followed your race closely!

9/11/2015 8:46 AM

Richard Luthmann

3 to 1

9/11/2015 8:46 AM

Richard Luthmann

Gulino isn't happy

9/11/2015 8:46 AM

Richard Luthmann

hehe

9/11/2015 8:46 AM

Richard Luthmann

Shared Link: <https://twitter.com/realjohngulino>

Senaste tweets från Real John Gulino (@realjohngulino). I am the Exalted Leader from New Dorp, Staten Island, New York. Talk to me about hair care products and gels, creams and devices that stimulate. Staten Island, NY
<https://twitter.com/realjohngulino>

9/11/2015 8:49 AM

Judge Ron Castorina Jr.

The funniest post is about "waiting for my new device". Lmfao fucked up and wrong on so many ways lol

9/11/2015 8:49 AM

Richard Luthmann

Fuck him

9/11/2015 8:50 AM

Richard Luthmann

Let him sue me...I will subpoena his medical records and prove it to be true

9/11/2015 8:50 AM

Richard Luthmann

dingle dick Gulino

9/11/2015 9:28 AM

Richard Luthmann

"When you win you can be magnanimous, but you can't be stupid. The Party Leader has the monopoly on that" Luthmann said.

9/11/2015 10:18 AM

Judge Ron Castorina Jr.

Imfao- great quote. huge loss for mcmahon and co.

9/11/2015 11:41 AM

Richard Luthmann

Shared Link: <https://twitter.com/realjohngulino/status/642361888349810688>

"It was a tough night last night...no good answers. I hope he took Ralph home with him to explain it to the Boss."
<https://twitter.com/realjohngulino/status/642361888349810688>

9/11/2015 11:45 PM

Richard Luthmann



9/12/2015 1:29 AM

Judge Ron Castorina Jr.

Lmfao- fucking hysterical ha ha ha. Your the best rich. I just got home and saw this and cracked up. It's spot on. Lol

9/12/2015 3:51 PM

Richard Luthmann

My new ride to court.

9/12/2015 5:31 PM

Richard Luthmann

I hear Gulino is runnign around trying to bribe people.

9/27/2015 6:56 AM

Richard Luthmann

Shared Link: <https://twitter.com/realjohngulino/status/648088019367538688>

"I hear Larry Gilder wants to take all of my "Gulino Money" and buy the house next door
<http://t.co/SBK7pqqN5A>
<https://twitter.com/realjohngulino/status/648088019367538688>

10/1/2015 5:18 PM

Richard Luthmann

I wish I knew something about this.

10/1/2015 5:30 PM

Richard Luthmann

Call me when you can. I have a great story for you. 917-453-3718.

10/1/2015 8:55 PM

Richard Luthmann

<https://twitter.com/10percentjimmy/status/649748301991006208>

10/1/2015 9:18 PM

Richard Luthmann

<https://twitter.com/10percentjimmy/status/649754224172122113>

10/5/2015 8:33 AM

Richard Luthmann

Shared Link: <https://www.facebook.com/Mike-McMahon-117859888545817/>
New Likes Needed: <https://www.facebook.com/Mike-McMahon-117859888545817/timeline/>
Link title: Log in or sign up to view
Link description: See posts, photos and more on Facebook.

10/5/2015 10:17 PM

Richard Luthmann

Shared Link: <https://www.facebook.com/117859888545817/photos/a.121144504884022/194670364198102/?type=3>
You sent an attachment.

10/6/2015 7:37 AM

Judge Ron Castorina Jr.

Wow- Imfao girl get on your back--- holy shit- I'm fucking pissing my pants Imfao- wow ha ha ha

10/6/2015 7:39 AM

Richard Luthmann



10/6/2015 7:39 AM

Richard Luthmann

Fuck him.

10/7/2015 10:54 AM

Richard Luthmann

Smiling Jack ain't too happy with me.

10/7/2015 11:39 AM

Judge Ron Castorina Jr.

what happened

10/7/2015 11:39 AM

Richard Luthmann

I am responsible for all of his problems apparently.

10/7/2015 11:40 AM

Judge Ron Castorina Jr.

i love the smiling jack reference

10/7/2015 11:40 AM

Judge Ron Castorina Jr.

and "girl get on your back" fuckin amazing

10/7/2015 11:40 AM

Judge Ron Castorina Jr.

you were very demure in your comments last night

10/7/2015 11:41 AM

Richard Luthmann

All of the POLITICAL HACKS that he surrounds himself with are not the problem.

10/7/2015 11:41 AM

Judge Ron Castorina Jr.

the irish mafia lol

10/7/2015 11:42 AM

Richard Luthmann

They didn't put in the part where I said a Monsignor at Farrell beat it into me that you never speak I'll of another Farrell man, so I have nothing further to say.

10/7/2015 11:43 AM

Richard Luthmann

I can't go out there and say he's not qualified.

10/7/2015 11:44 AM

Richard Luthmann

I'm an elected democratic party official

10/7/2015 11:46 AM

Richard Luthmann

Plus, Braisted was a T&E lawyer who was DA...so I gotta keep my hope alive. 😊

10/7/2015 11:49 AM

Judge Ron Castorina Jr.

ha ha ha- yes you do

10/7/2015 11:49 AM

Judge Ron Castorina Jr.

you were duly elected- i certified the results!

10/7/2015 4:19 PM

Richard Luthmann

Need help on this one. Claire Bisignano Chesnoff is the President-Elect of the Staten Island Board of Realtors and is also my mother.

10/7/2015 5:20 PM

Judge Ron Castorina Jr.

ok

10/7/2015 11:12 PM

Richard Luthmann

https://m.facebook.com/story.php?story_fbid=195539654111173&id=117859888545817

10/7/2015 11:19 PM

Judge Ron Castorina Jr.

is that really him????

10/7/2015 11:20 PM

Richard Luthmann

Yep...he's fucked.

10/7/2015 11:20 PM

Richard Luthmann

He took the sign off of Mary Reilly's lawn

10/7/2015 11:21 PM

Judge Ron Castorina Jr.

shit- how stupid is that

10/7/2015 11:21 PM

Richard Luthmann

Of all fucking people...

10/7/2015 11:21 PM

Richard Luthmann

Mike Reilly has the property all wired up.

10/7/2015 11:21 PM

Judge Ron Castorina Jr.

this kid was not thinking

10/7/2015 11:21 PM

Judge Ron Castorina Jr.

someone with a future should never be involved with that nonsense

10/7/2015 11:22 PM

Judge Ron Castorina Jr.

hes all 100% behind mcmahon and his judgment has been clouded- so dumb

10/7/2015 11:22 PM

Richard Luthmann

Elkins will have no future once I'm done with him.

10/7/2015 11:22 PM

Judge Ron Castorina Jr.

the smart criminals pay decoys to do it lol

10/7/2015 11:23 PM

Judge Ron Castorina Jr.

eh go easy on the kid, he just lost his mom... stupid thing he did

10/7/2015 11:23 PM

Richard Luthmann

A guy with a ski mask and a shirt that says "I KILLED NICOLE BROWN SIMPSON" that looks a lot like Mr. Gilder

10/7/2015 11:23 PM

Judge Ron Castorina Jr.

doesnt mean u should stop torturing him on FB Imfao

10/7/2015 11:23 PM

Judge Ron Castorina Jr.

Imfao- sounds about right

10/7/2015 11:24 PM

Judge Ron Castorina Jr.

"decoy"

10/7/2015 11:24 PM

Judge Ron Castorina Jr.

and u immediately call upon Mr. Gilder

10/7/2015 11:24 PM

Judge Ron Castorina Jr.

Imfao

10/7/2015 11:24 PM

Judge Ron Castorina Jr.

btw- im fucking with saltoel a bit

10/7/2015 11:24 PM

Judge Ron Castorina Jr.

saltiel

10/7/2015 11:25 PM

Richard Luthmann

Oh, I know...

10/7/2015 11:25 PM

Richard Luthmann

He cried me a river on the phone today.

10/7/2015 11:25 PM

Judge Ron Castorina Jr.

ha ha ha and im enjoying it

10/7/2015 11:25 PM

Richard Luthmann

Fuck him...Jewboy.

10/7/2015 11:25 PM

Judge Ron Castorina Jr.

yes, he told my secretary that he is "the attorney of record and demands that i send him the decision"

10/7/2015 11:26 PM

Judge Ron Castorina Jr.

Imfao- i said if hes the attorney of record, go to the court and get the fucking decision himself, im not his messenger boy

10/7/2015 11:26 PM

Judge Ron Castorina Jr.

gotta be fucking kidding me lol

10/7/2015 11:26 PM

Judge Ron Castorina Jr.

u killed my fun luthmann!

10/7/2015 11:26 PM

Judge Ron Castorina Jr.

he was calling 3-4 times a day for the last 2 weeks Imfao

10/7/2015 11:27 PM

Judge Ron Castorina Jr.

and he sent me and email a few days ago, it was one word and it said "Ridiculous!" Imfao

10/8/2015 3:53 PM

Richard Luthmann



Shared Link: <http://www.ny1.com/nyc/all-boroughs/news/2015/10/8/mcmahon-campaign-manager-resigns-over-political-consulting-group-fine.html>

A major political consulting group was pummeled with a fine Thursday for skirting campaign finance laws during the 2013 election, sparking some fallout in the current race for Staten Island District Attorney.

[https://www.facebook.com/permalink.php?](https://www.facebook.com/permalink.php?story_fbid=195829690748836&id=117859888545817¬if_t=like)

[story_fbid=195829690748836&id=117859888545817¬if_t=like](https://www.facebook.com/permalink.php?story_fbid=195829690748836&id=117859888545817¬if_t=like)

Link title: McMahon Campaign Manager Resigns Over Political Consulting Group Fine

Link description: A major political consulting group was pummeled with a fine Thursday for skirting campaign finance laws during the 2013 election, sparking some fallout in the current race for Staten Island District Attorney.

10/8/2015 4:13 PM

Judge Ron Castorina Jr.

wow- thats bad news for him. not good at all

10/9/2015 8:03 AM

Richard Luthmann

Why should Smiling Jack be seen with today?

10/9/2015 8:03 AM

Richard Luthmann

How?

10/9/2015 8:03 AM

Richard Luthmann

Who?

10/9/2015 8:03 AM

Richard Luthmann

That is the word...Who

10/9/2015 9:05 AM

Judge Ron Castorina Jr.

we will soon find out lol

10/11/2015 9:05 AM

Richard Luthmann

Can't show anyone this.

10/11/2015 9:05 AM

Judge Ron Castorina Jr.

ok

10/11/2015 9:05 AM

Judge Ron Castorina Jr.

what is it

10/11/2015 9:05 AM

Richard Luthmann

<https://dl.dropboxusercontent.com/u/87861424/VIDEO0014.mp4>

10/11/2015 9:06 AM

Richard Luthmann

Kuharski, Giovinazzo and Bobby Scarmadella song

10/11/2015 9:06 AM

Judge Ron Castorina Jr.

HOLY SHIT

10/11/2015 9:07 AM

Richard Luthmann

That's Dr. Flynn...total maniac

10/11/2015 9:07 AM

Judge Ron Castorina Jr.

who is singing that? and where was it

10/11/2015 9:07 AM

Richard Luthmann

Dr. Flynn is a dentist and has a band...

10/11/2015 9:07 AM

Judge Ron Castorina Jr.

wow wow wow LMFAO

10/11/2015 9:07 AM

Richard Luthmann

he is going through a divorce and Kuharski and Giovinazzo are representing his wife

10/11/2015 9:07 AM

Judge Ron Castorina Jr.

ha ha ha ha ha- that will usually do it

10/11/2015 9:07 AM

Richard Luthmann

He just doesn't give a fuck

10/11/2015 9:08 AM

Judge Ron Castorina Jr.

he sounds good

10/11/2015 9:08 AM

Judge Ron Castorina Jr.

lol- hes talented

10/11/2015 9:08 AM

Richard Luthmann

That was at the Randall Manor Tavern

10/11/2015 9:08 AM

Judge Ron Castorina Jr.

id like to hear him do some johnny cash

10/11/2015 9:08 AM

Richard Luthmann

You should hear him cover bob Dylan

10/11/2015 9:08 AM

Judge Ron Castorina Jr.

recently?

10/11/2015 9:08 AM

Judge Ron Castorina Jr.

lmfao

10/11/2015 9:08 AM

Richard Luthmann

Last Night

10/11/2015 9:08 AM

Judge Ron Castorina Jr.

fucking crazy

10/11/2015 9:09 AM

Judge Ron Castorina Jr.

janine materna filed a committee- shes going to primary me for sure

10/11/2015 9:09 AM

Richard Luthmann

The best part is, his wife is a fat pig and told him - as he was going in for surgery to remove cancer - that she hoped he didn't come out.

10/11/2015 9:09 AM

Judge Ron Castorina Jr.

she was roming around richmond town with that guy ron lauria yesterday too

10/11/2015 9:09 AM

Richard Luthmann

Fuck them.

10/11/2015 9:09 AM

Richard Luthmann

Time for a fake Janine Materna site...

10/11/2015 9:09 AM

Judge Ron Castorina Jr.

that bitch has had a URL for assembly congress and senate for 5 years- shes fucking nuts

10/11/2015 9:10 AM

Richard Luthmann

Facebook...

10/11/2015 9:10 AM

Judge Ron Castorina Jr.

yes- i need to talk to you about that race, and im going to need your expertise

10/11/2015 9:10 AM

Richard Luthmann

Then turn it into RINO Janine Materna

10/11/2015 9:10 AM

Richard Luthmann

FLIP FLOP

10/11/2015 9:10 AM

Richard Luthmann

FLIPPITY FLOPPITY FLOOP

10/11/2015 9:11 AM

Judge Ron Castorina Jr.

shes a republican, but she took the working fam parties endorsement and worked for hillary

10/11/2015 9:11 AM

Richard Luthmann

Republican today...Dem yesterday

10/11/2015 9:11 AM

Richard Luthmann

Is there a picture of her with Hillary?\

10/11/2015 9:11 AM

Judge Ron Castorina Jr.

yes, so much bullshit- shes a first year law student- its like legally blond

10/11/2015 9:11 AM

Judge Ron Castorina Jr.

im looking for one, but theres a few with chucky schumer

10/11/2015 9:12 AM

Judge Ron Castorina Jr.

her facebook page lists her prior endorsements

10/11/2015 9:13 AM

Richard Luthmann

Message: Materna is a good person, and maybe she will be an elected official one day. But how can she devote herself to the law and run a campaign and an assembly office? SHE is short-changing herself. But more importantly, she is short-changing Staten Island.

10/11/2015 9:13 AM

Richard Luthmann

You're going to call upon her to take a leave of absence from law school.

10/11/2015 9:14 AM

Richard Luthmann

And she won't.

10/11/2015 9:14 AM

Judge Ron Castorina Jr.

yes, exactly

10/11/2015 9:14 AM

Richard Luthmann

Then you are going to talk about the job of a legislator.

10/11/2015 9:14 AM

Judge Ron Castorina Jr.

id like to sit down with u soon

10/11/2015 9:14 AM

Richard Luthmann

Ok. Let's put it in the schedule.

10/11/2015 9:14 AM

Judge Ron Castorina Jr.

that flynn song is rather witty

10/11/2015 9:14 AM

Richard Luthmann

Do you want the Reform line?

10/11/2015 9:15 AM

Judge Ron Castorina Jr.

lol

10/11/2015 9:15 AM

Judge Ron Castorina Jr.

yes, the astorino line yes

10/11/2015 9:15 AM

Richard Luthmann

I can broker that too.

10/11/2015 9:15 AM

Richard Luthmann

Larry is no longer the Chairman

10/11/2015 9:15 AM

Judge Ron Castorina Jr.

ok, maybe you should form a consulting firm...

10/11/2015 9:15 AM

Judge Ron Castorina Jr.

what happened?

10/11/2015 9:15 AM

Judge Ron Castorina Jr.

he resigned?

10/11/2015 9:15 AM

Richard Luthmann

He is 5% Larry. He joined the Reform Party.

10/11/2015 9:15 AM

Judge Ron Castorina Jr.

ha ha ha ha ha

10/11/2015 9:16 AM

Judge Ron Castorina Jr.

jimmy mo is 10%

10/11/2015 9:16 AM

Judge Ron Castorina Jr.

i think larry is short changed

10/11/2015 9:16 AM

Richard Luthmann

He wants to support Trump, the NRA and cut political corruption in half.

10/11/2015 9:16 AM

Richard Luthmann

He will be half as corrupt as Jimmy Mo.

10/11/2015 9:16 AM

Judge Ron Castorina Jr.

hes a renaissance man for staten island. i think he should run against debi rose

10/11/2015 9:16 AM

Judge Ron Castorina Jr.

only half? lol

10/11/2015 9:16 AM

Richard Luthmann

Notice that he will still be corrupt...and he is honest about that...

10/11/2015 9:17 AM

Richard Luthmann

Brothers have to get their rent money and their weed money from somewhere

10/11/2015 9:17 AM

Judge Ron Castorina Jr.

honesty about your corruption really vitiates the negativity

10/11/2015 9:17 AM

Richard Luthmann

I robbed you. I robbed all of you. But I was honest about it. SO you can't blame me.

10/11/2015 9:18 AM

Richard Luthmann

I think that was Bill Clinton's slogan.

10/11/2015 9:18 AM

Judge Ron Castorina Jr.

yea, its an all american statement- very wholesome

10/11/2015 9:18 AM

Judge Ron Castorina Jr.

of u have time wednesday evening, maybe we can grab dinner at danico

10/11/2015 9:18 AM

Richard Luthmann

John Tobacco is going to run his brother Derek on the Reform line.

10/11/2015 9:19 AM

Richard Luthmann

And in the Republican Primary.

10/11/2015 9:19 AM

Judge Ron Castorina Jr.

yea, unless we can have a talk

10/11/2015 9:19 AM

Richard Luthmann

He thinks people will vote for Derek because they will think he's Lou Tobacco.

10/11/2015 9:19 AM

Richard Luthmann

You want me to arrange the sit-down?

10/11/2015 9:19 AM

Judge Ron Castorina Jr.

they thought that years back too

10/11/2015 9:20 AM

Judge Ron Castorina Jr.

its like eddie murphy in the distinguished gentleman

10/11/2015 9:20 AM

Judge Ron Castorina Jr.

yes, but lets have dinner this week first and talk about everything

10/11/2015 9:20 AM

Richard Luthmann

That's the thing...they will have no idea what to do if they pulled it off...

10/11/2015 9:20 AM

Judge Ron Castorina Jr.

none

10/11/2015 9:20 AM

Richard Luthmann

Sollazzo is going to run his brother Joe Sollazzo

10/11/2015 9:21 AM

Richard Luthmann

on the same theory

10/11/2015 9:21 AM

Judge Ron Castorina Jr.

Imfao thats great

10/11/2015 9:21 AM

Richard Luthmann

You'll have the Sllazzo van to contend with

10/11/2015 9:21 AM

Judge Ron Castorina Jr.

can u do wednesday?

10/11/2015 9:21 AM

Judge Ron Castorina Jr.

if joe sollazzo is a friend of mine, then thats not so bad

10/11/2015 9:22 AM

Richard Luthmann

Wednesday is the Red Mass for the RCBA at Blessed Sacrament. Are you going?

10/11/2015 9:22 AM

Judge Ron Castorina Jr.

shit- thats right. yes im going. we can do dinner after

10/11/2015 9:23 AM

Judge Ron Castorina Jr.

because the dinner there usually sucks

10/11/2015 9:23 AM

Richard Luthmann

Ok. Perfect...You're in.

10/11/2015 9:23 AM

Judge Ron Castorina Jr.

excellent

10/11/2015 9:23 AM

Judge Ron Castorina Jr.

im going to hit the gym so i can get my fat ass in shape for this election lol

10/11/2015 9:23 AM

Richard Luthmann

WHere do you want to go? You want to go to Waterfalls and have Dennis set up the back room fro me and you?

10/11/2015 9:23 AM

Judge Ron Castorina Jr.

yes lets do that

10/11/2015 9:23 AM

Richard Luthmann

You'll lose 30 pounds

10/11/2015 9:23 AM

Judge Ron Castorina Jr.

i havent been to waterfalls in a while it will be good

10/11/2015 9:24 AM

Richard Luthmann

When I ran for BP I did because of all the running around and other bullshit

10/11/2015 9:24 AM

Judge Ron Castorina Jr.

yea, i can imagine, plus the aggravation and stress

10/11/2015 9:24 AM

Judge Ron Castorina Jr.

but ill be sure to have fun

10/11/2015 9:24 AM

Richard Luthmann

And Larry is looking at a run against Jimmy Oddo

10/11/2015 9:25 AM

Richard Luthmann

on the reform line\

10/11/2015 9:25 AM

Richard Luthmann

the matching funds maxes out at like \$650,000...

10/11/2015 9:25 AM

Judge Ron Castorina Jr.

well, larry is a source to be reckoned with after he brought the governor to his knees with the federal suit

10/11/2015 9:25 AM

Richard Luthmann

so plenty of cash to fuck around with

10/11/2015 9:25 AM

Judge Ron Castorina Jr.

thats big money for a campaign

10/11/2015 9:25 AM

Judge Ron Castorina Jr.

yes

10/11/2015 9:25 AM

Richard Luthmann

\$175 x 7

10/11/2015 9:26 AM

Richard Luthmann

\$1225

10/11/2015 9:26 AM

Judge Ron Castorina Jr.

yea, thats lots of money to spend

10/11/2015 9:26 AM

Judge Ron Castorina Jr.

Jimmy hates you

10/11/2015 9:26 AM

Richard Luthmann

The goal is 500 people to max out.

10/11/2015 9:26 AM

Judge Ron Castorina Jr.

then again, who does he like?

10/11/2015 9:27 AM

Judge Ron Castorina Jr.

he doesnt like me either lol

10/11/2015 9:27 AM

Richard Luthmann

Larry: "I hear that the skinny I-Talian man Jimmy Oddo has the HI-Five"

10/11/2015 9:27 AM

Judge Ron Castorina Jr.

Imfao ha ha ha ha ha

10/11/2015 9:27 AM

Richard Luthmann

Vote for Larry. I am the Five Alive!

10/11/2015 9:27 AM

Richard Luthmann

The ladies all know it.

10/11/2015 9:28 AM

Judge Ron Castorina Jr.

Imfao- have flynn do his campaign song

10/11/2015 9:28 AM

Richard Luthmann

We will be part Ric Flair, part Clay Davis and part Marion Barrie by the time we are done.

10/11/2015 9:28 AM

Judge Ron Castorina Jr.

at least 50% marion barry

10/11/2015 9:28 AM

Judge Ron Castorina Jr.

otherwise he wont be fun

10/11/2015 9:29 AM

Judge Ron Castorina Jr.

ill see you tuesday night

10/11/2015 9:29 AM

Richard Luthmann



Shared Link: <https://www.youtube.com/watch?v=I1dnqKGuez0>

The Wire never won an Emmy? Sheeeeeeeeeeeeeeeeeeeeeeeee.....
<https://www.youtube.com/watch?v=I1dnqKGuez0>
Link title: Shiiiiit Sheeeeeeeeeit Shieet Sheeeit - Senator Clay Davis, The Wire
Link description: The Wire never won an Emmy? Sheeeeeeeeeeeeeeeeeeeeeeeee.....

10/11/2015 9:29 AM

Judge Ron Castorina Jr.

keep hope alive!

10/11/2015 9:29 AM

Richard Luthmann

See you then.

10/11/2015 9:29 AM

Judge Ron Castorina Jr.

sheeeit!

10/11/2015 9:52 AM

Richard Luthmann

Vote for Materna...Anything less would be CRIMINAL!

10/11/2015 9:56 AM

Richard Luthmann

I'd love to see the Giovinnazzo-Scarmadella sex tape

10/11/2015 9:57 AM

Richard Luthmann

"Poop Shoot Princess"

10/11/2015 11:08 AM

Richard Luthmann

Shared Link: <https://www.facebook.com/SeeYouNextTuesdaySI/>
<https://www.facebook.com/Janine-Materna-862847303822389/timeline/>
Link title: Log in or sign up to view
Link description: See posts, photos and more on Facebook.

10/11/2015 1:22 PM

Judge Ron Castorina Jr.

Ha ha ha

10/11/2015 1:32 PM

Richard Luthmann

We'll get her about 500 likes...

10/11/2015 1:34 PM

Richard Luthmann



10/11/2015 1:34 PM

Judge Ron Castorina Jr.

I want to crush her- such a phony bitch

10/11/2015 1:34 PM

Judge Ron Castorina Jr.

She's such a phony self serving bitch. Can't stand her

10/11/2015 1:35 PM

Richard Luthmann

You like the Org chart?

10/11/2015 1:37 PM

Judge Ron Castorina Jr.

Ur missing gulino on the chart -as well as gigante.... Love the Carmen stuff lol

10/11/2015 1:37 PM

Richard Luthmann

We'll leave them out for now...

10/11/2015 1:37 PM

Richard Luthmann

GETS WHACKED REGULARLY

10/11/2015 1:38 PM

Judge Ron Castorina Jr.

Love it Imfao

10/11/2015 1:38 PM

Judge Ron Castorina Jr.

the sword! Ha ha ha

10/11/2015 1:38 PM

Judge Ron Castorina Jr.

quite the swordsman

10/11/2015 1:38 PM

Judge Ron Castorina Jr.

I just saw the "sign heist" Imfao

10/14/2015 9:45 AM

Richard Luthmann

https://m.facebook.com/story.php?story_fbid=198130877185384&substory_index=0&id=117859888545817

10/25/2015 5:38 AM

Richard Luthmann

McMahon's people have screwed up with their Facebook campaign. When you see a McMahon Facebook ad, go back and click on it at least ten times. They are paying per click. It will take them until the election to figure out that the clicks are not unique and they are paying for every one.

10/29/2015 5:44 PM

Richard Luthmann

You sent an attachment.

10/29/2015 8:20 PM

Judge Ron Castorina Jr.

great ad

10/29/2015 8:30 PM

Richard Luthmann

I want to make a video game: "The Joust - with Carmen Cогnetta"

10/29/2015 9:40 PM

Judge Ron Castorina Jr.

the true swordsman will always win

10/30/2015 9:04 PM

Richard Luthmann



Shared Link: <https://nypost.com/2015/10/30/the-post-endorses-joan-illuzzi-for-staten-island-da/>

Staten Islanders who care about public safety have a clear choice when they go to the polls Tuesday to pick their next district attorney: Vote for Republican Joan Illuzzi, a hard-nosed, seasoned pr...
http://nypost.com/2015/10/30/the-post-endorses-joan-illuzzi-for-staten-island-da/
Link title: The Post endorses Joan Illuzzi for Staten Island DA
Link description: Staten Islanders who care about public safety have a clear choice when they go to the polls Tuesday to pick their next district attorney: Vote for Republican Joan Illuzzi, a hard-nosed, seasoned pr...

11/5/2015 6:51 AM

Richard Luthmann

Shared Link: <https://vid.me/4fiP>

Dr. David Flynn tells it how it is with Mike Kuharski, Lisa Giovinazzo and Bobby Scamardella in Staten Island to the tune of Johnny Cash.
Did you see this?
<https://vid.me/e/4fiP>

11/5/2015 6:51 AM

Richard Luthmann

It's live!

11/5/2015 7:24 AM

Judge Ron Castorina Jr.

Wow- he's gonna end up getting hit with s defamation suit- on a lighter note, he's a really good musician lol

11/6/2015 6:39 PM

Richard Luthmann

Dark Penguin Strategies LLC has been formed...ready for an Assembly Election in the 62nd ED...

11/6/2015 6:39 PM

Judge Ron Castorina Jr.

Lmfao- so we need to get together over the next week or 2

11/7/2015 6:54 PM

Richard Luthmann

Who sent you the link to like my page on Facebook? Someone is pretending to be me on Facebook

11/7/2015 6:54 PM

Richard Luthmann

From Janine just now.

11/14/2015 2:52 PM

Richard Luthmann

What do you think about this for the Advance?

Syrian Refugee Infiltration Invites Attack on America

At times, I feel I am cursed by a good education. Both at Monsignor Farrell and then again at Columbia University we read the classics, including the Iliad, the Odyssey and the Aeneid. One of the great stories of warning was of the Trojan Horse. For those of you who don't know, the Trojan Horse was military subterfuge that the Greeks used to enter the city of Troy and win the 10-year long Trojan War. The Greeks constructed a huge wooden horse and hid their "Special Forces" inside while the remaining troops pretended to sail away. The Trojans pulled the horse into their city as a victory trophy and celebrated. That night the Greek Special Forces crept out of the horse and opened the gates for the rest of the Greek army, which had sailed back under cover of night. The Greeks entered and destroyed the city of Troy, decisively ending the war and ultimately the Trojan civilization.

Now, if I told you that we could send 10,000 of our best and our smartest American Special Forces into Syria to fight ISIL under the pretext that they were going to sign up as "Jihadi Jims" and then our trained American Warriors would be able to infiltrate and then destroy ISIL once and for all from the inside, you would say that the plan is brilliant. How do we know that

this isn't ISIL's plan with the refugee crisis? How do we know that this isn't a Trojan Horse - one of the oldest military strategies known to man? How do we know the plan isn't in place to reign terror down on our very soil? We don't. And we can't.

The fact is, if we even one Jihadi across our borders, we will have failed. They are refugees. I get it. But put them somewhere. What happened to Guantanamo? Put them there until you can screen and evaluate. Many of our ancestors went through Ellis Island and this is no different than the quarantine that many were subject to - akin to the opening scene in Godfather II. How else can we know that this is not a Trojan Horse? This is yet another in a series of recent U.S. Foreign Policy and Domestic Security blunders. And this is not about winning. This is about survival and if things don't change, we will be digging our dead out of the rubble of the Freedom Tower - or worse.

Some will say, I am being too charitable. There are many that say the Government shouldn't be in the business of sorting the good from the bad. Ask a military family that lost a loved one on 9-11 or in Iraq or Afghanistan and they might tell you that we should let them all die and let God sort it out. It worked for the Greeks who sacked Troy and destroyed a civilization. I hope and pray that the American does not go the way of the Trojan.

Richard Luthmann
Silver Lake

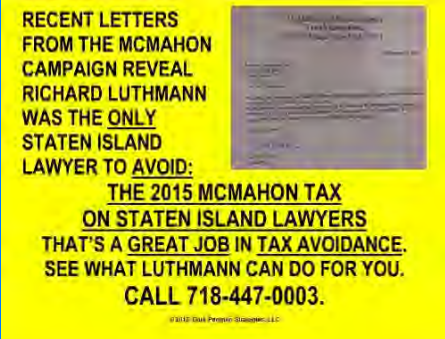
11/20/2015 4:00 PM

Richard Luthmann

http://www.silive.com/northshore/index.ssf/2015/11/mobsters_are_after_him_lawyer.html#incart_2box_silive-homepage-featured

11/21/2015 7:30 PM

Richard Luthmann



RECENT LETTERS
FROM THE MCMAHON
CAMPAIGN REVEAL
RICHARD LUTHMANN
WAS THE ONLY
STATEN ISLAND
LAWYER TO AVOID:
**THE 2015 MCMAHON TAX
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THAT'S A GREAT JOB IN **TAX AVOIDANCE**.
SEE WHAT LUTHMANN CAN DO FOR YOU.
CALL 718-447-0003.

12/8/2015 12:48 PM

Richard Luthmann

Check out The Blacks For Trump (@theblacks4Trump): <https://twitter.com/theblacks4Trump?s=09>

12/10/2015 9:23 AM

Richard Luthmann

Shared Link: <https://twitter.com/theblacks4trump>

The latest Tweets from The Blacks For Trump (@theblacks4Trump). @realdonaldtrump means #BlackJobsMatter #BlackMoney, #BlackPower. #Trump will lead #TheBlacks to #TrumpTower Call 347-796-7601 for inquiries. Staten Island, NY <https://twitter.com/theblacks4Trump>
Link title: Twitter

12/16/2015 3:05 PM

Richard Luthmann

<https://twitter.com/theblacks4Trump/status/677148198566260736>

12/17/2015 8:09 AM

Judge Ron Castorina Jr.

Larry love???? Lmfao fucking hysterical!!!!!! Ha ha ha ha 800 credit score is key lol

12/18/2015 11:33 AM

Richard Luthmann

<https://twitter.com/theblacks4Trump/status/677888003419807745>

12/19/2015 9:46 PM

Richard Luthmann

<https://twitter.com/theblacks4Trump/status/678401652588695552>

12/29/2015 9:28 AM

Richard Luthmann

LEGALIZE CRACK: <https://www.facebook.com/Kevin-Elkins-517691385062535/>

12/29/2015 1:26 PM

Judge Ron Castorina Jr.

Lmfao- cows and pigs..... Sick fuck lol

1/7/2016 9:37 AM

Richard Luthmann

SIBOR installation is next Thursday. My mother is being installed as President. Do you want to come as my guest at the VIP Table? It's at the Excelsior.

1/7/2016 10:50 AM

Judge Ron Castorina Jr.

I would love to- but I'm flying out Thursday at 5 to meet with a client in Nevada.

1/7/2016 10:50 AM

Judge Ron Castorina Jr.

Congratulations to your mom- well deserved! I hope to do business with her soon!!!

1/16/2016 4:19 AM

Richard Luthmann

Did you see this? <https://www.facebook.com/LovehelloU/videos/1358124757586312/>

1/16/2016 4:23 AM

Judge Ron Castorina Jr.

Lol no just saw it

1/16/2016 4:23 AM

Richard Luthmann

You in Vegas?

1/16/2016 4:27 AM

Judge Ron Castorina Jr.

I'm here on business be back Monday. California tomorrow- LA. Federal lit case.

1/16/2016 4:28 AM

Richard Luthmann

I hate LA...ugh.

1/16/2016 4:28 AM

Judge Ron Castorina Jr.

What u doing up so late/early lol

1/16/2016 4:28 AM

Richard Luthmann

Can't sleep.

1/16/2016 4:29 AM

Judge Ron Castorina Jr.

its eh- I'm actually staying in redondo beach when I get there

1/16/2016 4:29 AM

Richard Luthmann

Trying to #MakeAmericaGreatAgain

1/16/2016 4:29 AM

Richard Luthmann

Plotting.

1/16/2016 4:29 AM

Judge Ron Castorina Jr.

Imfao- Ted Cruz fucked up.

1/16/2016 4:30 AM

Judge Ron Castorina Jr.

i need trump at my announcement lol

1/16/2016 4:30 AM

Richard Luthmann

Oh yeah...

1/16/2016 4:30 AM

Richard Luthmann

You may have Trump'z SI coordinator.

1/16/2016 4:31 AM

Judge Ron Castorina Jr.

materna's financial disclosure never went up... Wonder if she blew the deadline or just submitted it later than business hours...

1/16/2016 4:31 AM

Richard Luthmann

Carl Paladino really likes me and my hatred of the Democratic Party establishment.

1/16/2016 4:32 AM

Judge Ron Castorina Jr.

I like carl

1/16/2016 4:32 AM

Richard Luthmann

I think I may run Larry against Titone in the General.

1/16/2016 4:32 AM

Richard Luthmann

On the Reform Line.

1/16/2016 4:32 AM

Judge Ron Castorina Jr.

That would be pretty interesting

1/16/2016 4:32 AM

Richard Luthmann

Just to be a prick.

1/16/2016 4:33 AM

Richard Luthmann

Platform:

1/16/2016 4:33 AM

Judge Ron Castorina Jr.

bet Larry gets decent numbers

1/16/2016 4:33 AM

Richard Luthmann

1. Free the Weed

1/16/2016 4:33 AM

Richard Luthmann

2. No Piss Test at Work

1/16/2016 4:34 AM

Judge Ron Castorina Jr.

minimum wage increase?

1/16/2016 4:34 AM

Richard Luthmann

3. 10% Immediate Raise For City and State Employees

1/16/2016 4:34 AM

Judge Ron Castorina Jr.

bingo

1/16/2016 4:35 AM

Judge Ron Castorina Jr.

Maybe I'll be lucky enough to car pool with Larry to Albany !

1/16/2016 4:35 AM

Richard Luthmann

And when Titone says Larry can't do it, Larry says: You been there 8 years and ain't never tried!

1/16/2016 4:35 AM

Judge Ron Castorina Jr.

Imfao!!!

1/16/2016 4:35 AM

Judge Ron Castorina Jr.

Congrats to your mom btw

1/16/2016 4:36 AM

Richard Luthmann

Maybe Larry introduces Stand your ground and castle doctrine legislation with the rising costs of bullets under Obama.

1/16/2016 4:37 AM

Richard Luthmann

Niggas can't afford no more warning shots!

1/16/2016 4:37 AM

Richard Luthmann

Thanks.

1/16/2016 4:37 AM

Judge Ron Castorina Jr.

Lmfao

1/16/2016 4:37 AM

Judge Ron Castorina Jr.

times are tough

1/16/2016 4:38 AM

Richard Luthmann

My mom was very happy.

1/16/2016 4:38 AM

Judge Ron Castorina Jr.

good for her- she deserves it

1/16/2016 4:38 AM

Judge Ron Castorina Jr.

She's a good lady. Plus she puts up with u!!! Lol

1/16/2016 4:38 AM

Richard Luthmann

We can't have the people making hard choices between bullets and butter.

1/16/2016 4:38 AM

Richard Luthmann

Did you see my speech?

1/16/2016 4:38 AM

Judge Ron Castorina Jr.

butter every time!

1/16/2016 4:39 AM

Richard Luthmann

I was fucking sloshed

1/16/2016 4:39 AM

Judge Ron Castorina Jr.

no- I didn't see

1/16/2016 4:39 AM

Judge Ron Castorina Jr.

where would I find it lol- now I'm curious to see

1/16/2016 4:39 AM

Richard Luthmann

https://m.facebook.com/story.php?story_fbid=10153960018346929&id=715106928

1/16/2016 4:42 AM

Judge Ron Castorina Jr.

"Thank you Mr. trump" lol

1/16/2016 4:42 AM

Judge Ron Castorina Jr.

I'm hittin the sack- get rest my friend. Talk to u tomorrow

1/16/2016 4:43 AM

Richard Luthmann

No problem. Talk to you later.

1/17/2016 7:45 PM

Richard Luthmann



1/24/2016 10:21 AM

Richard Luthmann

What's doing? You snowed in?

1/24/2016 10:22 AM

Judge Ron Castorina Jr.

Not much- yea wait My for Steve argentine to come and get rid of this snow for me

1/24/2016 10:22 AM

Judge Ron Castorina Jr.

waiting*

1/24/2016 10:23 AM

Richard Luthmann

Tell him not to eat the yellow snow...it's not lemon ice.

1/24/2016 10:23 AM

Judge Ron Castorina Jr.

he will try anyway

1/24/2016 10:23 AM

Richard Luthmann

;)

1/24/2016 10:23 AM

Judge Ron Castorina Jr.

how goes it by you

1/24/2016 10:23 AM

Richard Luthmann

This Trump thing is really taking off.

1/24/2016 10:23 AM

Richard Luthmann

Me and Bobby Zahn are having a great time.

1/24/2016 10:24 AM

Judge Ron Castorina Jr.

Good!!!

1/24/2016 10:24 AM

Richard Luthmann

I think we are going to have our first "meeting" at the Atrium to watch 13 hours.

1/24/2016 10:24 AM

Judge Ron Castorina Jr.

plenty to have fun with

1/24/2016 10:25 AM

Richard Luthmann

The Bitch of Benghazi get good play. Everyone loves to hate her.

1/24/2016 10:26 AM

Richard Luthmann



1/24/2016 10:46 AM

Judge Ron Castorina Jr.

Lol great one

1/24/2016 10:48 AM

Richard Luthmann

Beck was talking about Judy McMahon and her petitions being wrong for Supreme Court Justice a few years ago. I told him that the SOL is 14 days and the ship has sailed. There is no daylight there under the election law, right? She had the wrong district on the face of the Petition, I believe and Straniere didn't challenge.

1/24/2016 10:52 AM

Judge Ron Castorina Jr.

Ship has sailed for sure

1/24/2016 10:52 AM

Judge Ron Castorina Jr.

straniere prob never even knew

1/24/2016 10:52 AM

Richard Luthmann

Probably can still make hay over it.

1/24/2016 10:53 AM

Richard Luthmann

Send Larry to Federal Court Pro Se...

1/24/2016 10:53 AM

Richard Luthmann

Taxation without representation

1/24/2016 10:53 AM

Judge Ron Castorina Jr.

yea but looks pretty at this point no?

1/24/2016 10:53 AM

Judge Ron Castorina Jr.

Petty *

1/24/2016 10:54 AM

Judge Ron Castorina Jr.

makes straniere look bad for not calling her out on it

1/24/2016 10:54 AM

Richard Luthmann

If it's coming from Luthmann? I'm a petty asshole that wants to fight you with a sword. That's my brand.

1/24/2016 10:54 AM

Judge Ron Castorina Jr.

Imfao!!!! Then it's a slam dunk of an issue ha ha ha

1/24/2016 10:54 AM

Richard Luthmann

Imagine Larry on the steps of the EDNY calling her a fake judge.

1/24/2016 10:55 AM

Judge Ron Castorina Jr.

i can picture it vividly and somehow I think it will come true lol

1/24/2016 11:01 AM

Richard Luthmann

You see Bloomberg is considering a Third Party run...

1/24/2016 11:01 AM

Richard Luthmann



1/24/2016 11:03 AM

Judge Ron Castorina Jr.

That's a perfect palm card photo Imfao

1/24/2016 11:03 AM

Judge Ron Castorina Jr.

Nice gold toe socks

1/24/2016 11:04 AM

Richard Luthmann

Any word on Cuomo calling a special?

1/24/2016 11:04 AM

Richard Luthmann

I have to bring an OSC against Gulino the second he does.

1/24/2016 11:08 AM

Judge Ron Castorina Jr.

What for

1/24/2016 11:08 AM

Richard Luthmann

Gilder v. Gulino

1/24/2016 11:08 AM

Richard Luthmann

Ballot access is too important for a candidate to be selected by a racist process

1/24/2016 11:09 AM

Richard Luthmann

Dems can do it, just not John Gulino, who we will show, has engaged in racist processes in the past so he cannot be trusted as an actor under the color of law

1/24/2016 11:09 AM

Richard Luthmann

Heheheheehhehhehehe

1/24/2016 11:10 AM

Judge Ron Castorina Jr.

And the beat goes on! I'm surprised he hasn't moved away from Staten Island yet

1/24/2016 11:11 AM

Richard Luthmann

§ 6–114. Party nominations; special election
Party nominations for an office to be filled at a special election shall be made in the manner prescribed by the rules of the party.

1/24/2016 11:11 AM

Richard Luthmann

Looks like the Legislature gave the power of LAW to the party

1/24/2016 11:12 AM

Richard Luthmann

Color of law

1/24/2016 11:12 AM

Richard Luthmann

Thus 14th amendment applies...

1/24/2016 11:14 AM

Judge Ron Castorina Jr.

But he isn't the "party". Correct? Democrats rules call for a floor vote

1/24/2016 11:14 AM

Richard Luthmann

And the 14th amendment says the government actor (Gulino) can exclude Larry because he is dumb, lazy or stupid, just not because he is a NIGGER and Gulino excluded him for just that reason.

1/24/2016 11:14 AM

Richard Luthmann

That's my oral argument by the way.

1/24/2016 11:15 AM

Judge Ron Castorina Jr.

WOW

2/4/2016 11:10 PM

Richard Luthmann

Congrats on the nomination.

2/4/2016 11:29 PM

Judge Ron Castorina Jr.

Thanks buddy

2/6/2016 3:26 PM

Richard Luthmann

Shared Link: <https://www.facebook.com/Sl4Trump/photos/a.895881443858381/910298939083298/?type=3>

Nicole is going to love this one...)

Link title: Staten Islanders for President Donald J. Trump - JUMPING SHIP? Are Establishment Pols jumping from the sinking Rubio raft onto the S.S. Trump? Full steam ahead!!! | Facebook
Link description: JUMPING SHIP? Are Establishment Pols jumping from the sinking Rubio raft onto the S.S. Trump? Full steam ahead!!!

2/18/2016 8:35 AM

Richard Luthmann

You around?

2/28/2016 10:30 AM

Richard Luthmann



2/28/2016 10:36 AM

Richard Luthmann



2/28/2016 10:39 AM

Judge Ron Castorina Jr.

Lol that's great!!!

2/28/2016 8:32 PM

Richard Luthmann

I have a feeling you're not getting Gilroy disqualified.

3/13/2016 5:52 PM

Richard Luthmann

<https://m.facebook.com/StuBrenker/>

3/24/2016 4:01 PM

Richard Luthmann

Shared Link: <https://www.facebook.com/1668070820124299/photos/a.1668072250124156/1676080795989968/?type=3>
You sent an attachment.

3/24/2016 4:03 PM

Richard Luthmann

Shared Link: <https://www.facebook.com/1668070820124299/photos/a.1668072250124156/1676070712657643/?type=3>
You sent an attachment.

4/23/2016 10:57 PM

Richard Luthmann



Shared Link: <http://josephborelli.com/council-member-borelli-si-mental-health-society-president-fern-zagor-announce-450000-for-opioid-addiction-program/>

Staten Island, NY – City Council Member Joe Borelli and Staten Island Mental Health Society (SIMHS) President Fern Zagor announced today that they were able to secure approximately \$450,000 in funding from Mayor DeBlasio's administration which will go toward funding programs on Staten Island. SI...
<http://josephborelli.com/council-member-borelli-si-mental-health-society-president-fern-zagor-announce-450000-for-opioid-addiction-program/>
Link title: Council Member Borelli, SI Mental Health Society President Fern Zagor Announce \$450,000 for Opioid Addiction Program
Link description: Staten Island, NY – City Council Member Joe Borelli and Staten Island Mental Health Society (SIMHS) President Fern Zagor announced today that they were able to secure approximately \$450,000 in funding from Mayor DeBlasio's administration which will go toward funding programs on Staten Island. SIMHS's formerly at-risk Early Intervention program will now remain intact, and [...]

4/23/2016 10:58 PM

Richard Luthmann

This is going to be a problem...i am about to file a big case against SIMHS...

4/23/2016 11:01 PM

Richard Luthmann

Pure Luthmann: 'The WHITE DEVILS kept me from my BLACK BABIES!'

6/2/2016 9:56 AM

Richard Luthmann

<https://vine.co/v/irPIH3XvVne>

6/2/2016 9:56 AM

Richard Luthmann

What's your cellphone number? Just got a new phone.

6/2/2016 10:52 AM

Judge Ron Castorina Jr.

718-552-6682

6/10/2016 5:45 PM

Richard Luthmann



6/10/2016 5:45 PM

Richard Luthmann

October surprise?

6/10/2016 7:36 PM

Judge Ron Castorina Jr.

You are one seriously sick motherfucker I almost crashed my car looking at that fucking meme while driving. LOL

6/10/2016 7:39 PM

Richard Luthmann

I'm bringing a super-soaker to the South Beach Civic Association Picnic tomorrow.

6/10/2016 7:40 PM

Richard Luthmann



Shared Link: <https://vine.co/v/irPIH3XvVne/////////>

The entertainment network where videos and personalities get really big, really fast. Download Vine to watch videos, remixes and trends before they blow up.
<https://vine.co/v/irPIH3XvVne>

6/10/2016 7:40 PM

Richard Luthmann

Wet Tees!

6/10/2016 7:53 PM

Richard Luthmann

Nicole will not be happy!

6/10/2016 9:34 PM

Judge Ron Castorina Jr.

Where do u come up with this Imfao fucking hysterical. We should grab a drink soon

6/10/2016 9:35 PM

Richard Luthmann

Yes we should! We should bring Shikman and call him Spider...dance that drink over here!

6/10/2016 11:06 PM

Judge Ron Castorina Jr.

Shoot him in the foot too lol

6/10/2016 11:10 PM

Richard Luthmann



6/14/2016 6:46 AM

Richard Luthmann

Castorina: Champion of the Faith

6/14/2016 6:47 AM

Richard Luthmann

A couple of people we shit talking you about your speech on the floor of the Assembly. I told them it was pure genius.

6/14/2016 6:48 AM

Richard Luthmann

They were like "People were walking out"....

6/14/2016 6:48 AM

Richard Luthmann

I said "Are we talking about it?...That is effective politics."

6/14/2016 6:50 AM

Richard Luthmann

Any plans to throw bombs on #2A anytime soon?

6/14/2016 6:50 AM

Richard Luthmann

Shared Link: <http://www.assaultweapon.info/>

This is an AR-15 rifle. It is the most popular rifle sold in the United States today. Millions have been sold to American citizens since 1963.
<http://www.assaultweapon.info/>

6/14/2016 6:50 AM

Judge Ron Castorina Jr.

Thank you for noticing- that's because you're smart. Having a pair of balls is an effective way of getting a message across

6/14/2016 6:51 AM

Judge Ron Castorina Jr.

it may come up this week

6/14/2016 6:52 AM

Judge Ron Castorina Jr.

I was on EWTN global catholic radio yesterday all day long lol- not bad!

6/14/2016 6:53 AM

Judge Ron Castorina Jr.

Receiving calls from across the country and strongly in the district

6/14/2016 6:54 AM

Richard Luthmann

Mother Angelica

6/14/2016 6:55 AM

Richard Luthmann

You see the latest Trump polling? Clinton 49 - Trump 42

6/14/2016 6:55 AM

Richard Luthmann

After a week of the "Mexican Judge"

6/14/2016 6:56 AM

Richard Luthmann

Trump will be ahead after post-Orlando polls come out.

6/14/2016 6:56 AM

Richard Luthmann

And now Killary can finally pronounce "Radical Islamic Terrorism"

6/14/2016 7:00 AM

Richard Luthmann

I may have to lobby you for a bill...the "Trial By Combat Preservation Act"

6/14/2016 7:00 AM

Judge Ron Castorina Jr.

It barely rolls off her tongue.

6/14/2016 7:00 AM

Richard Luthmann

It's coming under attack in Westeros!

6/14/2016 7:00 AM

Judge Ron Castorina Jr.

Lol ha!!!

6/14/2016 7:00 AM

Richard Luthmann

New York is next!

6/14/2016 7:01 AM

Judge Ron Castorina Jr.

you should challenge Nicole rather than an election- new law "ELECTION BY COMBAT"

6/14/2016 7:01 AM

Richard Luthmann

It's coming...Winter is Coming...

6/14/2016 7:01 AM

Richard Luthmann

Nicole the White Walker

6/14/2016 7:02 AM

Richard Luthmann

A frozen, heartless zombie coming to destroy everything you hold dear in life!

6/14/2016 7:03 AM

Richard Luthmann

I had someone tell me yesterday that I could beat her if I won all the Muslims in the Brooklyn part of that district and I should switch over to support Hillary post-Orlando.

6/14/2016 7:03 AM

Richard Luthmann

I told that person to go scratch their own ass.

6/14/2016 7:03 AM

Richard Luthmann

I said that more likely than not, there is an ISIS sleeper cell out there.

6/14/2016 7:04 AM

Richard Luthmann



Shared Link: <https://nypost.com/2015/11/19/syrian-community-leader-isis-is-already-in-new-york-city/>

A leader of New York City's Syrian community told The Post on Wednesday that ISIS terrorists have "absolutely" sneaked into America by posing as civil-war refugees — and joined sleeper cells just w...

<http://nypost.com/2015/11/19/syrian-community-leader-isis-is-already-in-new-york-city/>

Link title: Syrian community leader: ISIS is already in America

Link description: A leader of New York City's Syrian community told The Post on Wednesday that ISIS terrorists have "absolutely" sneaked into America by posing as civil-war refugees — and joined sleeper cells just w...

6/14/2016 7:06 AM

Richard Luthmann



Shared Link: <https://www.youtube.com/watch?v=rSV2oBUOWgo>

Mac Miller's #BestDayEver 5th Anniversary Remastered Edition is out now! <http://bestdayeveralbum.com> Get the ultimate #BestDayEver bundle including the LP, sn...

<https://www.youtube.com/watch?v=rSV2oBUOWgo>

Link title: Donald Trump raps Mac Miller's "Donald Trump"

Link description: Mac Miller's #BestDayEver 5th Anniversary Remastered Edition is out now! <http://bestdayeveralbum.com> Get the ultimate #BestDayEver bundle including the LP, sn...

6/14/2016 7:12 AM

Judge Ron Castorina Jr.

https://issuu.com/cityandstate/docs/cs_2016_albanyrisingstars-all/1

6/14/2016 7:13 AM

Richard Luthmann

Nice.

6/14/2016 7:14 AM

Richard Luthmann

Teddy Roosevelt...I like him...my favorite former President is Jackson...tough as nails

6/14/2016 7:14 AM

Richard Luthmann

Old Hickory

6/14/2016 7:15 AM

Judge Ron Castorina Jr.

Old hickory I almost forgot that!!!

6/14/2016 7:16 AM

Richard Luthmann

Don't know how, but I'm a goddamn Dixiecrat

6/14/2016 7:25 AM

Judge Ron Castorina Jr.

Searsucker suits and all!! Lol

6/22/2016 5:34 AM

Richard Luthmann

You should defend South Shore Little League pro Bono.

6/22/2016 5:36 AM

Richard Luthmann

Best campaign move you can make for the South Shore.

6/22/2016 5:36 AM

Richard Luthmann

Save the kids from big bad Luthmann

6/24/2016 12:00 PM

Richard Luthmann

https://m.facebook.com/story.php?story_fbid=631577463666278&substory_index=0&id=625748847582473

7/5/2016 8:36 AM

Richard Luthmann

Shared Link: <https://www.facebook.com/malliotakisnyc/>
Say goodbye: <https://www.facebook.com/malliotakisnyc/>
Have too many cases to take another one to the Court of Appeals. Plus, I don't dislike Nicole the way I dislike others. She gets a pass!
Link title: Log in or sign up to view
Link description: See posts, photos and more on Facebook.

7/5/2016 8:41 AM

Judge Ron Castorina Jr.

Lol I guess your making money- which isn't a bad thing!

7/6/2016 6:32 PM

Richard Luthmann

Steve Matteo really did the right thing.

7/6/2016 6:32 PM

Richard Luthmann



7/6/2016 8:10 PM

Judge Ron Castorina Jr.

Can my office be of assistance?

7/6/2016 8:10 PM

Richard Luthmann

Stay out...your constituents are SS and GK.

7/6/2016 8:12 PM

Richard Luthmann

Mortal enemies. MI plays SS Thursday. God forbid my kid coming back is the reason SS 10 get eliminated.

7/6/2016 8:12 PM

Richard Luthmann

Good move for Steve...and Cusick, but I can't reach him to get a letter.

7/6/2016 8:12 PM

Judge Ron Castorina Jr.

Ah ok yea that makes sense

7/6/2016 8:16 PM

Richard Luthmann

I'm suing Zaccarello for a client down there. He's like a God at SS. They hate Luthmann in your district.

7/6/2016 8:17 PM

Richard Luthmann

At MILL and SILL, I'm not a bad guy.

7/6/2016 8:18 PM

Judge Ron Castorina Jr.

Lmfao

7/7/2016 7:03 PM

Richard Luthmann

Bill Bozza and I want to do a lunch for you.

7/7/2016 7:03 PM

Richard Luthmann

Basically Dems for Castorina.

7/7/2016 7:04 PM

Richard Luthmann

Bozza, Vincent Calamia and a few others.

7/7/2016 11:50 PM

Richard Luthmann

From my spies: Hey someone just came to my door for a Janine trying to run against you. They are saying that you live in Brooklyn. I told them you don't and he said well he did and then moved here. I told him so did I and wasn't interested in voting for anyone else thought you should know how they are going about it. He couldn't even say your name lol

7/8/2016 7:15 AM

Richard Luthmann

Looking for a mortician's outfit for court this morning. "Your Honor, I wore this ridiculous thing FOR YOU."

7/8/2016 7:15 AM

Richard Luthmann



Shared Link: <https://www.youtube.com/watch?v=HUMM9W61vk8>

Brief funny scene from the 1992 comedy, My Cousin Vinny. Starring Joe Pesci.

<https://youtu.be/HUMM9W61vk8>

Link title: My Cousin Vinny (1992) - "Oh there's a fuckin' surprise."

Link description: Brief funny scene from the 1992 comedy, My Cousin Vinny. Starring Joe Pesci.

7/8/2016 2:13 PM

Richard Luthmann

Just sent your campaign \$1,000.00

8/6/2016 11:52 AM

Richard Luthmann



Shared Link: <https://www.sportingnews.com/us/nfl/news/benjamin-watson-planned-parenthood-founded-to-exterminate-blacks-nfl-saints/1klxyapxnyjcv13q28iv7nlvlm>

Ravens WR Benjamin Watson drew criticism and praise for saying Planned Parenthood was founded to
<http://www.sportingnews.com/nfl/news/benjamin-watson-planned-parenthood-founded-to-exterminate-blacks-nfl-saints/1klxyapxnyjcv13q28iv7nlvlm>
Link title: Benjamin Watson: Planned Parenthood founded to 'exterminate blacks'
Link description: Ravens WR Benjamin Watson drew criticism and praise for saying Planned Parenthood was founded to "exterminate blacks" and "it's working."

8/6/2016 12:28 PM

Judge Ron Castorina Jr.

Good for him!!!

8/6/2016 12:28 PM

Richard Luthmann

Black genocide is gaining traction.

8/6/2016 12:57 PM

Judge Ron Castorina Jr.

always knew it would!

8/21/2016 6:24 PM

Richard Luthmann

Shared Link: <https://www.facebook.com/SeeYouNextTuesdaySI/photos/a.863484487092004/1043645315742586/?type=3>
You sent an attachment.

8/21/2016 6:25 PM

Richard Luthmann

Shared Link: <https://www.facebook.com/SeeYouNextTuesdaySI/photos/a.863484487092004/1043643762409408/?type=3>
You sent an attachment.

8/21/2016 6:30 PM

Richard Luthmann

The Dark Penguin strikes!

8/21/2016 6:37 PM

Judge Ron Castorina Jr.

Lmfao ha ha ha

8/21/2016 6:37 PM

Judge Ron Castorina Jr.

Don't forget this one

8/21/2016 6:37 PM

Judge Ron Castorina Jr.



8/21/2016 6:38 PM

Richard Luthmann

In a news feed near you very soon!

8/21/2016 6:38 PM

Judge Ron Castorina Jr.

good!

8/21/2016 6:38 PM

Judge Ron Castorina Jr.

shes a vicious anima

8/21/2016 6:38 PM

Judge Ron Castorina Jr.

I

8/21/2016 6:38 PM

Richard Luthmann

Ah yes. But I'm Luthmann!

8/21/2016 6:38 PM

Judge Ron Castorina Jr.

Lol

8/21/2016 6:40 PM

Richard Luthmann

Shared Link: <https://www.facebook.com/SeeYouNextTuesdaySI/photos/a.863484487092004/1043665285740589/?type=3>
<https://www.facebook.com/862847303822389/photos/a.863484487092004.1073741830.862847303822389/1043665285740589/?type=3&theater>

8/21/2016 6:44 PM

Judge Ron Castorina Jr.

That's just hysterical wow

8/26/2016 8:13 AM

Richard Luthmann

Bo Dietl 2017

8/27/2016 2:52 PM

Richard Luthmann

Shared Link: <https://www.facebook.com/SeeYouNextTuesdaySI/photos/a.863484487092004/1048601585246959/?type=3>
<https://www.facebook.com/862847303822389/photos/a.863484487092004.1073741830.862847303822389/1048601585246959/?type=3&theater>

8/28/2016 7:30 PM

Richard Luthmann

The Outerbridge Cowboy retained me.

8/28/2016 7:31 PM

Richard Luthmann

I am filing a MTD to get rid of all his charges based on the fundamnetal right to travel.

8/28/2016 7:31 PM

Richard Luthmann

This will be fun.

8/28/2016 7:47 PM

Judge Ron Castorina Jr.

Oh I love that story already

8/28/2016 7:50 PM

Richard Luthmann

I already tagged the charges as baseless from the DA's new "POOCHIE UNIT"

8/28/2016 7:50 PM

Richard Luthmann

He should worry more about keeping people alive and off of heroin.

8/30/2016 8:12 AM

Richard Luthmann

I think we have to do a new video.

8/30/2016 8:12 AM

Richard Luthmann

Janine Materna is not a democrat. Janine Materna is a cunt.

8/30/2016 8:13 AM

Judge Ron Castorina Jr.

She's a rotten one at that.

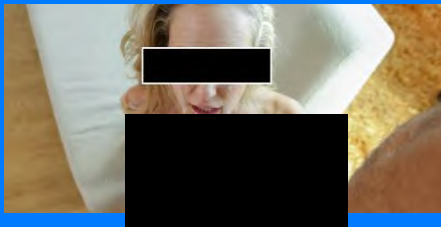
8/30/2016 8:13 AM

Richard Luthmann

Janine Materna XXX?

8/30/2016 8:13 AM

Richard Luthmann



8/30/2016 8:14 AM

Richard Luthmann

She will jump in front of a bus.

8/30/2016 8:14 AM

Judge Ron Castorina Jr.

Lmfaoooo omg.

8/30/2016 8:14 AM

Judge Ron Castorina Jr.

Her and wiener

8/30/2016 8:14 AM

Judge Ron Castorina Jr.

there's her pearl necklace whe always wears...

8/30/2016 8:14 AM

Richard Luthmann

"Carlos Danger and me."

8/30/2016 8:46 AM

Richard Luthmann

messages/inbox/bobbyzahn_10153620355631929/
photos/14152034_10154562618561929_1169834963_o_10154562618561929.png

8/30/2016 8:50 AM

Judge Ron Castorina Jr.

That's just terrible OMG lol

8/30/2016 8:50 AM

Richard Luthmann

https://www.anony.ws/i/2016/08/30/14151983_10154562619646929_1144054981_o1.jpg

8/30/2016 8:51 AM

Richard Luthmann

Some sick fuck just put it up on the Internet.

8/30/2016 8:51 AM

Judge Ron Castorina Jr.

I hope not

8/30/2016 8:52 AM

Richard Luthmann

Dark Web

8/30/2016 8:52 AM

Richard Luthmann

Untraceable IP

8/30/2016 8:53 AM

Judge Ron Castorina Jr.

It will be twisted and turned by her and come back at me

8/30/2016 8:53 AM

Judge Ron Castorina Jr.

im just going to win on the merits- she's a terrible person and a horrible candidate

8/30/2016 8:53 AM

Richard Luthmann

Don't worry. It won't get publicized.

8/30/2016 8:54 AM

Richard Luthmann

It's right next to the picture of Gulino getting ass-rammed.

8/30/2016 8:54 AM

Judge Ron Castorina Jr.

Just gonna spark her people to do similar shit to me

8/30/2016 8:54 AM

Judge Ron Castorina Jr.

Imfao so bad

9/3/2016 3:24 PM

Richard Luthmann

You pissed off the crazy old ladies.

9/3/2016 3:25 PM

Richard Luthmann

Missing attachment 14259869_10154576736821929_673858160_n.mp4

9/3/2016 5:23 PM

Judge Ron Castorina Jr.

Lolololololol

9/3/2016 5:32 PM

Richard Luthmann

They didn't want to hear about the fact that 1) they aren't Republicans and 2) they don't live in the 62nd. We agreed that Janine will EVERY ONE of those votes.

9/3/2016 5:41 PM

Judge Ron Castorina Jr.

Ha ha ha- I know- lol that's great!!!

9/7/2016 4:39 PM

Richard Luthmann

I have a feeling that #NYCHATottenville will be a topic of conversation the next few days.

9/7/2016 4:52 PM

Judge Ron Castorina Jr.

Good as it should be!!!!

9/8/2016 9:59 PM

Richard Luthmann

You sent an attachment.

9/9/2016 12:10 AM

Richard Luthmann

How's the campaigning going you filthy animal?

9/9/2016 12:11 AM

Richard Luthmann

You do realize that there is a rift between the Molinari People and the Molinoddo people...

9/9/2016 12:12 AM

Richard Luthmann

I'm just a caveman dem...so I can give you what I see...

9/9/2016 12:13 AM

Richard Luthmann

But it has to be fixed on your side...I tell you as a friend.

9/9/2016 12:14 AM

Richard Luthmann

Lucky for you Gulino is too stupid to capitalize.

9/9/2016 12:15 AM

Richard Luthmann

And I really want to make peace with your guys too....Jay Raz is actually a guy I like...great intelligence...great work ethic, great guy....

Richard Luthmann

9/9/2016 12:17 AM

Richard Luthmann

9/9/2016 12:20 AM

Richard Luthmann

9/9/2016 12:21 AM

Richard Luthmann

9/12/2016 6:32 PM

Richard Luthmann



A Republican state Assembly candidate from Staten Island is accusing political rivals of creating a fake Facebook page in her name to sabotage her campaign. "They are making false claims, and IR...

<http://nypost.com/2016/09/12/fake-facebook-page-smears-state-assembly-candidate/>

Link title: Fake Facebook page smears state assembly candidate

Link description: A Republican state Assembly candidate from Staten Island is accusing political rivals of creating a fake Facebook page in her name to sabotage her campaign. "They are making false claims, and IR...

9/12/2016 6:32 PM

Richard Luthmann

9/12/2016 6:38 PM

9/12/2016 6:40 PM

Richard Luthmann

she must have missed that whole First Amendment thing in law school.

9/13/2016 3:20 PM

Richard Luthmann

Do you know Megan Delmar?

9/13/2016 3:54 PM

9/13/2016 3:55 PM

Richard Luthmann

She may have my cowboy's horses.

9/13/2016 3:59 PM

Judge Ron Castorina Jr.

For real?

9/13/2016 4:00 PM

Richard Luthmann

I sent Larry down there with Doc to take a look.

9/13/2016 4:00 PM

Richard Luthmann

I should send a film crew...it will be like an episode of Scooby Doo.

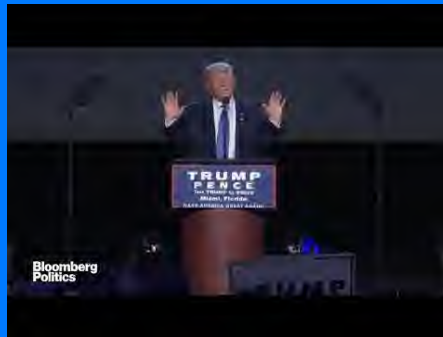
9/13/2016 4:34 PM

Judge Ron Castorina Jr.

Ha ha ha love it

9/18/2016 6:15 PM

Richard Luthmann



Shared Link: <https://www.youtube.com/watch?v=TEiTKIoMgBg>

Sept. 16 -- At a rally on Miami on Friday, Donald Trump took the stage to "Do You Hear the People Sing" from the Broadway hit "Les Miserables." Last week, Hi...
Nous sommes tous 'Les Deplorables'!

<https://www.youtube.com/watch?v=TEiTKIoMgBg>

Link title: Deplorable Entrance: Trump Takes Stage to 'Les Mis' Song

Link description: Sept. 16 -- At a rally on Miami on Friday, Donald Trump took the stage to "Do You Hear the People Sing" from the Broadway hit "Les Miserables." Last week, Hi...

10/10/2016 11:44 PM

Richard Luthmann

Trump is off the hook awesome...he took the gloves off!

10/10/2016 11:44 PM

Richard Luthmann

Bill and his bitches!

10/10/2016 11:45 PM

Richard Luthmann

Hillary being the most ambitious of them!

10/10/2016 11:45 PM

Richard Luthmann

I'm looking at London, Singapore and Sydney is the bitch wins.

10/10/2016 11:46 PM

Richard Luthmann

if

10/10/2016 11:46 PM

Richard Luthmann

You can come visit!

10/10/2016 11:47 PM

Richard Luthmann

Joe Borelli (who I love) had an anti-bullying event the other day with 10 people.

10/10/2016 11:47 PM

Richard Luthmann

I will produce 200 people myself.

10/10/2016 11:48 PM

Richard Luthmann

Let's do the event and invite him to be Gilligan (your little buddy)

10/10/2016 11:48 PM

Richard Luthmann

Kiwanis is strong and we want to help the community...non-partisan bullshit.

10/10/2016 11:49 PM

Judge Ron Castorina Jr.

Sounds good to me. Call me tomorrow afternoon

10/10/2016 11:49 PM

Richard Luthmann

NARCAN and Anti-bullying at CYO in Materna's backyard!

10/10/2016 11:51 PM

Richard Luthmann

And when we bring coffee and cake, it is on the FAR SIDE of the room...so they understand it's not Materna Pie!

10/10/2016 11:51 PM

Richard Luthmann

Your guy get served and pay you out \$15,000 yet?

10/10/2016 11:52 PM

Richard Luthmann

I can make Mike Lasser take an alka seltzer in the hallway before the hearing..."It's Mad-Dog Mike Lasser...I need another \$10K!"

10/10/2016 11:54 PM

Richard Luthmann

Shared Link: <https://www.youtube.com/null>

Enjoy the videos and music you love, upload original content, and share it all with friends, family, and the world on YouTube.
Send him this video: <https://www.youtube.com/watch?v=tb6vSNvgbmc>

10/10/2016 11:55 PM

Richard Luthmann

Make him think Lasser is Sammy Davis JR. (a black Jew)!

10/10/2016 11:55 PM

Richard Luthmann

hehe

10/19/2016 4:31 AM

Richard Luthmann

Shared Link: <https://www.facebook.com/I-Love-John-Gulino-326004187770217/>
<https://www.facebook.com/I-Love-John-Gulino-326004187770217/>

Link title: Log in or sign up to view

Link description: See posts, photos and more on Facebook.

11/1/2016 7:56 AM

Richard Luthmann

I picked Astorino's pocket. You believe that they are going to the Appellate Division. Schmucks.

11/1/2016 7:58 AM

Judge Ron Castorina Jr.

I'm reading about it now

11/1/2016 8:12 AM

Richard Luthmann



Shared Link: <https://www.politico.com/states/new-york/whiteboard/2016/10/upstart-group-wins-legal-battle-over-control-of-the-reform-party-106901>

<p>A judge has dismissed a legal challenge against a group that usurped control of the Reform Party in New York State in September. </p>

<http://www.politico.com/states/new-york/whiteboard/2016/10/upstart-group-wins-legal-battle-over-control-of-the-reform-party-106901>

Link title: Upstart group wins legal battle over control of the Reform Party

Link description: A judge has dismissed a legal challenge against a group that usurped control of the Reform Party in New York State in September.

11/1/2016 10:11 PM

Richard Luthmann

You heard the news?

11/1/2016 10:13 PM

Judge Ron Castorina Jr.

What

11/1/2016 10:13 PM

Judge Ron Castorina Jr.

didn't hear anything

11/1/2016 10:15 PM

Judge Ron Castorina Jr.

?

11/1/2016 10:15 PM

Richard Luthmann

You're speaking to the new Law Chair of the New York State Reform Party.

11/1/2016 10:16 PM

Judge Ron Castorina Jr.

congratulations!!!'nn

11/1/2016 10:16 PM

Judge Ron Castorina Jr.

thays great

11/1/2016 10:17 PM

Judge Ron Castorina Jr.

As of today?

11/1/2016 10:17 PM

Richard Luthmann

November 9

11/1/2016 10:17 PM

Richard Luthmann

I want to vote for Trump as a Dem.

11/1/2016 10:18 PM

Richard Luthmann

Check out my new client:

11/1/2016 10:18 PM

Richard Luthmann



Shared Link: <https://www.youtube.com/watch?v=sLWYUxeFrKE>

Copeland, who had four limbs amputated due to the bacteria, is live on "GMA" to discuss her groundbreaking new prostheses.SUBSCRIBE to GMA ► <https://www.yout...>

<https://youtu.be/sLWYUxeFrKE?t=4m5s>

Link title: Flesh-Eating Bacteria Survivor Aimee Copeland Speaks Out

Link description: Copeland, who had four limbs amputated due to the bacteria, is live on "GMA" to discuss her groundbreaking new prostheses.SUBSCRIBE to GMA ► <https://www.yout...>

11/1/2016 10:18 PM

Richard Luthmann

Guess who it is.

11/11/2016 9:21 AM

Richard Luthmann

Do you have room for a secretary looking for a job?

11/11/2016 9:22 AM

Richard Luthmann

She even has a law degree.

11/11/2016 9:22 AM

Richard Luthmann



11/11/2016 9:23 AM

Richard Luthmann

LOL

11/11/2016 9:23 AM

Judge Ron Castorina Jr.

Ha ha ha ha ha ha ha!!!

11/11/2016 9:24 AM

Richard Luthmann

I heard she's going to be working the counter.

11/11/2016 9:25 AM

Richard Luthmann



11/11/2016 9:27 AM

Richard Luthmann

But in reality...did you know that LGBT kids are actually killing themselves because Trump is President. Two have offed themselves since the election on Staten Island. Nuts.

11/11/2016 12:44 PM

Judge Ron Castorina Jr.

That is totally sick

12/1/2016 5:58 PM

Richard Luthmann

Do you like my DEFENSE OF THE FLAG Bill?

12/1/2016 5:59 PM

Richard Luthmann

You should sponsor it.

12/19/2016 11:25 PM

Richard Luthmann

Thank you very much for your help wit the Goodmans.

12/19/2016 11:29 PM

Judge Ron Castorina Jr.

My pleasure. Kiwanis is doing its part as always

12/19/2016 11:29 PM

Richard Luthmann

I was accused of being a Nazi earlier today. Bastards.

12/19/2016 11:29 PM

Richard Luthmann



Shared Link: <https://www.youtube.com/watch?v=7vV5fqd9fhl>

Julie Andrews didn't get to sing much of "Edelweiss" in the film "Sound of Music", but she made up for it with this complete and lovely performance with full...

<https://www.youtube.com/watch?v=7vV5fqd9fhl>

Link title: Julie Andrews sings Edelweiss with full orchestra & stereo audio

Link description: Julie Andrews didn't get to sing much of "Edelweiss" in the film "Sound of Music", but she made up for it with this complete and lovely performance with full...

12/19/2016 11:30 PM

Richard Luthmann

I love Mary Poppins!

12/19/2016 11:41 PM

Judge Ron Castorina Jr.

Who accused u

12/19/2016 11:41 PM

Judge Ron Castorina Jr.

i love edelweiss

12/24/2016 9:02 AM

Richard Luthmann

Trump sit-down....

12/24/2016 9:02 AM

Richard Luthmann

I'm just saying...

12/24/2016 9:03 AM

Judge Ron Castorina Jr.

Working on it- it will happen. At least with his people

12/24/2016 9:04 AM

Richard Luthmann

Executive Order on Sanctuary Cities and document retention. Gets you a win...and it would be YUGE!

12/24/2016 9:10 AM

Judge Ron Castorina Jr.

Yes. With a promise of some pathway to citizenship/ will make him as wise as Solomon

12/30/2016 10:39 PM

Richard Luthmann



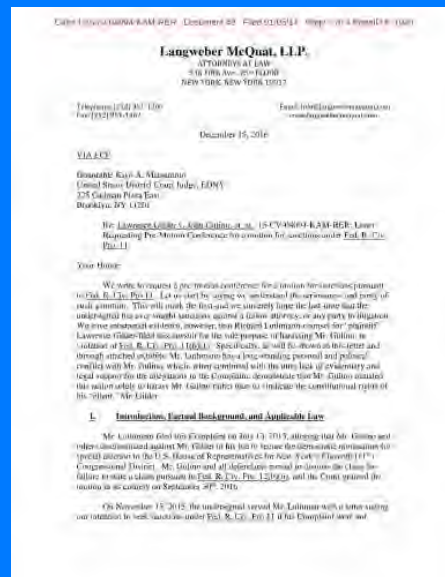
1/5/2017 9:06 PM

Richard Luthmann

Gulino started with me.

1/5/2017 9:06 PM

Richard Luthmann



Shared Link: <https://www.docdroid.net/LpnHEXf/langweber-letter.pdf>

Case 1:15-cv-04094-KAM-RER Document 49 Filed 01/05/17 Page 1 of 4 PageID #: 1028. Langweber McQuat, LLP. ATTORNEYS AT LAW 535 Fifth Ave., 25th FLOOR NEW YORK, NEW YORK 10017 Telephone: (212) 951-1300 Fax: (212) 951-1302. Email: info@langwebermcquat.com www.langwebermcquat.com. December 15, 2016 VIA... <https://www.docdroid.net/LpnHEXf/langweber-letter.pdf.html> Link title: LANGWEBER LETTER.pdf Link description: Case 1:15-cv-04094-KAM-RER Document 49 Filed 01/05/17 Page 1 of 4 PageID #: 1028. Langweber McQuat, LLP. ATTORNEYS AT LAW 535 Fifth Ave., 25th FLOOR NEW YORK, NEW YORK 10017 Telephone: (212) 951-1300 Fax: (212) 951-1302. Email: info@langwebermcquat.com www.langwebermcquat.com. December 15, 2016 VIA ...

1/5/2017 9:07 PM

Richard Luthmann

A picture of me and an alligator is their evidence!

1/13/2017 10:29 AM

Richard Luthmann

Are you around? I have to ask you a question - law related.

1/13/2017 10:53 AM

Judge Ron Castorina Jr.

Yes in with someone. Call me at 12:30

1/13/2017 10:53 AM

Richard Luthmann

Thank you Mr. Assemblyman

1/13/2017 10:54 AM

Judge Ron Castorina Jr.

Thank youuuuu mr Luthmann

1/13/2017 12:38 PM

Richard Luthmann

You around? What number?

1/13/2017 11:05 PM

Richard Luthmann

All I need to know: Dr. Pete Gastaldi...call me.

1/13/2017 11:22 PM

Richard Luthmann

<https://www.facebook.com/freethefan/videos/10154942031903410/>

1/25/2017 4:55 PM

Richard Luthmann

You around. I want to talk 2319 - Perfetto with you. Had a conference call with DEP yesterday.

1/25/2017 4:59 PM

Judge Ron Castorina Jr.

I'm sick as a dog. Call me tomorrow. Please send over the docs we spoke about in meantime if you have them.

1/25/2017 5:00 PM

Richard Luthmann

Getting the package from Ken Raisch...maybe we do a conference call.

1/25/2017 9:55 PM

Richard Luthmann

You need the Director of Homeland Security to issue a Regulation to preserve documents and then you win.

1/25/2017 9:55 PM

Richard Luthmann

Shared Link: <https://www.whitehouse.gov/the-press-office/2017/01/25/presidential-executive-order-enhancing-public-safety-interior-united>

By the authority vested in me as President by the Constitution and the laws of the United States of America, including the Immigration and Nationality Act
<https://www.whitehouse.gov/the-press-office/2017/01/25/presidential-executive-order-enhancing-public-safety-interior-united>

1/25/2017 9:55 PM

Richard Luthmann

Section 10 of the Executive Order

1/25/2017 9:56 PM

Richard Luthmann

if there is anything on the books now that is close, I would argue Federal Preemption by virtue of this Executive Order.

1/25/2017 10:21 PM

Judge Ron Castorina Jr.

I need an investigative fed subpoena to issue. And I'm working on it. I believe it will happen.

1/25/2017 10:21 PM

Richard Luthmann

I think you have a pre-emption argument based on the Executive Order and existing law related to the destruction of National Security-related documents.

1/25/2017 10:22 PM

Richard Luthmann

It may pause the decision long enough to get the Federal relief.

1/25/2017 10:23 PM

Richard Luthmann

The McMahon petition story is now recycled!

1/25/2017 10:23 PM

Richard Luthmann

Trump!

1/25/2017 10:27 PM

Judge Ron Castorina Jr.

Drain the swamp!!!im working it

1/25/2017 10:27 PM

Richard Luthmann

Let's talk when you feel better.

1/25/2017 10:28 PM

Richard Luthmann

I have several issues for you...business, etc.

1/25/2017 10:39 PM

Judge Ron Castorina Jr.

Ok sounds good. Bad sinus cold. Going to doc in the am

1/26/2017 8:46 AM

Richard Luthmann



1/26/2017 8:46 AM

Richard Luthmann

Do you think [REDACTED] can save her?

1/26/2017 8:46 AM

Richard Luthmann

LOL

1/29/2017 11:10 AM

Richard Luthmann

I think I'm going to start a social media war with Jimmy Oddo.

1/29/2017 11:11 AM

Richard Luthmann

He has me blocked on Twitter. That pisses me off.

1/29/2017 11:11 AM

Richard Luthmann



1/29/2017 11:12 AM

Judge Ron Castorina Jr.

Oh no lol Luthmann "TRIGGERED".

1/29/2017 11:12 AM

Richard Luthmann

Jimmy is very handsome in a PUSSY HAT!

2/8/2017 12:06 AM

Richard Luthmann

Is Kevin Elkins running?

2/8/2017 12:06 AM

Richard Luthmann

<https://twitter.com/KevinElkins2017>

2/14/2017 10:43 AM

Richard Luthmann



2/26/2017 11:20 AM

Richard Luthmann

The Ronald!

2/26/2017 11:22 AM

Richard Luthmann

How are you on the Constitutional Convention? I am worried that it is a bad idea because regular people will not have an effective means to become delegates, and thus we will have a convention swayed by the special interests.

2/26/2017 11:22 AM

Richard Luthmann

Frank Morano wants to have a town hall about the ballot initiative.

2/26/2017 11:23 AM

Richard Luthmann

I think we need to hear more about it.

2/26/2017 1:08 PM

Judge Ron Castorina Jr.

I'm for a town hall about it. I happen to be against having the const convention. I think it will be a disaster to working class people with pensions as well as to everyone else with the radical things coming out of Albany lately. There is no transparency with delegates and it will be swayed by special interests for sure- and the will of the people will not be done.

3/2/2017 7:48 AM

Richard Luthmann

Where is Slick Rick with the DEC and the SJBTS Archery?

3/2/2017 4:35 PM

Judge Ron Castorina Jr.

Call him!!!

3/2/2017 4:40 PM

Richard Luthmann

I did already. Doing a great job.

3/2/2017 4:42 PM

Judge Ron Castorina Jr.

Good. He's a good kid

3/2/2017 4:42 PM

Richard Luthmann

Thanks for the help!

3/2/2017 4:43 PM

Judge Ron Castorina Jr.

My pleasure

3/3/2017 8:00 AM

Richard Luthmann

I'm going guerrilla on the DEC!!!

3/5/2017 9:57 AM

Richard Luthmann

You going to parade / Jody's?

3/5/2017 2:42 PM

Judge Ron Castorina Jr.

Yes lol

3/5/2017 2:43 PM

Richard Luthmann

your a funny guy damn f***! I am Rick James b****! And you are the Ronald exclamation point

3/5/2017 2:44 PM

Richard Luthmann



4/9/2017 11:57 AM

Richard Luthmann

Isn't there a State preclusion from destroying materials relied upon for law enforcement purposes?

4/9/2017 11:57 AM

Richard Luthmann

The NYPD cannot unilaterally go ahead and destroy fingerprint records? Correct?

4/9/2017 11:58 AM

Richard Luthmann

The State interest in uniformity that trumps municipal home rule.

4/9/2017 11:58 AM

Richard Luthmann

That is the winning argument for the NYCID case.

4/9/2017 11:59 AM

Richard Luthmann

NYC has instructed the NYPD to allow the NYCID to be used for legal purposes including identification and interaction with the NYPD.

4/9/2017 12:00 PM

Richard Luthmann

The government is in possession of materials that the state has a vested interest in maintaining and cataloging.

4/9/2017 12:00 PM

Richard Luthmann

Only the Legislature can say when or if that material and what material can be destroyed and when.

4/9/2017 12:01 PM

Richard Luthmann

Or else we have municipalities destroying important materials willy-nilly. Not-uniformity.

4/9/2017 12:01 PM

Richard Luthmann

What do you think?

4/9/2017 1:50 PM

Judge Ron Castorina Jr.

I agree. U around to discuss tomorrow? I'm doing the family thing today for Palm Sunday

4/9/2017 2:53 PM

Richard Luthmann

Call me in AM. On a plane at 1:00pm.

4/9/2017 5:42 PM

Judge Ron Castorina Jr.

Ok

5/12/2017 11:28 AM

Richard Luthmann

Where is Jeff going?

5/12/2017 7:21 PM

Judge Ron Castorina Jr.

Oca- court attorney referee

5/12/2017 7:21 PM

Richard Luthmann

For McMahon in RFP?

5/12/2017 7:26 PM

Judge Ron Castorina Jr.

I'm not sure

5/12/2017 7:26 PM

Judge Ron Castorina Jr.

I'm glad for him though- whatever it is. The private practice rat race is tough

5/12/2017 7:27 PM

Richard Luthmann

I hear you. I'm doing OK..but its always a grind.

5/12/2017 7:28 PM

Judge Ron Castorina Jr.

Always..... and it's tougher when you're starting out with little kids

5/24/2017 1:15 PM

Richard Luthmann

Jay Tuosto - Who is this guy? I'm ready to go kick his ass.

5/24/2017 1:22 PM

Judge Ron Castorina Jr.

Ha! I don't know him personally. I've never met him. I think he is somehow related to my brother in law.

5/24/2017 1:22 PM

Richard Luthmann

DFouchebag

5/24/2017 1:23 PM

Richard Luthmann



Shared Link: <https://slide.ly/promo/share/59224fc07a97fde760205f69>

Create, share and discover visual moments in beautiful and creative ways. Use our slideshow, video and collage maker to turn your photos and videos into stunning collections.
<https://slide.ly/promo/share/59224fc07a97fde760205f69>
Link title: Video Maker | Create Videos Online | Promo.com
Link description: Free customizable video maker to help boost your business. Video creator for ads, social media, product and explainer videos, and for anything else you need!

5/24/2017 1:24 PM

Judge Ron Castorina Jr.

Lol do what u gotta do

5/24/2017 5:20 PM

Richard Luthmann

Your Mayoral Candidate just called me and said "Massey is a fucking loser." I love her.

6/20/2017 12:08 PM

Richard Luthmann

What is the deal with this BUY USA act. The unions are all for it, so my initial feeling is that it is bad.

6/20/2017 12:34 PM

Judge Ron Castorina Jr.

Don't think it's coming to the floor for a vote

6/20/2017 12:34 PM

Richard Luthmann

Ok. Seems like a wounded animal.

6/20/2017 2:34 PM

Judge Ron Castorina Jr.

It's coming

6/20/2017 2:35 PM

Judge Ron Castorina Jr.

It's not bad- it deals with steak and only construction of bridges. No Chinese steel

6/22/2017 9:47 PM

Richard Luthmann

You see the picture of me with the Citation from the Brooklyn BP on Facebook?

6/22/2017 11:46 PM

Judge Ron Castorina Jr.

Yes! I commented on it. Congratulations Rich! Thats Awesome!!!

6/23/2017 8:37 AM

Richard Luthmann

That's not Eric Adams...It's one of my Rugby buddies...I'm still cracking up over it.

6/23/2017 8:41 AM

Judge Ron Castorina Jr.

Ha ha ha ha- I thought it was a rep.

6/23/2017 8:42 AM

Richard Luthmann

I grabbed him and said you're black and you're bald - stand here!

6/23/2017 8:43 AM

Judge Ron Castorina Jr.

Lmfao- hysterical.great picture

7/6/2017 12:22 PM

Richard Luthmann



7/6/2017 12:22 PM

Richard Luthmann

Is this girl serious?

7/6/2017 12:23 PM

Richard Luthmann

Materna just said, on North Korea, and I quote: "I really hope war is the last possible solution. Hopefully China and maybe even Dennis Rodman will help us ease tensions with North Korea."

7/6/2017 12:23 PM

Richard Luthmann

Dennis Fucking Rodman

7/6/2017 12:23 PM

Richard Luthmann

You've got to be kidding me.

7/6/2017 12:52 PM

Judge Ron Castorina Jr.

She's so fuckin stupid

7/6/2017 12:59 PM

Richard Luthmann

Minardo dismissed the Straniere Petition.

7/6/2017 8:42 PM

Judge Ron Castorina Jr.

On what basis?

7/6/2017 8:43 PM

Richard Luthmann

File message judgeroncastorinajr_10153620355776929-attachments/MINARDODECISIONANDORDER_101556380902319291.pdf

7/6/2017 8:47 PM

Judge Ron Castorina Jr.

They sent kitzenger..... lol I told u you should have filed in fed Ct!

7/10/2017 11:40 PM

Richard Luthmann

Shared Link: <https://www.facebook.com/DEBIROSESI/posts/pfbid0VrHXpbSvgMonEF6wipr2oVs3MZN2eNFYz3pwkcfNFa9bChys9kTCtjCx4vb5TKpNI>
Come support my partnership with Real Estate Developer George Christo to redevelop 78 Fort Place into and SRO Welfare Hotel full of Criminals and Drug Addicts. His campaign contributions will help me to give him the necessary administrative variance to turn this St. George property into a heroin/methadone den. Hey Baby! He bought St. George cheap - a few thousand in campaign contributions to me and NOTHING for the community.
<https://www.facebook.com/DEBIROSESI/posts/332323497199039>
Link title: Log in or sign up to view
Link description: See posts, photos and more on Facebook.

7/10/2017 11:40 PM

Richard Luthmann

This is so bad...

7/10/2017 11:40 PM

Richard Luthmann

They can't even dress it up.

7/11/2017 12:35 AM

Judge Ron Castorina Jr.

Wow omg lol that's terrible

7/11/2017 12:35 AM

Richard Luthmann

SROs are back!

7/11/2017 12:35 AM

Richard Luthmann

Skid Row

7/11/2017 12:35 AM

Judge Ron Castorina Jr.

Who knew!

7/11/2017 12:35 AM

Judge Ron Castorina Jr.

lol what's disaster

7/11/2017 12:36 AM

Richard Luthmann

What Giuliani and Bloomberg did away with is on the way back on Staten Island.

7/11/2017 12:36 AM

Richard Luthmann

Shared Link: <https://www.yimbynews.com/2017/04/two-story-former-convent-building-getting-apartment-hotel-conversion-at-78-fort-place-st-george.html>

Door to Door Realty is now planning to convert the two-story, 42,400-square-foot former convent building at 78 Fort Place, located between Daniel Low Terrace and Sherman Avenue in St. George, into a b
<https://www.yimbynews.com/2017/04/two-story-former-convent-building-getting-apartment-hotel-conversion-at-78-fort-place-st-george.html>

7/11/2017 12:36 AM

Richard Luthmann

We already had this debate 30 years ago:

7/11/2017 12:36 AM

Richard Luthmann

<http://www.nytimes.com/1990/03/14/opinion/l-single-room-housing-won-t-end-homelessness-312890.html>

7/11/2017 12:36 AM

Judge Ron Castorina Jr.

What a shit hole that will be

7/11/2017 12:37 AM

Richard Luthmann

The image shows the cover of 'The New York Review of Books'. It features a solid red background with the title 'The New York Review' in a large, white, serif font, and 'of Books' in a smaller, white, serif font below it.

Shared Link: <http://www.nybooks.com/articles/1994/05/12/housing-the-homeless/>

When the numbers of homeless people began to increase in the early 1980s, their advocates often blamed the housing market for what was happening. In those years, the homeless

were mostly poor single adults, many of whom had traditionally lived in "single room occupancy" (SRO) hotels and rooming ...
<http://www.nybooks.com/articles/1994/05/12/housing-the-homeless/>
Link title: Housing the Homeless | Christopher Jencks
Link description: When the numbers of homeless people began to increase in the early 1980s, their advocates often blamed the housing market for what was happening. In those

7/11/2017 12:37 AM

Judge Ron Castorina Jr.

It will bring down the neighborhood once and for all

7/16/2017 8:13 AM

Richard Luthmann

Did you make it to the All-American BBQ?

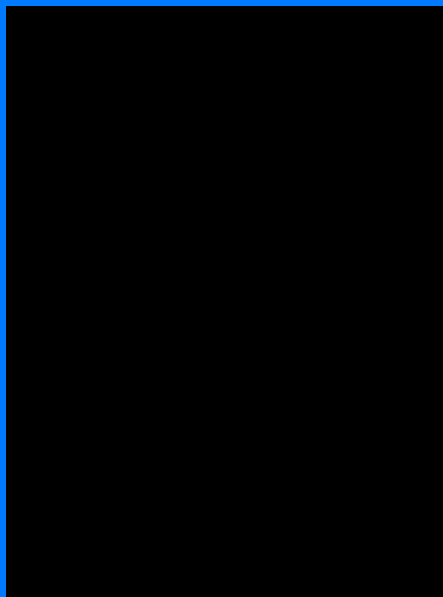
7/16/2017 8:13 AM

Richard Luthmann



7/16/2017 8:13 AM

Richard Luthmann



7/16/2017 8:15 AM

Richard Luthmann

Here's a more realistic picture:

7/16/2017 8:15 AM

Richard Luthmann



7/16/2017 10:24 AM

Judge Ron Castorina Jr.

I treat her the way Rudy treated al sharpston- I make believe she doesn't exist.

7/16/2017 10:27 AM

Richard Luthmann

I go new photo editor with a bag of 1000 dicks.

7/16/2017 10:27 AM

Richard Luthmann



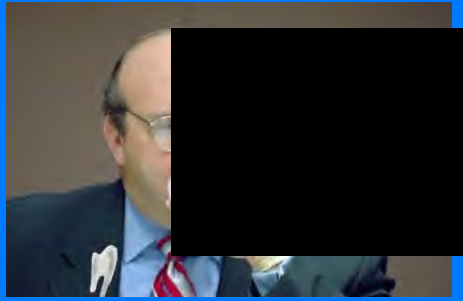
7/16/2017 10:40 AM

Judge Ron Castorina Jr.

Lots of dicks this morning rich- Imfao out of your mind- hysterical can't stop laughing

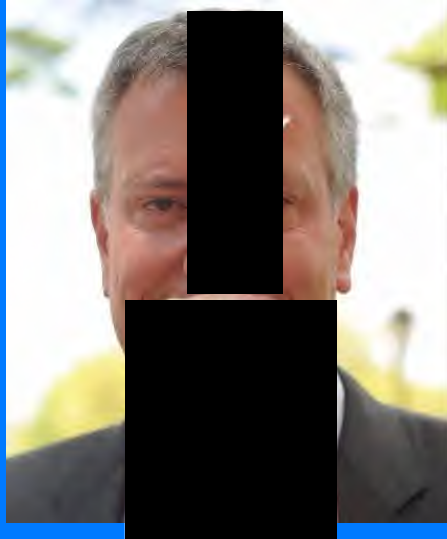
7/16/2017 11:27 AM

Richard Luthmann



7/16/2017 11:27 AM

Richard Luthmann



7/16/2017 11:28 AM

Richard Luthmann

Dicks everywhere!

8/1/2017 2:47 PM

Richard Luthmann

You see the BOE Hearing?

8/1/2017 2:55 PM

Judge Ron Castorina Jr.

No- I'm in Italy and I can't get the damn thing to stream on the internet here

8/1/2017 2:55 PM

Judge Ron Castorina Jr.

What's going on

8/1/2017 2:57 PM

Richard Luthmann

I called Steve Richman a Jew-rat.

8/1/2017 2:58 PM

Richard Luthmann

But passed it off as mispronounced Jurat.

8/1/2017 2:58 PM

Richard Luthmann

It's not like there is a Jew-rat right in front of me.

8/1/2017 2:58 PM

Judge Ron Castorina Jr.

Noooooo- Lmfao ur fuckin terrible and hysterical all at the same time lol ha ha ha

8/1/2017 2:59 PM

Judge Ron Castorina Jr.

I thought unused to like Steve

8/1/2017 2:59 PM

Judge Ron Castorina Jr.

U used to *

8/1/2017 2:59 PM

Richard Luthmann

This is Prima Facie defect... You don't look at the Jew-rat right in front of me...

8/1/2017 3:00 PM

Richard Luthmann

It was glorious.

8/1/2017 3:00 PM

Richard Luthmann

I never liked Steve Richman.

8/1/2017 3:00 PM

Judge Ron Castorina Jr.

Omg omg omg out of your mind!!!! I have to see this video

8/1/2017 3:00 PM

Judge Ron Castorina Jr.

He's best friends with Olivieri

8/1/2017 3:00 PM

Richard Luthmann

I started by saying that we have a president who has a great relationship with the blacks.

8/1/2017 3:01 PM

Judge Ron Castorina Jr.

Bob is and ok guy

8/1/2017 3:01 PM

Richard Luthmann

But this case is about Steve Richmond relationship with the blacks...law dictionary.

8/1/2017 3:01 PM

Richard Luthmann

I printed out the definition of Prima Facie.

8/1/2017 3:01 PM

Judge Ron Castorina Jr.

Lmfao ha ha ha - oh this is going to be classic

8/1/2017 3:02 PM

Richard Luthmann

They ruled against him unanimously.

8/1/2017 3:02 PM

Judge Ron Castorina Jr.

Unanimously!!!

8/1/2017 3:02 PM

Judge Ron Castorina Jr.

With pleasure im sure

8/1/2017 3:02 PM

Richard Luthmann

Sal, Faulkner and JC are on.

8/1/2017 3:02 PM

Richard Luthmann

Marius is out.

8/1/2017 3:02 PM

Judge Ron Castorina Jr.

I saw that about Marius

8/1/2017 3:03 PM

Judge Ron Castorina Jr.

So many shitty signatures it seemed

8/1/2017 3:03 PM

Richard Luthmann

I even complimented Umane.

8/1/2017 3:03 PM

Judge Ron Castorina Jr.

About?

8/1/2017 3:04 PM

Richard Luthmann

I said that there was a lot of crap coming out of the board and he took offense. But then I said that he's always been nice to me and the crap isn't coming from his Direction

8/1/2017 3:04 PM

Richard Luthmann

And then I have a case out in Queens with one of the people challenging on the monserrate race

8/1/2017 3:04 PM

Judge Ron Castorina Jr.

Ha ha ha- umane- a/k/a Fred Gwynne lol

8/1/2017 3:05 PM

Richard Luthmann

I told bolz the Queens County lawyer that we could do election by combat but that monserrate would probably win with a glass bottle

8/1/2017 3:05 PM

Judge Ron Castorina Jr.



8/1/2017 3:06 PM

Judge Ron Castorina Jr.

Ha ha ha ha- sick fuckkkk

8/1/2017 3:17 PM

Richard Luthmann



8/1/2017 3:20 PM

Judge Ron Castorina Jr.

Lmfao Fred Gwynn

8/15/2017 12:39 PM

Richard Luthmann

Zahn just made this page:

8/15/2017 12:39 PM

Richard Luthmann

https://www.facebook.com/Dan-Donovan-Democrat-for-Congress-901300576688120/?notif_t=fbpage_fan_invite¬if_id=1502814666275377

8/15/2017 12:40 PM

Richard Luthmann

I may be crazy. He's a maniac.

8/15/2017 1:10 PM

Judge Ron Castorina Jr.

He's lost it

9/8/2017 8:52 AM

Richard Luthmann

Shared Link: <https://www.facebook.com/richard.luthmann/posts/pfbid0rgofNYz3rogS1joQdheS6PS8dJcK5F5V1pmx4JJ1weYiMj2GZ8nscVV2TWsnWi6pl>
You sent an attachment.
Link title: Log in or sign up to view
Link description: See posts, photos and more on Facebook.

924 total messages and 44 total images.

EXHIBIT J

Certificate of Authenticity of Domestic Records of Regularly Conducted Activity

I, Christine Oliveira, certify:

1. I am employed by Facebook, Inc. ("Facebook"), headquartered in Menlo Park, California. I am a duly authorized custodian of records for Facebook and am qualified to certify Facebook's domestic records of regularly conducted activity.
2. I have reviewed the records produced by Facebook in this matter in response to the Subpoena received on June 11, 2018. The records include search results for basic subscriber information and records for seeyounexttuesdaysi.
3. The records provided are an exact copy of the records that were made and kept by the automated systems of Facebook in the course of regularly conducted activity as a regular practice of Facebook. The records were saved in electronic format after searching Facebook's automated systems in accordance with the above-specified legal process. The records were made at or near the time the information was transmitted by the Facebook user.
4. I declare under penalty of perjury that the foregoing certification is true and correct to the best of my knowledge.



Christine Oliveira
Custodian of Records

Date: June 29, 2018



EXHIBIT K



R. JOSHUA BLISS
ASSOCIATE GENERAL COUNSEL
FOIL APPEALS OFFICER

CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
SCOTT M. STRINGER

OFFICE OF THE GENERAL COUNSEL

April 19, 2022

BY EMAIL & U.S. Mail

Richard Luthmann
338 Sugar Pine Lane
Naples, FL 34108
Email: richard.luthman@gmail.com

Re: Response to FOIL Appeal

Dear Richard Luthmann:

I am Associate General Counsel and the Freedom of Information Law ("FOIL") Appeals Officer for the Office of the New York City Comptroller ("Comptroller"). I have reviewed your FOIL appeal ("Appeal"), dated April 5, 2022,¹ your February 21, 2022 FOIL request ("Request"), and the Comptroller's March 21, 2022 response to the Request ("Response"), which denied your Request. For the reasons stated below, your Appeal is GRANTED IN PART and DENIED IN PART. A copy of your Appeal, which included both the Request and the Response, is enclosed with this letter.

Your Request states:

I request all records concerning Attorney Eric Nelson of Staten Island (Richmond County), New York, including, but not limited to billing and payments pursuant to Article 18B of the New York County Law from 2002 to present.

The Response denied your Request on the ground that the Comptroller "does not maintain the requested documents in the normal course of business," and suggested that you submit the Request to the Richmond County District Attorney's Office. Your Appeal challenges the Response because you claim that "the City of New York is directly responsible for administering the 18-B program" and "[i]f the City of New York administers the program, the NYC Comptroller is responsible for paying and/or has financial oversight."

As an initial matter, to the extent you seek "all records concerning Attorney Eric Nelson of Staten Island (Richmond County)," your Request fails to reasonably describe the records that

¹ Because your Appeal was emailed to the Comptroller's Office after the close of business on April 5, 2022, we have treated your Appeal as having been received on April 6, 2022.

you seek, as required by N.Y.S. Public Officers Law ("POL") § 89(3)(a) (requiring that a FOIL request "reasonably describe[]" the records sought). This portion of your request does not "reasonably describe" the records you seek because the Comptroller does not index agency records according to whether they concern particular persons, such as "Attorney Eric Nelson of Staten Island" and, without additional information concerning the particular types of record you seek, the Comptroller's Office does not have the ability to conduct a reasonable search for records, especially in light of the fact that your Request spans 20 years. *See* Committee on Open Government, Advisory Opinion No. 10280 (Aug. 15, 1997), *available at* <https://docs.dos.ny.gov/coog/ftext/fl0280.htm> (opining that a request for "any and all records" regarding a particular subject fails to reasonably describe the records sought and recommending that a requestor should instead "include sufficient detail to enable agency staff to locate and identify the records of your interest" based on how the agency indexes its records). Accordingly, to the extent you seek "all records concerning Attorney Eric Nelson of Staten Island (Richmond County)," your Appeal is DENIED.

Although your Request is phrased broadly, the "including, but not limited" clause identifies two specific categories of records that you are interest in: "billing and payments [made by or to Eric Nelson] pursuant to Article 18B of the New York County Law." This portion of your Request is reasonably described because it identifies particular categories of records that you seek (billing and payment records). After receiving your Appeal, I conferred with the Comptroller's Bureau of Accountancy ("BOA") to determine whether BOA had any records concerning billings made by, or payments made to, Eric Nelson pursuant to Article 18B of the New York County Law. While the New York City Financial Management System ("FMS"), to which the Comptroller has access, does show payments made to Eric Nelson, the Comptroller's Office does not receive or maintain attorney billing records when the attorney has been retained by another agency (those records would be maintained by the contracting agency) and the Comptroller's Office does not have information within FMS sufficient to determine whether the payments made to Eric Nelson were made as part of the 18B assigned counsel plan. I note that the website for the assigned counsel plan, which you linked in your Appeal, indicates that the website is maintained by the "Office of the Mayor." Additionally, that website includes several email addresses for the New York City Department of Finance. To the extent you are interested in material submitted on or through that website, I suggest that you submit your FOIL request to the New York City Department of Finance or the Office of the Mayor. Nevertheless, because the Comptroller's Office does have access to records of City payments to Eric Nelson, I am providing you with a spreadsheet of those payment records.² As noted above though, we are not able to state that these are payments made pursuant to Article 18B of the New York County Law. To the extent your Request sought payment records to which the Comptroller has access, your Appeal is GRANTED.

² Please note that we are providing you with a payment records that go back to 2010, which is the full extent of the Comptroller's records. Any information on payments made prior to 2010 would have to be obtained from the Department of Finance or the Financial Information Services Agency. For future reference, I note that more recent information about City payments to particular persons or entities is publicly available at www.checkbooknyc.com.

Richard Luthmann

April 19, 2022

Page 3 of 3

You are entitled to seek judicial review of this determination under Article 78 of the New York State Civil Practice Law and Rules.

Sincerely,

R. Joshua Bliss

R. Joshua Bliss, Esq.
FOIL Appeals Officer

CC (without FOIL production):

New York State Committee on Open Government
Department of State
One Commerce Plaza
99 Washington Avenue, Suite 650
Albany, NY 12231

Vendor/Customer Code	Record Date	Document	AL	AL Amount	Referenced Document	Vendor Invoice Number	Check Number	Fiscal Year	Department	Fund	Object
VC00108185	8/9/2010	AD,DSB,20110056944	3	262.50	PRM1,938,293663	00123099CA	000000160309983	2011	098	001	4650
VC00108185	8/9/2010	AD,DSB,20110056944	1	300.00	PRM1,938,293663	00123090CA	000000160309983	2011	098	001	4650
VC00108185	8/9/2010	AD,DSB,20110056944	2	262.50	PRM1,938,293663	00123095CA	000000160309983	2011	098	001	4650
VC00108185	10/26/2010	AD,DSB,20110183887	1	337.50	PRM1,938,304081	00125629CA	000000160431744	2011	098	001	4650
VC00108185	11/15/2010	AD,DSB,20110214081	1	1,500.00	PRM1,069,CTFE1100481	100292/2006	000000160458028	2011	069	001	5000
VC00108185	5/4/2011	AD,DSB,20110479443	1	375.00	PRM1,938,330762	00842383SE	000000160710049	2011	098	001	4650
VC00108185	5/31/2011	AD,DSB,20110506361	1	5,870.00	PRM1,938,334380	00714831SC	000000160733775	2011	098	001	4650
VC00108185	11/23/2011	AD,DSB,20120136597	1	450.00	PRM1,938,362277	00850098SE	000000160891175	2012	098	001	4650
VC00108185	12/7/2011	AD,DSB,20120148222	1	340.00	PRM1,938,363692	00850582SE	000000160901768	2012	098	001	4650
VC00108185	3/19/2013	AD,DSB,20130169429	1	562.50	PRM1,938,431529	00830472SC	000000200274454	2013	098	001	4650
VC00108185	7/15/2013	AD,DSB,20140012808	1	2,475.00	PRM1,938,449148	00868750SE	000000200355151	2014	098	001	4650
VC00108185	11/4/2013	AD,DSB,20140089324	1	750.00	PRM1,938,464527	00873189SE	000000200423109	2014	098	001	4650
VC00108185	11/20/2013	AD,DSB,20140098359	1	2,512.50	PRM1,938,468287	00900596SC	000000200431574	2014	098	001	4650
VC00108185	11/20/2013	AD,DSB,20140098359	2	1,562.50	PRM1,938,468287	00918308CC	000000200431574	2014	098	001	4650
VC00108185	3/10/2014	AD,DSB,20140170919	1	27,351.25	PRM1,938,481731	00844749SC	000000200496520	2014	098	001	4650
VC00108185	6/10/2014	AD,DSB,20140236996	2	356.25	PRM1,938,495253	00936571SC	000000200556655	2014	098	001	4650
VC00108185	6/10/2014	AD,DSB,20140236996	1	1,218.75	PRM1,938,495253	00930355SC	000000200556655	2014	098	001	4650
VC00108185	6/18/2014	AD,DSB,20140242436	1	5,993.75	PRM1,938,496341	00931093SC	000000200561098	2014	098	001	4650
VC00108185	9/15/2014	AD,DSB,20150048488	1	4,275.00	PRM1,938,508047	00915450SC	000000200610086	2015	098	001	4650
VC00108185	12/10/2014	AD,DSB,20150105955	1	7,856.25	PRM1,938,519889	00936570SC	000000200661823	2015	098	001	4650
VC00108185	12/23/2014	AD,DSB,20150114549	1	1,300.00	PRM1,938,521359	00927814SC	000000200669579	2015	098	001	4650
VC00108185	5/26/2015	AD,DSB,20150226543	1	1,207.50	PRM1,938,540586	00892173SE	000000200767276	2015	098	001	4650
VC00108185	6/29/2015	AD,DSB,20150249096	1	757.50	PRM1,938,545673	00893551SE	000000200790409	2015	098	001	4650
VC00108185	7/14/2015	AD,DSB,20160010058	1	922.50	PRM1,938,547180	00893793SE	000000200801646	2016	098	001	4650
VC00108185	8/17/2015	AD,DSB,20160031207	1	300.00	PRM1,938,551733	00894869SE	000000200819924	2016	098	001	4650
VC00108185	10/13/2015	AD,DSB,20160068293	1	4,537.50	PRM1,938,558407	00974577SC	000000200851111	2016	098	001	4650
VC00108185	2/16/2016	AD,DSB,20160150691	1	40,150.00	PRM1,938,574337	00982896SC	000000200924078	2016	098	001	4650
VC00108185	2/16/2016	AD,DSB,20160150691	2	7,700.00	PRM1,938,574635	00993167SC	000000200924078	2016	098	001	4650
VC00108185	3/28/2016	AD,DSB,20160178450	1	5,465.00	PRM1,938,579674	01017865SC	000000200949491	2016	098	001	4650
VC00108185	5/3/2016	AD,DSB,20160201667	1	3,268.75	PRM1,938,585344	01017864SC	000000200970732	2016	098	001	4650
VC00108185	5/3/2016	AD,DSB,20160201667	2	3,006.25	PRM1,938,585412	01034042SC	000000200970732	2016	098	001	4650
VC00108185	6/13/2016	AD,DSB,20160229450	1	32,298.00	PRM1,938,589822	00987199SC	000000200995112	2016	098	001	4650
VC00108185	8/29/2016	AD,DSB,20170037211	1	250.00	PRM1,938,600709	01077910CC	000000201039007	2017	098	001	4650
VC00108185	9/6/2016	AD,DSB,20170040317	1	220.00	PRM1,938,601745	01073662CC	000000201041610	2017	098	001	4650
VC00108185	9/20/2016	AD,DSB,20170046790	1	393.75	PRM1,938,603639	01073951CC	000000201047620	2017	098	001	4650
VC00108185	10/3/2016	AD,DSB,20170055908	1	1,803.75	PRM1,938,605179	00906024SE	000000201055064	2017	098	001	4650
VC00108185	11/7/2016	AD,DSB,20170077199	1	406.25	PRM1,938,609308	01077912CC	000000201073823	2017	098	001	4650
VC00108185	1/31/2017	AD,DSB,20170127072	1	4,968.75	PRM1,938,620264	01050022SC	000000201118947	2017	098	001	4650
VC00108185	2/6/2017	AD,DSB,20170129992	1	5,131.25	PRM1,938,620777	01049882SC	000000201121156	2017	098	001	4650
VC00108185	3/13/2017	AD,DSB,20170150054	1	2,212.50	PRM1,938,625025	00909453SE	000000201138744	2017	098	001	4650
VC00108185	3/13/2017	AD,DSB,20170150054	2	3,982.50	PRM1,938,625162	00909454SE	000000201138744	2017	098	001	4650
VC00108185	5/30/2017	AD,DSB,20170200112	1	56,819.89	PRM1,938,636350	01056109SC	000000201183227	2017	098	001	4650
VC00108185	7/5/2017	AD,DSB,20180006050	2	2,418.75	PRM1,938,640788	01129502SC	000000201203944	2018	098	001	4650
VC00108185	7/5/2017	AD,DSB,20180006050	1	2,256.25	PRM1,938,640788	01117693SC	000000201203944	2018	098	001	4650
VC00108185	7/31/2017	AD,DSB,20180020867	1	168.75	PRM1,938,643869	00987197SC	000000201219093	2018	098	001	4650
VC00108185	9/27/2017	AD,DSB,20180050910	1	18,217.15	PRM1,938,651302	01054769SC	000000201245734	2018	098	001	4650
VC00108185	12/5/2017	AD,DSB,20180091374	1	5,837.50	PRM1,938,659943	01025581SC	000000201281854	2018	098	001	4650
VC00108185	12/5/2017	AD,DSB,20180091374	2	10,050.00	PRM1,938,659943	01053703SC	000000201281854	2018	098	001	4650
VC00108185	12/12/2017	AD,DSB,20180095454	1	4,265.00	PRM1,938,660947	00915921SE	000000201285251	2018	098	001	4650
VC00108185	12/27/2017	AD,DSB,20180104584	1	937.50	PRM1,938,663213	00916309SE	000000201293277	2018	098	001	4650
VC00108185	4/2/2018	AD,DSB,20180162688	1	4,886.25	PRM1,938,674465	00918176SE	000000201343150	2018	098	001	4650

VC00108185	5/29/2018	AD,DSB,20180200184	15	12,366.55	PRM1,938,682433	01073664SC	000000201378096	2018 098	001	4650
VC00108185	7/16/2018	AD,DSB,20190011456	1	2,340.00	PRM1,938,688644	00920947SE	000000201404473	2019 098	001	4650
VC00108185	7/16/2018	AD,DSB,20190011456	2	10,881.25	PRM1,938,688724	01147800CC	000000201404473	2019 098	001	4650
VC00108185	1/14/2019	AD,DSB,20190116628	2	23,627.27	PRM1,938,710820	01023541SC	000000201495354	2019 098	001	4650
VC00108185	1/2/2020	AD,DSB,20200111474	3	6,600.49	PRM1,938,755806	01265268SC	000000201686133	2020 098	001	4650
VC00108185	1/6/2020	AD,DSB,20200112333	1	300.00	PRM1,938,756115	01254843SC	000000201688862	2020 098	001	4650
VC00108185	1/21/2020	AD,DSB,20200122363	1	4,816.20	PRM1,938,758195	01238245SC	000000201695225	2020 098	001	4650
VC00108185	1/27/2020	AD,DSB,20200127703	1	15,773.99	PRM1,938,758372	01238082SC	000000201701258	2020 098	001	4650
VC00108185	3/16/2020	AD,DSB,20200159363	1	2,237.50	PRM1,938,765411	01249270SC	000000201730076	2020 098	001	4650
VC00108185	5/4/2020	AD,DSB,20200185002	1	1,312.50	PRM1,938,768292	00935252SE	000000201750832	2020 098	001	4650
VC00108185	6/17/2020	AD,DSB,20200217108	1	1,302.82	PRM1,938,771886	01297269SC	000000201781096	2020 098	001	4650
VC00108185	6/22/2020	AD,DSB,20200219822	1	3,056.25	PRM1,938,772112	01287369SC	000000201782870	2020 098	001	4650
VC00108185	9/16/2020	AD,DSB,20210034230	3	4,949.82	PRM1,938,776864	01280260SC	000000300031961	2021 098	001	4650
VC00108185	9/21/2020	AD,DSB,20210035822	1	2,325.00	PRM1,938,777024	01244271SC	000000300033092	2021 098	001	4650
VC00108185	1/15/2021	AD,DSB,20210082455	2	2,043.75	PRM1,938,784432	01091674SC	000000300073207	2021 098	001	4650
VC00108185	1/15/2021	AD,DSB,20210082455	1	225.00	PRM1,938,784432	00944090SC	000000300073207	2021 098	001	4650
VC00108185	9/2/2021	AD,DSB,20220032632	3	41,149.04	PRM1,938,802909	01254343CC	000000300169895	2022 098	001	4650
0001996897	3/8/2010	AD,DSB,20100093228	1	645.00	PRM1,938,274011	00804582SE	000000160086494	2010 098	001	4650
0001996897	12/13/2017	AD,DSB,20180096059	1	750.00	PRM1,069,CTFE1801218	100325/2016	000000201285776	2018 069	001	5000
0001996897	12/30/2020	AD,DSB,20210074479	1	273,180.31	PRM1,098,SPECPRO44	SPECRPRO44	000000300066132	2021 098	001	4650

EXHIBIT L

YOU DECIDE PODCAST Dr. Craig Spencer: Is the worst of the omicron surge over?

POLITICS

Race for Staten Island Surrogate Court Judge Turns Nasty

BY AMANDA FARINACCI | STATEN ISLAND

PUBLISHED 9:47 PM ET OCT. 30, 2018



It's a little-known office that wields patronage and power.

Staten Island's surrogate, Robert Gigante, is retiring, creating a wide-open race for his job.

From the perspective of a lawyer, this is a pretty good job. And the judge makes the decision about who gets the job," said Richard Flanagan of the College of Staten Island.

In the other boroughs, the Democratic nominee for surrogate always wins because of the party's huge registration edge. But on Staten Island, the two major parties are competitive.. making this a close race.

North Shore Assemblyman Matthew Titone, a Democrat, is running against South Shore Assemblyman Ron Castorina, a Republican. And it's gotten nasty.

"Many Staten Islanders have concerns over my opponent's past record, his conduct, not just one woman but with even a colleague, his associations with even a, right now an alleged criminal. There's a lot surrounding my opponent that should give people very serious pause for concern," Titone said.

Titone points to Facebook conversations obtained by NY1 last year revealing lawyer Richard Luthmann's creation of misleading Facebook accounts about prominent borough politicians.

Screenshots show Castorina knew about the misleading account created in the name of his then-opponent for Assembly, Janine Materna. The account contained sexually explicit images, and is being investigated by a special prosecutor.

ALL BOROUGHS > | MARCH 9, 2022

LOG IN

"I don't think that there's any question about my integrity, my character and everything I've done for my community. People know me, they trust me, they like me," he said. "I'm not gonna get into the mud with Matt Titone. He's a good man."

"The borough's north shore is heavily Democratic. Its south shore is heavily Republican. Political experts say the race will go to whomever is able to capture the lion's share of voters in the mid-island.

"There's a certain centrist politics that works really well there, and that can carry you both on the south shore and on the north shore," Flanagan said.

The race will also likely hinge on who turns out to vote in the local race for Congress, and whose name is more familiar to voters who know little about the post.

YOU MAY ALSO BE INTERESTED IN



EXHIBIT M



[United States v. Luthmann](#)

United States District Court for the Eastern District of New York

October 15, 2019, Decided; October 23, 2019, Filed

17-CR-664

Reporter

2019 U.S. Dist. LEXIS 184497 *; 2019 WL 5423570

UNITED STATES OF AMERICA, - against -
RICHARD LUTHMANN, Defendant.

**JACK B. WEINSTEIN, Senior United States
District Judge:**

Prior History: [Matter of Luthmann, 237 N.J. 587, 207 A.3d 228, 2019 N.J. LEXIS 608, 2019 WL 2119686 \(May 15, 2019\)](#)

Table of Contents

 [Go to table1](#)

Core Terms

sentence, scrap metal, Coconspirator, lawyers, profession, conspirators, alcohol, incarceration, fraudulent, ABA, mental health, Well-Being, conspiracy, customers, disorder, shipping, wire, container, purchaser, bipolar

Counsel: **[*1]** For United States: James P. McDonald, Assistant United States Attorney, Eastern District of New York, Brooklyn, NY.

For Defendant: Arthur L. Aidala, Law Offices of Aidala & Bertuna, P.C., Brooklyn, NY; Mario D. Romano, Brooklyn, NY.

Judges: Jack B. Weinstein, Senior United States District Judge.

Opinion by: Jack B. Weinstein

Opinion

Statement of Reasons Pursuant to [18 U.S.C. § 3553\(c\)\(2\)](#)

I. Introduction

Defendant Richard Luthmann ("Luthmann" or "Defendant") abused his status as a lawyer and conspired to commit fraud and extortion. He, together with others, devised a scheme to defraud export companies purchasing scrap metal for shipment to foreign customers, and then organized a scheme to extort a coconspirator. While on pretrial release following his arrest, Luthmann engaged in witness tampering and provided evidence to third parties in violation of a court order.

Following a forensic mental health evaluation, **[*2]** Defendant pled guilty to wire fraud conspiracy, under [18 U.S.C. §§ 1348, 1349](#), and extortionate collection of credit conspiracy, under [18 U.S.C. § 894\(a\)](#). Although he is remorseful for his conduct and in alcohol and drug abuse recovery, his crimes were absurd, bizarre, and ruthless. The case illustrates the danger in ignoring mental health problems of practicing lawyers.

Defendant is sentenced to 48 months' incarceration,

to be followed by three years' supervised release.

II. Offense

Luthmann began operating his own law firm in 2010. Presentence Investigation Report ("PSR") ¶ 109. Through his law practice, Defendant met the clients who became his coconspirators and codefendants. For several years, Luthmann represented an individual in litigation relating to the scrap metal business ("Coconspirator 1"). PSR ¶ 10.

Scrap metal from the United States is sent abroad in large shipping containers. *Id.* Foreign customers pay a price per unit of weight for scrap metal, separated and charged for by value. *Id.*

In 2015, following Defendant's introduction of Coconspirator 1 to another client ("Coconspirator 2"), the three individuals devised a scheme to defraud companies seeking to buy scrap metal. PSR ¶ 12. Coconspirator 1 identified potential [*3] victims; Luthmann registered two companies to operate the fraud, facilitated the opening of bank accounts for the fraud, and corresponded with "customers"; Luthmann brought Coconspirator 2 into the scheme because Luthmann believed he had organized crime connections and could help settle disputes. PSR ¶¶ 12-13.

Using the companies Defendant created, which were named to closely match legitimate scrap and recycling businesses, the conspirators defrauded eight companies. PSR ¶ 34; Gov't Sent. Mem. 2, ECF No. 207. In early October 2015, one of the fraudulent companies contracted to sell \$31,500 worth of scrap metal. PSR ¶ 15. The purchaser wired the funds to an Interest on Lawyer Account ("IOLA") belonging to Luthmann. *Id.* Those funds were then wired to an account controlled by Coconspirator 1. PSR ¶ 16. When no scrap metal delivery was made to the purchaser, it threatened criminal charges. PSR ¶¶ 15-17. The conspirators returned the money to the purchaser, but used the lessons of this failure to develop a more

sophisticated fraud. PSR ¶¶ 17-18.

For each subsequent purchaser, the second fraudulent company arranged to sell and ship a container of scrap metal that had been diluted with cheaper [*4] metal. PSR ¶ 18. The valuable scrap metal was placed on top of the cheaper filler metal, and in close proximity to holes predrilled in the container to make it appear that the entire container was filled with the valuable metal. *Id.*

The conspirators also began using aliases when interacting with customers, recruited a blind person under the care of a guardian ad litem to be the nominal president of the company, and laundered the proceeds of the transactions through various banks. PSR ¶¶ 18-23. Luthmann suggested using the blind person as a nominal president because his mental disability precluded his being sued. *See* Gov't Sent. Mem. 3. The conspirators operated quickly to make as many "sales" as possible before word got out that they were shipping overvalued material. *Id.* In just a few weeks, they made over \$484,000 in fraudulent sales. PSR ¶ 34. Approximately \$190,000 of this money was transferred to Defendant, and he charged \$15,000 to a debit card associated with the fraudulent company's bank account. PSR ¶ 32; Gov't Sent. Mem. 4. He was actively involved in monitoring payments and responding to bank inquiries about transfers. *Id.*

While the scrap metal scheme was ongoing, Luthmann [*5] demanded legal fees and other money from Coconspirator 1, including money to pay an enforcer to sit down with members of a Chinese organized crime enterprise hired by disgruntled customers. PSR ¶¶ 35-35. The story about the Chinese organized crime enterprise had no basis. Gov't Sent. Mem. 4-5. In December 2016, Defendant arranged for Coconspirator 2 and the enforcer, who had purportedly dealt with the Chinese organized crime enterprise, to hold Coconspirator 1 in a room at Defendant's law office and extort him. PSR ¶ 38. A loaded gun was pointed toward Coconspirator 1; he was directed

not to call the police. *Id.*

Defendant was ultimately indicted on 11 felony counts. *See* Indictment, ECF No. 1, Nov. 30, 2017 (filed under seal). He was arrested in December 2017 and detained until March 2018, when he was released on a \$1.5 million collateral bond. PSR at 1. While released, he sent his wife a threatening letter because he believed that she was cooperating with the government. PSR ¶ 5. She was granted an order of protection against Defendant. *Id.* Luthmann also provided to a friend three copies of wiretap interceptions so that the friend could distribute the materials to others as directed by Defendant. [*6] PSR ¶ 7. A protective order had prohibited such a distribution. PSR ¶ 16.

Defendant's bail was revoked in June 2018. PSR ¶ 8. He has been incarcerated since then. *Id.*

III. Guilty Plea

On March 18, 2019, following a forensic mental health evaluation of Defendant's competency to stand trial, he pled guilty to wire fraud conspiracy, in violation of [18 U.S.C. §§ 1348, 1349](#), and extortionate collection of credit conspiracy, in violation of [18 U.S.C. § 894\(a\)](#). *See* Tr., ECF No. 183. Defendant's guilty plea was accepted by the magistrate judge and again by this court.

IV. Sentencing Hearing

The sentencing hearing was conducted on September 5, 2019 and September 9, 2019. *See* Tr., Sept. 5, 2019; Tr., Sept. 9, 2019. The proceedings were videotaped to develop a record of courtroom atmosphere. *See In re Sentencing*, 219 F.R.D. 262, 264-65 (E.D.N.Y. 2004) ("The sentencing hearing normally requires that the defendant be observed for credibility, mental astuteness, physical characteristics, ability to withstand the rigors and dangers of incarceration, and a myriad other relevant factors. In many instances, it is necessary to observe the employer's and familial ties to the

defendant. A judge applies mental impressions of many tangible and intangible factors when imposing a sentence.").

An investigator [*7] from the Department of Commerce spoke briefly during the hearing. He testified about how the investigation of the scrap metal scheme began and how such schemes can negatively affect international business relations and the reputation of the United States. *See* Tr. 29:1-20, Sept. 5, 2019.

Also testifying were two victims of the scrap metal scheme. Adam Trusz, Procurement and Operations Manager of GDB International, described the company's interactions with the conspirators, including the problems his company had when a shipping container purportedly filled with copper wire was shipped to China and held at customs because it had actually been filled with concrete. *See id.* 31:9-37:13.

The blind individual whom the conspirators used as nominal president of one of the fraudulent companies also testified, recounting how he met Defendant and the other conspirators and how he became involved by them:

Q Sir, . . . could you describe how you met Richard Luthmann?

A Yes. I was walking up and down Victory Boulevard to Manor back and forth. . . . I was almost in front of the old health food store there and I ran into a gentleman named Arthur. He . . . gave me \$3 and about three cigarettes. . . . So [*8] I explained to Arthur about the potential case I had. So he said, I know an attorney. Would you like to talk to him? I said, Sure. He brings me upstairs to 1811 Victory Boulevard and introduced me to Mr. Luthmann. So we were talking, . . . and he comes up with a proposition, Do you want to be President of Omni Metal Corp.? So I had no money, I had no income, Sure. But I told him, I'm on Social Security. And he said, Do not worry about it.

Id. 49:8-50:8.

Defendant spoke on his own behalf, as did his mother. Both testified that Luthmann's mental health has improved substantially since his incarceration. *See id.* 75:16-76:14, 80:2-13.

V. Offense Level, Criminal History Category, and Sentencing Guidelines Range

The base offense level for conspiracy to commit wire fraud is seven. [U.S.S.G. § 2B1.1\(a\)\(1\)](#). Twelve points are added because the loss was greater than \$250,000 but less than \$550,000. *Id.* [§ 2B1.1\(b\)\(1\)\(G\)](#). Two points are added because Luthmann used sophisticated means to conduct the offense. *Id.* [§ 2B1.1\(b\)\(1\)](#). And two more points are added because he abused his position as a lawyer to commit the offense. *Id.* [§ 3B1.3](#). The total offense level for the offense is 23.

The base level offense for extortionate collection of credit conspiracy is 20. [*9] *Id.* [§ 2E2.1\(a\)](#). Four points are added because a firearm was used in the commission of the crime. *Id.* [§ 2E2.1\(b\)\(1\)\(B\)](#). The total offense level for this offense is 24.

Adjusting for the multiple counts, two points are added to the highest offense level. *Id.* [§ 3D1.4](#). Two additional points are added for obstruction of justice. *Id.* [§ 3C1.1](#). Three points are then deducted for acceptance of responsibility and timely notification of intent to enter a plea. *Id.* [§§ 3E1.1\(a\), \(b\)](#). The total adjusted offense level is 25.

Luthmann's criminal history category is I. PSR ¶ 73. The advisory range under the Sentencing Guidelines is 57 to 71 months' imprisonment.

VI. Law

The Guidelines are now advisory. [United States v. Booker, 543 U.S. 220, 246, 125 S. Ct. 738, 160 L. Ed. 2d 621 \(2005\)](#). "[A] district court should begin all sentencing proceedings by correctly calculating

the applicable Guidelines range. As a matter of administration and to secure nationwide consistency, the Guidelines should be the starting point and the initial benchmark." [Gall v. United States, 552 U.S. 38, 49, 128 S. Ct. 586, 169 L. Ed. 2d 445 \(2007\)](#). The Guidelines serve as a lodestar for determining the sentence from which a district court may depart when it "consider[s] all of the [§ 3553\(a\)](#) factors to determine whether they support the sentence requested by a party." *Id.* at 49-50. The court "shall state in open court the reasons for its imposition of the particular [*10] sentence." [18 U.S.C. § 3553\(c\)](#).

VII. [18 U.S.C. § 3553\(a\)](#) Considerations

A. Characteristics of Defendant

Luthmann was born in Staten Island in 1978. PSR ¶ 80. He is one of three children of his parents, who separated when Defendant was 13 years old. PSR ¶¶ 80-81. Luthmann's mother is a real estate broker and has an "excellent" relationship with Defendant. *Id.* His father is a pharmaceutical consultant and lives in Florida. PSR ¶ 80. Although the father was infrequently present when Luthmann was a child because of drug and alcohol abuse, they have since reconciled and have an "okay" relationship. PSR ¶ 81. Luthmann's parents, stepfather, and sister are aware of the present offenses and are supportive. PSR ¶¶ 81-83. Defendant's marriage ended following his arrest and his letter accusing his now ex-wife of cooperating with the government. PSR ¶ 85. They no longer have any relationship. *Id.*

Defendant excelled academically. He graduated from Columbia University in 2001. PSR ¶ 104. He received a Juris Doctor degree from New York Law School in 2004 and a Master of Laws in estate planning from the University of Miami in 2005. PSR ¶¶ 102-04. Following graduation, Luthmann worked in Florida with banks and insurance companies on asset [*11] structuring. PSR ¶¶ 111-12; Def. Sent. Mem. 2, ECF No. 200. In 2010, Defendant returned to New York, and was

employed as an associate at a trusts and estates law firm before starting his own firm. PSR ¶¶ 109-10. He gained notoriety as a lawyer for, among other things, his request for trial by combat to resolve a civil suit brought against him for allegedly assisting a client to fraudulently transfer assets. See Frank Donnelly, *Real-life Game of Thrones: Lawyer seeks trial by combat to resolve lawsuit*, Staten Island Advance (Aug. 4, 2015), https://www.silive.com/northshore/2015/08/real-life_game_of_thrones_layw.html; Reply Aff. Richard A. Luthmann, Esq., *Foley, et al. v. Luthmann et al.*, No. 150175/2014 (N.Y. Sup. Ct. July 24, 2015).

Luthmann also became involved in politics after his return to New York. See Def. Sent. Mem. 3-4. He is facing state law criminal charges relating to this involvement, including for allegedly trying to pay an exotic dancer to falsely report a sexual assault by the Staten Island District Attorney in an effort to disparage him and sway an election. PSR ¶ 75. Defendant's New Jersey law license has been suspended due to unethical conduct or failure to comply [*12] with rules governing attorneys. PSR ¶ 106.

Defendant has been an abuser of alcohol and cocaine. PSR ¶ 99; Def. Sent. Mem. 4-5. He reports drinking 1.75 liters of scotch each day throughout 2017 and spending "a couple of hundred [dollars]" on cocaine each week. PSR ¶ 99. The drug and alcohol use appears to have compounded Luthmann's existing mental health issues. He was diagnosed with anxiety and depression in 2012, and prescribed drugs which interact poorly with alcohol and drugs. PSR ¶ 96; Def. Sent. Mem. 4.

His mental health problems persisted after his arrest for the instant offenses. While released on bail in April 2018, Defendant admitted himself to a hospital because he believed he has having a nervous breakdown resulting from his marital problems. PSR ¶ 97. He was diagnosed with Bipolar I Disorder and hospitalized for 11 days. *Id.* Following his return to detention, this court ordered

Luthmann to undergo a forensic mental health evaluation for a determination of his competency to stand trial. PSR ¶ 98. The evaluator concluded that a more appropriate diagnosis for Defendant is Bipolar II Disorder. *Id.* He spent several months at a mental health treatment facility for purposes of [*13] this evaluation; Luthmann testified that he is thankful for the experience:

Your Honor, I first want to thank you [for] sending me to Devens. Most people won't thank the Court for incarceration but actually sending me to Devens was a real turning point because I actually was diagnosed and I received the help that I needed with respect to bipolar disorder. I was seeking mental health for many years and nobody had ever diagnosed bipolar disorder. It was always other things. And finally, when I was treated there and treated with medications and treated for bipolar disorder, it unlocked a door for me and allowed me to get a handle on my mental health.

Tr. 80:2-12, Sept. 5, 2019. Luthmann's mother also reports seeing a positive change in his mental health. See *id.* 77:20-78:14.

B. Well-Being of Lawyers

An important consideration in determining the appropriate sentence is Luthmann's mental and physical well-being. He has long suffered with mental health issues and abuse of drugs and alcohol.

These are not uncommon problems for lawyers. To review the literature over the last half-century is to conclude that many lawyers are not well psychologically. See, e.g., *Lawyer Distress: Alcohol-Related Problems [*14] and Other Psychological Concerns Among A Sample of Practicing Lawyers*, [10 J.L. & Health 1, 1-60 \(1995-96\)](#) (estimating that nearly 70% of lawyers are likely to have an alcohol problem at some time during their career and finding that while 9% of U.S. adults meet the criteria for alcohol abuse or dependency, 15-18% of lawyers were problem

drinkers); Patrick R. Krill et al., *The Prevalence of Substance Use and Other Mental Health Concerns Among American Attorneys*, 10 J. Addiction Med. 46 (2016) (concluding that 21% of licensed, employed attorneys qualify as problem drinkers, 28% struggle with some level of depression, 19% demonstrate symptoms of anxiety, and 11.5% have suicidal thoughts at some time during their career).

Young attorneys in particular—those within the first ten years of practice—exhibit the highest propensity for substance abuse and mental health problems. Krill, et al., *supra*, at 46-52. This is contrary to previous research, which suggested those levels increased with longevity in the profession and age. *Id.* Particular attention should be paid to the problems of younger attorneys.

In August 2017, the American Bar Association (the "ABA") announced a "crossroads" in the legal community: "Sadly, our profession is falling short when it [*15] comes to well-being." Bree Buchanan & James C. Coyle, *The Path to Lawyer Well-Being: Practical Recommendations for Positive Change*, ABA (August 14, 2017), <https://www.americanbar.org/content/dam/aba/images/abanews/ThePathToLawyerWellBeingReportFINAL>. The struggle of practicing lawyers currently serving clients, in a profession that depends on the public's trust, must concern the entire legal profession.

According to the ABA, the two most common barriers preventing lawyers from seeking help are (1) not wanting others to find out they needed help, and (2) concerns regarding privacy. *Id.* at 13. The legal profession can work toward ameliorating these concerns, but courts have a particular role in doing so. As the ABA noted, judges can help foster an open dialogue within the profession about our collective problems:

The stigma surrounding mental health and substance use disorders poses an obstacle to treatment. Judges are undisputed leaders in the legal profession. We recommend they work to reduce this stigma by creating opportunities for

open dialogue. Simply talking about these issues helps combat the unease and discomfort that causes the issues to remain unresolved.

Id. at 23. Well-being struggles can be [*16] normalized through regular discussion of mental health issues. Mentorship of young attorneys seems an obvious way in which those in the legal profession, including judges, can help reduce stigma.

It is also important, says the ABA, that all in the profession are aware of lawyer assistance programs. *Id.* at 13. The New York State Bar Association has had, for many years, a Lawyer Assistance Program ("LAP") with the goal of "assist[ing] in the prevention, early identification and intervention of problems that can affect professional conduct and quality of life." New York State Bar Association, *Lawyer Assistance Program*, <https://www.nysba.org/lap> (last visited Oct. 15, 2019). The LAP provides both a confidential email system and a private phone number where lawyers can report concerns about colleagues or themselves. *Id.* The ABA stresses that there is still a greater need for general resources for programs like the LAP, as well as specific expansion of preventative and intervention programs. Buchanan & Coyle, *supra*, at 13.

A shift is needed in the legal profession's culture to ensure that lawyers, including those such as Defendant, are engaging in self-care when they practice law.

VIII. Sentence

The court has considered, among the [*17] other factors under [18 U.S.C. § 3553](#), "the nature and circumstances of the offense and the history and characteristics of the defendant" and "the need for the sentence." [18 U.S.C. §§ 3553\(a\)\(1\), \(2\)](#). Defendant is sentenced to 48 months' incarceration, to be followed by three years' supervised release.

Luthmann's crimes were bizarre and ruthless. He

used his status as a lawyer to give an air of legitimacy to a serious fraudulent scrap metal scheme. His law license was the recruitment tool that allowed him and his coconspirators to take advantage of a disabled individual to perpetrate the fraud. Unsatisfied by traditional methods of debt collection, he used threats of violence to collect a legal debt purportedly owed by a coconspirator. The sentence imposed will appropriately punish and deter Defendant from similar conduct.

Luthmann's crimes damaged American commerce. It is important that American scrap metal dealers are able to ship their product abroad without suspicion that they are committing fraud. Deterrence of others who might engage in similar conduct was considered by the court.

It is not lost on the court that Defendant suffers from substance abuse and mental health issues, and was under the extreme pressure that is common [*18] among lawyers. Stigma and underresourced programs no doubt contributed to his wariness of obtaining intensive necessary assistance dealing with these problems. These important concerns, however, do not warrant a sentence shorter than 48 months.

Orders of restitution and forfeiture have been entered separately. No fine is imposed because Luthmann lacks the assets to pay one. A \$200 special assessment is imposed.

It is recommended that the Bureau of Prisons incarcerate him close to New York so that he may maintain his family ties.

IX. Conclusion

The Guidelines have been considered and the sentence granted to ensure that it is "sufficient, but not greater than necessary" under [18 U.S.C. 3553\(a\)](#).

SO ORDERED

/s/ Jack B. Weinstein

Senior United States District Judge

Date: October 15, 2019

Brooklyn,

New

York

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VI. Law

VII. [18 U.S.C. § 3553\(a\)](#) Considerations

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Table1 (Return to related document text)

End of Document

EXHIBIT N



U.S. Department of Justice

Federal Bureau of Prisons

Federal Correctional Complex, Allenwood

*Low Security Correctional Institution
P.O. Box 1500
White Deer, PA 17887*

June 09, 2020

Richmond County
Attn: Michael E. McMahon
District Attorney
130 Stuyvesant Place
Staten Island, NY 10301

RE: Luthmann, Richard
Federal Register No.: 90564-053
Your: Docket # 379/2018

Dear Mr. McMahon,

The above named subject applied for final disposition of pending charges pursuant to the Interstate Agreement on Detainers Act (IADA) which application was received in your office on 03-10-2020. As you are aware, under Article III of the IADA, Inmate Luthmann, Richard, is to be brought to trial on these charges within 180 days from the date the forms were received in your office as noted on the certified mail receipt. It appears that Inmate Luthmann, Richard, has not been brought to trial on the charges specified in your detainer and the 180-day period will lapse on 09-07-2020.

I would appreciate hearing from you at your earliest convenience as to your state's intentions in this case. Further arrangements may be made by contacting me at 570-547-1990, ext. 4350.

Sincerely,

/S/

Don Wasilko

Correctional Systems Supervisor



U.S. Department of Justice
Memorandum
Federal Bureau of Prisons

Federal Correctional Complex, Allenwood

*LSCI Allenwood
P.O. Box 1500
White Deer, PA 17887*

March 4, 2020

Richmond County
Attn: Michael E. McMahon
District Attorney
130 Stuyvesant Place
Staten Island, NY 10301

RE: Luthmann, Richard
Federal Register No.: 90564-053
Your: Docket # 379/2018
Charges: Falsifying Business Records in the First Degree, Identity Theft in the Second Degree, Criminal Impersonation in the Second Degree, Stalking in the Third Degree, False Report of an Incident in the Third Degree

To Mr. McMahon,

The above referenced defendant has requested disposition of pending charges in your jurisdiction pursuant to the Interstate Agreement on Detainers Act (IADA). Necessary forms are enclosed.

We request action be taken under Article III of the IADA and IADA Forms VI, "Evidence of Agents' Authority to Act for Receiving State" and VII, "Prosecutor's Acceptance of Temporary Custody Offered in Connection with a Prisoner's Request for Disposition of a Detainer" be submitted to us, as necessary. The two (2) persons who are the designated agents to return the prisoner to your State must also be the persons whose signatures appear on the Form VI, BP-S564. It would be advisable to designate alternate agents whose signatures must also appear on the IADA Form VI, BP-S564, in the event the primary agents are unable to make the trip. Also be advised that the designated agents must have in their possession a copy of the IADA Form VI, BP-S564, proper identification, and a certified copy of the warrant when assuming custody of the prisoner. Any questions regarding this procedure may be directed to the individual listed below or the Agreement Administrator for your State.

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RE: Luthmann, Richard #90564-053

Inmates who are temporarily transferred pursuant to the IADA remain under the primary jurisdiction of federal authorities. Should you accept temporary custody of this inmate, we wish to remind you that under Article V(e) of the IADA, you are required to return the above named inmate to this institution after prosecution on all pending charges. While this inmate is in your temporary custody, he or she will be held in a suitable jail that meets the level of security required by the Bureau of Prisons. **In addition, security requirements for the inmate (e.g., type of restraints, number of escorting staff, who may transport, etc.) must be met.** Any problems associated with this inmate must be reported to the individual listed below. This inmate may not be released on bail or bond while in your custody. **Additionally, this inmate is not to be committed to a state correctional institution for service of any state sentence(s) that may be imposed because of your prosecution.**

To help us with processing, please fill out the enclosed certification form and return to us before scheduling a date for assuming custody. Upon completion of the State proceedings contact this office to schedule a date for the inmate's return to federal custody.

If you have any questions on this matter, please call: Don Wasilko, Correctional Systems Supervisor, at (570) 547-1990, Ext. 4350.

Sincerely,

D.K White
Warden

/s/ 

Don Wasilko
Correctional Systems Supervisor

Enclosures: BP-Forms S236, S238, S239
BP-S565, Prosecutor's Certification Form

cc: Clerk of Court
State IADA Administrator

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To: RICHMOND COUNTY DISTRICT ATTORNEY'S OFFICE ATTN: WARRANTS/EXTRADITION 130 STUYVESANT PL STATEN ISLAND, NY 10301		Institution LSCI Allenwood Attn: Records P.O. Box 1500 White Deer, PA 17887	
		Date February 12, 2020	
Case/Dkt# 00379-2018	Inmate's Name LUTHMANN, RICHARD	Fed Reg No. 90564-053	DOB/SEX/RACE 11/08/1979 W/M/M
Aliases: LUTHMANN, RICHARD A; LUTHMANN, RICHARD ALBERT		Other No. FBI: 2V46MDD5A SID: NY14167252Z	

The below checked paragraph relates to the above named inmate:

☒

This office is in receipt of the following report: PER THE ABOVE INMATES'S NCIC/PSI: THE FOLLOWING CASE # IS STILL PENDING WITH YOUR AGENCY: ARRESTED ON 11/29/2018 FOR FALSIFY BUSINESS RECORDS, IDENTITY THEFT-2ND DEGREE, ASSUME ANOTHERS IDENTITY-COMMIT OR ATTEMPT A FELONY, CRIMINAL IMPERSONATION-2ND DEGREE COMMUNICATE BY INTERNET WITH INTENT TO OBTAIN BENEFIT, PRIMARY ELECTION VIOLATIONS, STALKING-3RD DEGREE, FALSE REPORT OF INCIDENT-3RD DEGREE. (CASE # 00379-2018. Will you please investigate this report and advise what disposition, if any, has been made of the case. If subject is wanted by your department and you wish a detainer placed, it will be necessary for you to forward a certified copy of your warrant to us along with a cover letter stating your desire to have it lodged as a detainer. If you have no further interest in the subject, please forward a letter indicating so.

- ☐ A detainer has been filed against this subject in your favor charging: _____. Release is tentatively scheduled for _____, however, we will notify you no later than 60 days prior to actual release. To check on an inmate's location, you may call our National Locator Center at: 202-307-3126 or check our BOP Inmate Locator Website at www.bop.gov.
- ☐ Enclosed is your detainer warrant. Your detainer against the above named has been removed in compliance with your request.
- ☐ Your detainer warrant has been removed on the basis of _____. Notify this office immediately if you do not concur with this action.
- ☐ Your EMAIL dated _____ requests notification prior to the release of the above named prisoner. Our records have been noted. Tentative release date at this time is _____.
- ☐ I am returning your _____ on the above named inmate who was committed to this institution on _____ to serve _____ for the offense of _____. If you wish your _____ filed as a detainer, please return it to us with a cover letter stating your desire to have it placed as a hold or indicate you have no further interest in the subject.

The above named inmate has been transferred to LSCI Allenwood, P.O. Box 1500, White Deer, PA 17887. Your detainer request has been forwarded. To check on an inmate's location, you may call our National Locator Center at: 202-307-3126 or check our BOP Inmate Locator Website at www.bop.gov

Sincerely,

2ND AND FINAL NOTICE

Nicholas Myers, CSO
For
Don Wasilko
Correctional Systems Supervisor
570-547-0343, FAX

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FEB 94

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

Inmate Luthmann, Richard	Register No. 90564-053	Institution LSCI Allenwood,
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Pursuant to the Interstate Agreement on Detainers Act, you are hereby informed that the following are the untried indictments, informations, or complaints against you concerning which the undersigned has knowledge, and the source and contents of each.

Richmond County District Attorney's Office, 130 Stuyvesant Place, Staten Island, NY, 10301

Case Number: 379/2018

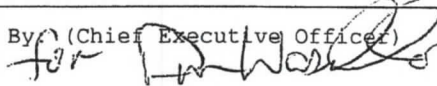
Charges: Falsifying Business Records in the First Degree, Identity Theft in the Second Degree, Criminal Impersonation in the Second Degree, Stalking in the Third Degree, False Report of an Incident in the Third Degree

You are hereby further advised that by the provisions of said Agreement you have the right to request the appropriate prosecuting officer of the jurisdiction in which any such indictment, information or complaint is pending and the appropriate court that a final disposition be made thereof. You shall then be brought to trial within 180 days, unless extended pursuant to provisions of the Agreement. After you have caused to be delivered to said prosecuting officer and said court written notice of the place of your imprisonment and your said request, together with a certificate of the custodial authority as more fully set forth in said Agreement. However, the court having jurisdiction of the matter may grant any necessary or reasonable continuance.

Your request for final disposition will operate as a request for final disposition of all untried indictments, informations or complaints on the basis of which detainers have been lodged against you from the state to whose prosecuting official your request for final disposition is specifically directed. Your request will also be deemed to be a waiver of extradition to the state of trial to serve any sentence there imposed upon you, after completion of your term of imprisonment in this state. Your request will also constitute consent by you to the production of your body in any court where your presence may be required in order to effectuate the purposes of Agreement on Detainer and a further consent voluntarily to be returned to the institution in which you are now confined.

Should you desire such a request for final disposition of any untried indictment, information or complaint, you are to notify the Inmate Systems Manager of the institution in which you are confined.

You are also advised that under provisions of said Agreement the prosecuting officer of a jurisdiction in which any such indictment, information or complaint is pending may institute proceedings to obtain a final disposition thereof. In such event, you may oppose the request that you be delivered to such prosecuting officer or court. You may request the Warden to disapprove any such request for your temporary custody but you cannot oppose delivery on the grounds that the Warden has not affirmatively consented to or ordered such delivery.

Dated 03-04-2020	Name and Title of Custodial Authority Michael D. Carvajal, Director, Bureau of Prisons	By (Chief Executive Officer)  D. K. White, Warden
Dated 3/9/2020	Inmate Signature  90564-053	

Original - Inmate, Copy - J&C, Copy - Central File (Section 1)

(This form may be replicated via WP)

Replaces BP-235(58) of OCT 88

To: Michael E. McMahon, District Attorney	Jurisdiction Richmond County
Court: County Court	Jurisdiction 130 Stuyvesant Place Staten Island, NY 10301

And to all other prosecuting officers and courts of jurisdiction listed below from which indictments, informations or complaints are pending, you are hereby notified that the undersigned is now imprisoned in:

Institution LSCI Allenwood	Town and State P.O Box 1500 White Deer, PA 17887
-------------------------------	--

and I hereby request that a final disposition be made of the following indictments, informations or complaints now pending against me:

Charges: Falsifying Business Records in the First Degree, Identity Theft in the Second Degree, Criminal Impersonation in the Second Degree, Stalking in the Third Degree, False Report of an Incident in the Third Degree

Case Number: 379/2018

Failure to take action in accordance with the Interstate Agreement on Detainers Act, to which your state is committed by Law, will result in the invalidation of the indictments, informations or complaints.

I hereby agree that this request will operate as a request for final disposition of all untried indictments, informations or complaints on the basis of which detainers have been lodged against me from your state. I also agree that this request shall be deemed to be my waiver of extradition with respect to any charge or proceedings contemplated hereby or included herein, and a waiver of extradition to your state to serve any sentence there imposed upon me, after completion of my term of imprisonment in this state. I also agree that this request shall constitute consent by me to the production of my body in any court where my presence may be required in order to effectuate the purposes of the Interstate Agreement on Detainers Act and a further consent voluntarily to be returned to the institution in which I am now confined.

If jurisdiction over this matter is properly in another agency, court or officer, please designate the proper agency, court or officer and return this form to the sender.

Forms BP-S238 (51), Certificate of Inmate Status, and BP-S239(51), Offer of To Deliver Temporary Custody, are attached.

Dated	Inmates Name and Register No.
03-04-2020	Luthmann, Richard #90564-053

The inmate must indicate below whether he has counsel or wishes the court in the receiving state to appoint counsel for purposes of any proceedings preliminary to trial in the receiving state which may take place before his delivery to the jurisdiction in which the indictment, information or complaint is pending. Failure to list the name and address of counsel will be construed to indicate the Inmate=s consent to the appointment of counsel by the appropriate court in the receiving state.

A My counsel is (give name) Mario Romano, ESQ	whose address is (Street, City State, ZIP) 9118 13th Avenue Brooklyn NY
--	---

B. I request the court to appoint counsel.

(Inmates Signature)

Richard Luthmann 90564-053

FEB 94

U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

Inmates Name	Register No.	Institution
Luthmann, Richard	90564-053	LSCI Allenwood

Institution's Address

LSCI Allenwood, P.O. Box 1500, White Deer, Pennsylvania 17887

The (Custodial Authority) hereby certifies:

1. The term of commitment under which the prisoner above named is being held:

48 Months

2. The Time Already Served	3. Time Remaining to be Served on the Sentence
1 Year, 11 Months, 24 Days	2 Years, 5 Days
4. The Amount of Extra Good Time Earned (Projected)	5. The Date of Parole Eligibility of the Prisoner
216 total projected	N/A

6. The decisions of the U.S. Parole Commission relating to the Prisoner:

N/A

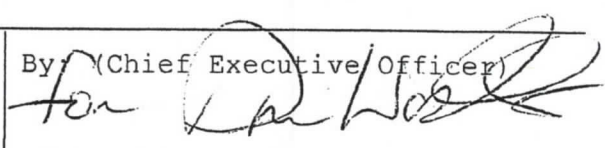
7. Maximum expiration date under present sentence: 03/09/2022

8. Detainers currently on file against this inmate from your state are as follows:

Richmond County District Attorney's Office

Case Number: 379/2018

Charges: Falsifying Business Records in the First Degree, Identity Theft in the Second Degree, Criminal Impersonation in the Second Degree, Stalking in the Third Degree, False Report of an Incident in the Third Degree

Dated	Name and Title of Custodial Authority	By (Chief Executive Officer)
03-04-2020	Michael D. Carvajal, Director, Bureau of Prisons	 D.K. White, Warden

Record Copy - State IAD Administrator; Copy - J & C File; Copy - Central File (Section 1); Copy - Prosecuting official (Mail Certified Return Receipt); Copy - Clerk of Court (Mail Certified Return Receipt)

Sensitive Limited Official Use Only

FEB 94
U.S. DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF PRISONS

DATE: 03-04-2020

To: Richmond County District Attorney	Name and Title, if known Michael E. McMahon District Attorney	Jurisdiction Richmond County 130 Stuyvesant Place Staten Island, NY 10301
--	---	--

And to all other prosecuting officers and courts of jurisdiction listed below from which indictments, information or complaints are pending.

re: (Inmates name) Luthmann, Richard	Register No. 90564-053
---	-------------------------------

Pursuant to the provisions of Article V of the Interstate Agreement on Detainers Act between this state and your state, the undersigned hereby offers to deliver temporary custody of the above-named prisoner to the appropriate authority in your state in order that speedy and efficient prosecution may be had of the indictment, information or complaint which described in the attached inmates request.

(The required Certificate of Inmate Status is enclosed.)

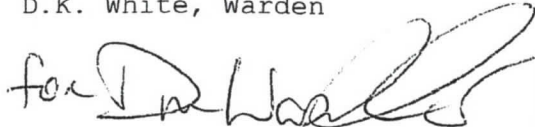
If proceedings under Article IV (d) of the Interstate Agreement on Detainers Act are indicated, an explanation is attached.

Indictments, information's or complaints charging the following offenses also are pending against the inmate in your state and you are hereby authorized to transfer the inmate to custody of appropriate authorities in these jurisdictions for purposes of these indictments, information's or complaints.

Offense

County or other Jurisdiction

If you do not intend to bring the inmate to trial, will you please inform us as soon as possible? Kindly acknowledge.

By: (Chief Executive Officer) D.K. White, Warden 	Institution and Address LSCI ALLENWOOD P.O. Box 1500 White Deer, PA 17887	Name/Title Custodial Authority Michael D. Carvajal, Director, Bureau of Prisons
--	--	--

Record Copy - State IAD Administrator; Copy - J & C File; Copy - Central File (Section 1); Copy Prosecuting

Sensitive Limited Official Use Only

EXHIBIT O

**FLORIDA DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES
APPLICATION FOR DISABLED PERSON PARKING PERMIT**

*****SUBMIT APPLICATION TO YOUR LOCAL COUNTY TAX COLLECTOR'S OFFICE OR LICENSE PLATE AGENCY*****
www.fhsmv.gov/offices/

This form is not valid for more than 12 months from the date of the certifying authority's signature.

Please Print/Type below

APPLICATION BY DISABLED PERSON (See Warning Below)

I certify that I am a person with one of the disabilities listed in section 320.0848, Florida Statutes. I further state that my physician or other certifying practitioner has completed the statement of certification below on my behalf, as required in section 320.0848, Florida Statutes.

Richard Albert Luthmann Jr Name of Disabled Person as printed on their Florida Driver License or Florida ID Card		Current Disabled Parking Permit Number (if applicable)		Signature of Disabled Person or Guardian of the Disabled Person	
11/8/79 Date of Birth	M Sex	Disabled Person's E-mail Address		Disabled Person's Phone Number	9-18-21 Date Signed
338 Sugar Pine Lane Address		Naples City		FL State	34108 Zip
Florida Driver License or Florida ID Number: (Required for permanent and temporary parking permits unless exception is noted by physician below)		L355-741-79-408-1		If applicable, check one of the following: ☐ I am a frequent traveler. ☐ I am a quadriplegic.	

PHYSICIAN/CERTIFYING PRACTITIONER'S STATEMENT OF CERTIFICATION (See Warning Below)

☐ **TEMPORARY PERMIT:** This is to certify that the applicant named above is a person with a temporary disability (six months or less) that limits or impairs his/her ability to walk or is temporarily sight impaired. Due to the temporary specific disability(ies) checked below (2-8), the disabled person parking permit should be issued from (date) through (date).

☒ **PERMANENT PERMIT:** This is to certify that the applicant named above is legally blind or is a disabled person with a permanent disability (ties) that limits or impairs his/her ability to walk 200 feet without stopping to rest. Specify below (2-8) either legally blind or the specific disability (ties).

DISABILITY TYPE AS DISPLAYED IN FRVIS:

- ☒ 2. Inability to walk without the use of or assistance from a brace, cane, crutch, prosthetic device, or other assistive device, or without assistance of another person. If the assistive device significantly restores the person's ability to walk to the extent that the person can walk without severe limitation, the person is not eligible for the exemption parking permit.
- ☐ 3. The need to permanently use a wheelchair.
- ☐ 4. Restriction by lung disease to the extent that the person's forced (respiratory) expiratory volume for 1 second, when measured by spirometry, is less than one liter or the person's arterial oxygen is less than 60 mm/hg on room air at rest.
- ☐ 5. Use of portable oxygen.
- ☐ 6. Restriction by cardiac condition to the extent that the person's functional limitations are classified in severity as Class III or Class IV according to standards set by the American Heart Association.
- ☒ 7. Severe limitation in a person's ability to walk due to an arthritic, neurological, or orthopedic condition.
- ☐ 8. Legally Blind

WARNING: Any person who knowingly makes a false or misleading statement in an application or certification under section 320.0848, Florida Statutes, commits a misdemeanor of the first degree, punishable as provided in section 775.082 or 775.083, F.S. The penalty is up to one year in jail or a fine of \$1,000 or both.

Certification or License No. (Required) ME125555 of a Physician, Osteopathic or Podiatric Physician, Chiropractor, Optometrist, Advanced Practice Registered Nurse under the protocol of a licensed physician or a Physician Assistant licensed under Chapter 458 or 459.		125755 FL LICENSED IN THE STATE OF	
Neil Maldonado Print/Type Name of Certifying Authority	400 8th ST N Business Address	Naples City	FL 34102 State Zip
Certifying Authority Signature		Date Signed: 5/17/12	239-649-2833 (Area Code)Telephone Number

☐ **SPECIAL EXCEPTION:** The severely disabled applicant named above applying for a permanent placard is unable to obtain a Florida driver license or Identification card. If the Special Exception box is checked, the certifying physician must provide his/her signature and date signed below. If the Special Exception box is checked, one of the conditions in boxes 2-8 above must also be checked.

Certifying Authority Signature: _____ Date Signed: _____

APPLICATION BY AN ORGANIZATION (See Warning Above)

This is to certify that _____ provides regular transportation service to disabled persons having disabilities that limit or impair their ability to walk or are certified to be legally blind.

Number of Vehicles in fleet for this purpose:	Organization's E-mail Address		
Signature of Organization's Authorized Representative		Date Signed:	
Address:	City:	State:	Zip:

TAX COLLECTOR USE ONLY

Agency Personnel Processing this Application	County	Agency	Date
--	--------	--------	------

NOTE: For renewals and replacements only, a veteran who has been previously evaluated and certified by the United States Department of Veterans Affairs or any branch of the United States Armed Forces as permanently and totally disabled from a service-connected disability may provide a United States Department of Veterans Affairs Form Letter 27-333, or its equivalent, issued within the last 12 months in lieu of a certificate of disability.

IMPORTANT: REMOVE BEFORE
DRIVING VEHICLE

D 2047943

**Disabled Persons Parking
Identification Permit**



EXPIRES

L355741794081 D2047943

11-25

**FLORIDA
DEPARTMENT OF HIGHWAY
SAFETY AND MOTOR VEHICLES**

FLORIDA PARKING PLACARD REGISTRATION

PERMIT D2047943

TYPE

PRIMARY

Expires

Midnight Sat 11/8/2025

DL/FEID L355741794081

Date Issued 9/17/2021

RICHARD ALBERT LUTHMANN JR
338 SUGAR PINE LN
NAPLES, FL 34108

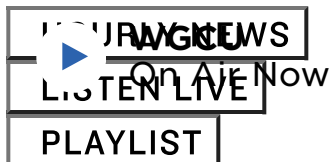
IMPORTANT INFORMATION

1. Your registration must be updated to your new address within 30 days of moving.
2. Registration renewals are the responsibility of the registrant and shall occur during the 30-day period prior to the expiration date shown on this registration. Renewal notices are provided as a courtesy and are not required for renewal purposes.

Reg. Tax	0.00	Class Code
Init. Reg.		Tax Months
County Fee	0.00	Back Tax Mos
Mail Fee		Credit Class
Sales Tax		Credit Months
Voluntary Fees		
Grand Total	0.00	

B# 2758671

EXHIBIT P



npr

WGCUNPR

[DONATE](#)

LAW

When It Comes To Email, Some Prisoners Say Attorney-Client Privilege Has Been Erased

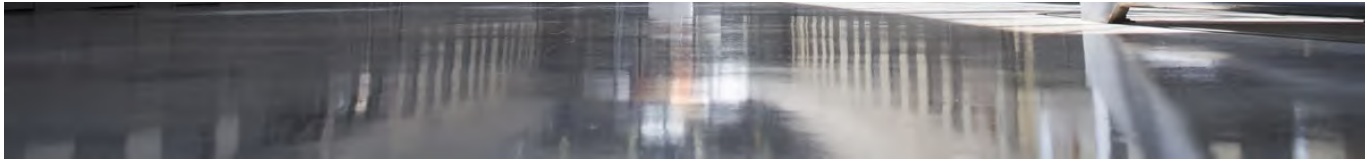
March 31, 2021 · 7:00 AM ET

Heard on Morning Edition



CARRIE JOHNSON

[2-Minute Listen](#)[PLAYLIST](#) [Download](#)[Transcript](#)



Within the Federal Bureau of Prisons, inmates are asked to "voluntarily" agree to electronic monitoring in order to use the bureau's email system. Above, a prison cell block is seen at the Federal Correctional Institution, El Reno in Oklahoma in 2015.

Saul Loeb/AFP via Getty Images

It's a staple on some of the longest-running crime shows on television: Communications between people charged with crimes and their lawyers are protected from government snooping under what's known as attorney-client privilege.

In practice, things don't always work that way, especially when it comes to email messages between incarcerated people in the federal system and their attorneys. That's because within the Federal Bureau of Prisons, inmates are asked to "voluntarily" agree to electronic monitoring in order to use the bureau's email system.

The National Association of Criminal Defense Lawyers says there's nothing voluntary about it. Unless incarcerated people agree to monitoring, they're locked out of email communications. The group and a prominent civil liberties clinic at the University of

California, Berkeley are now sounding the alarm. They say their concerns have been compounded during a pandemic that has made in-person visits particularly risky.



LAW

Biden Makes 1st Judicial Nominations, Including A Supreme Court Contender

"BOP reading inmates' email was concerning even before the pandemic, but now email is one of the few ways attorneys can reliably communicate with their clients when they're in custody," said Catherine Crump, director of the Samuelson Law, Technology & Public Policy Clinic at Berkeley Law.

Together with the NACDL, the clinic has sued the Federal Bureau of Prisons for more information about how and where email messages exchanged over the prison service, known as TRULINCS, are monitored.

"We're in 2021 — the system has not caught up," said Jumana Musa, director of the Fourth Amendment Center at the NACDL. Musa said her group has been unable to

find any "overarching policy" at the Justice Department, with some inconsistencies even among prosecutors in the same U.S. attorney's office. While some DOJ offices have developed specific policies that cover when federal prosecutors can read the emails, others either don't have policies or have failed to describe what they're doing.

Action in Congress

Critics are also pushing Congress to act. In February, the House of Representatives overwhelmingly approved the Effective Assistance of Counsel in the Digital Era Act by a vote of 414 to 11.

The legislation, which awaits action in the Senate, would require the attorney general to make sure that the BOP refrains from monitoring the contents of emails between incarcerated people and their lawyers and to get a warrant to access their contents. The bill makes clear that authorities can pierce attorney-client privilege in situations where a prisoner or detainee is suspected of working with a lawyer to actively commit or cover up a crime or fraud.

The bill's sponsor, Rep. Hakeem Jeffries, D-N.Y., said the vote garnered a large bipartisan majority at a time when lawmakers don't agree on much.



CORONAVIRUS UPDATES

Pandemic's Deadly Toll Behind Bars Spurs Calls For Change In U.S. Jails And Prisons

"The time has arrived for us to address this egregious practice, lift up the presumption of innocence, facilitate due process and allow fundamental fairness to permeate all aspects of our judicial system," Jeffries said.

The Congressional Budget Office predicted that if the legislation passed the Senate, the Federal Bureau of Prisons would have to build a new email system and create a registry of approved lawyers — measures it expects could cost \$52 million through 2025.

Scott Taylor, a spokesman for the Federal Bureau of Prisons, pointed out that inmates and their contacts who use the email system "voluntarily consent to having all system activity monitored and retained." He said that prisoners and their lawyers can communicate through

phone, letters or visits, which he said are not monitored by staff.

An essential tool

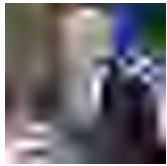
Federal judges have had a mixed response to the concerns. Some have expressed consternation that it's happening. Others have ordered the government not to read the emails.

For attorneys and their clients, email can be an essential tool for communication. Ken White, a defense lawyer in California, points out that it's "extremely time-consuming and burdensome to visit somebody in jail, let alone prison."

"It's often a multihour process to visit someone, even for five minutes," White said.

Now, with the coronavirus pandemic sweeping the U.S., some in-person visits have been curtailed altogether, and the mail is slow. But White said he nonetheless tries to limit his communications on the BOP email system, using it to notify incarcerated clients about the dates of their

next hearings but not for strategy or the facts of their case.



THE CORONAVIRUS CRISIS

DOJ Has Charged Nearly 500 With COVID-Related Fraud In The Past Year

Peter Goldberger, a defense attorney based in Ardmore, Pa., has firsthand experience with how the email monitoring can hurt a defendant.

Prosecutors collected communications from his client, former state Sen. Vincent Fumo, after Fumo was convicted of conspiracy, fraud, obstruction of justice and tax violations.

The government used Fumo's own emails against him at his resentencing hearing, when the judge cited them in part to tack on six more months to his prison term. In the messages, Fumo expressed "frustration" about prosecutors, wrote that he was "convicted of technical [BS]" and called the jury that convicted him "stupid," his lawyer said.

Clients want to communicate with their lawyers, and it's easy to forget their lawyers' warnings, Goldberger said.

"It seems to me that it would be so simple to fix electronically and so fair and appropriate to everyone," Goldberger said. "That lawyers' ability to communicate with their clients be made easier — not harder and not riskier."

More Stories From NPR



NATIONAL

<https://www.npr.org/2021/03/31/982339371/when-it-comes-to-email-some-prisoners-say-attorney-client-privilege-has-been-era>

EXHIBIT Q

Information for Inmate Population

(8/03/2020)

Subject: COVID-19 Positive Precautions

Be advised, we have our first confirmed positive inmate case at Allenwood Low Security Correctional Institution. Thankfully, the positive case was discovered during intake screening and exposure was limited. However, now, more than ever, we must stress the importance of following all guidelines to maintain the health and safety of all individuals at LSCI Allenwood.

With over 4.5 million positive cases nationwide and over 150,000 deaths, we are reminded of how easily the virus is transmitted and how lethal it can be.

We will enforce the requirement to wear face coverings when out of your assigned living area. Face coverings have proven effective in the community and in close proximity living spaces, such as prisons. As previously mentioned, researchers have indicated that wearing cloth face coverings can reduce the spread of the virus by as much as 50%.

It is equally important that when you are out of your cell that you practice social distancing. COVID-19 is spread from person to person via close social contact. Maintaining a distance of 6 feet between yourself and others is a critical strategy to prevent the spread of this virus.

Respiratory illnesses like COVID-19 spread when mucus droplets containing the virus get into your body through your eyes, nose, mouth, or throat. Most often, this happens through your hands. During this global pandemic of COVID-19, we all must realize the importance of washing our hands properly, along with following the previously described steps, to help us all stay safe.

As a reminder, all programming is contingent on the continued cooperation of the inmate population. This is a situation not to be taken lightly.


D.K. White, Warden

8.3.2020
Date



LSCI Allenwood

INMATE BULLETIN

Modified Operations Update

December 7, 2020

Due to positive cases of COVID-19, the institution is on strict modified operations. Inmate movement is restricted solely to the housing-units in assigned cubicles. There is no compound movement, including work details. All meals, pill line, sick-call, etc., will be conducted in the housing-units. Staff access to housing-units is also limited. Phones, TRULINCS stations, and showers will be made available throughout the week. Commissary & Laundry will be evaluated and a notice regarding the spending limit and procedures will be posted. Visitation is suspended until further notice. It should be noted, all positive cases have been removed from general population and placed in isolation.

Starting December 7, 2020, TRULINCS stations, Phones, and Showers will be available during the previous unit schedule. This schedule must be followed with no congregating in the units.

We remain committed to mitigating all risks associated with the COVID-19 pandemic. As such, please continue sanitation efforts throughout your living quarters and wear your face covering when outside your assigned cubicle. Continue to adhere to CDC guidelines, including social distancing of six feet, frequent hand washing, coughing/sneezing into elbow or tissue, refrain from touching your face, and report if you feel ill.

December 7, 2020

R. Thompson

Date

Warden



LSCI Allenwood

INMATE BULLETIN

Institution Operations Update December 18, 2020

As of today, numerous positive cases of COVID-19 have been identified in Gregg A, Gregg B, and Union A. Accordingly, Gregg A and Lycoming A are now medical isolation units. Gregg B and Union A are medical quarantine units. All other units will remain secured for precautionary measures.

Health Services will continue to make daily rounds in the units. During this period, inmates are encouraged to report all COVID-19 related symptoms (fever, chills, shortness of breath, exhaustion, etc.).

The institution will remain on strict modified operations to help mitigate the spread until a downtrend of cases occurs. Visitation will remain canceled. Commissary, laundry, sick-call, pill-line, and meals will remain status quo.

The Holiday meal scheduled for December 25, 2020 will be served on Tuesday, December 22, 2020. Following the meal, Holiday Bags will be distributed.

We remain committed to mitigating all risks associated with the COVID-19 pandemic. As such, please continue sanitation efforts throughout your living quarters and wear your face covering when outside your assigned cubicle. Continue to adhere to CDC guidelines, including social distancing of six feet, frequent hand washing, coughing/sneezing into elbow or tissue, refrain from touching your face, and report if you feel ill.

December 18, 2020

Date

R. Thompson

Warden



LSCI Allenwood

INMATE BULLETIN

Gregg B Operations December 23, 2020

As you know, Gregg B is on Quarantine status. Barring no changes, you will be retested on January 4, 2021. If results are favorable, the Quarantine period will end and movement will be re-evaluated. Your meals, commissary, laundry, etc. will continue to be delivered to you.

Health Services will continue to make daily rounds in the units. During this period, you are encouraged to report all COVID-19 related symptoms (fever, chills, shortness of breath, exhaustion, etc.).

We remain committed to mitigating all risks associated with the COVID-19 pandemic. As such, please continue sanitation efforts throughout your living quarters and wear your face covering when outside your assigned cubicle. Continue to adhere to CDC guidelines, including social distancing of six feet, frequent hand washing, coughing/sneezing into elbow or tissue, refrain from touching your face, and report if you feel ill.

December 23, 2020

Date

R. Thompson

Warden

NOTICE TO THE INMATE POPULATION

FROM: M.D. Carvajal, Director
Federal Bureau of Prisons

I am writing this letter to inform you effective Saturday, January 16, 2021, you will be secured in your assigned cells/quarters for precautionary reasons. I know this is frustrating for all of you. I understand this decision directly impacts each of you, as well as your loved ones, and is made with considerable thought in regards to current national events. We must ensure the safety and security of everyone in the BOP. We will continue to monitor events carefully and will adjust operations accordingly as the situation continues to evolve.

Communication with your families is important; thus, you will be provided limited access to phones and email to ensure you can remain in touch. I thank each of you for your understanding and cooperation throughout the COVID-19 pandemic. It has made a difference during this difficult time and your patience and understanding is appreciated.

Please continue to communicate with staff and share your concerns. I remain committed to doing everything I can to help keep all of you healthy and safe.

Thank you.

EXHIBIT R


[Select Language](#) ▼

Welcome to the Office of the Attorney General Online Submission Fo...

Public Integrity Bureau Form

Form Successfully Submitted

[Print](#)

Thank you for your submission to the New York State Attorney General's Bureau of Public Integrity. Your Intake Reference Number is # 1-419121442. Your complaint will be reviewed as soon as possible after which we will contact you if we require any additional information. Attorney General Letitia James is strongly committed to the rights of all citizens and hopes that we can be of assistance to you. Thank you for contacting us.

Your Information

First Name	Richard
Last Name	Luthmann
Street Address	338 Sugar Pine Lane
Address Line 2	
City/Town	Naples
State	Florida
Zip/Postal Code	34108
Phone Number	239-631-5957
Email Address	luthmannrichard@gmail.com

Subject of Your Complaint

Are you complaining about an Individual or Entity?	Individual
First Name	Ronald
Last Name	Castorina, Jr.
Street Address	26 Central Avenue
Address Line 2	
City/Town	Staten Island
State	New York
Zip/Postal Code	10301
Phone Number	718-675-8660
Email Address	Dpascale@nycourts.gov

Additional Complaint Information

Has this matter been submitted to another agency?	No
Is there any legal action pending?	No
Complaint Description	Perjury of Supreme Court Justice Ronald Castorina, Jr., before a Grand Jury in 2018. Clearly demonstrable by records - paper case. See attached.

Documents

Document Name	Document Type	Document Size
---------------	---------------	---------------

11-7-2022 Tish James Letter	pdf	129.32KB
Letter to Ron Castorina - 10-2...	pdf	12.83MB
11-5-2022 Letter to Nelson	pdf	2.56MB

In filing this complaint, I understand that:

- ☒ The Attorney General is not my private attorney, but represents the public in enforcing laws designed to protect the public from misleading or unlawful business practices. My filing this complaint does not mean that the Attorney General has initiated a lawsuit or proceeding on my behalf or that it will do so.
- ☒ The Attorney General cannot give me legal advice or represent me in court. If I have any questions concerning my legal rights or responsibilities, I should contact a private attorney.
- ☒ The Attorney General works with other state, local and federal government agencies to investigate complaints and coordinate law enforcement and may also share my complaint with them. In addition, the Attorney General may use information from my complaint in legal proceedings to establish violations of law.
- ☒ Any false statement made in this complaint are punishable as crimes, including under Section 175 and/or Section 210 of the Penal Law.

By typing my full name below, I certify that the above complaint is true and accurate to the best of my knowledge and that any documents attached are true and accurate copies of the originals.

Signature

Richard Luthmann

Date of Affirmation

11/07/2022

EXHIBIT S



Richard A. Luthmann
338 Sugar Pine Lane
Naples, FL 34108
Tel: (239) 631-5957
richard.luthmann@gmail.com

Via U.S. Mail and Website Submission

November 7, 2022

Hon. Leticia James
Attorney General of the State of New York
Office of the Attorney General
The Capitol
Albany, NY 12224-0341

**RE: Public Corruption
N.Y.S. Supreme Court Justice Ronald Castorina, Jr.
Richmond County Special Prosecutor Eric Nelson**

Dear General James:

In accordance with your office's continued fight against public corruption, I submit the attached materials supporting the criminal behavior of a sitting New York State Supreme Court Justice and a currently serving Special Richmond County District Attorney.

New York State Supreme Court Justice Ronald Castorina, Jr., perjured himself before a Grand Jury in 2018. See the enclosed. In addition to the perjury, which is apparent when Castorina's testimony is compared to the phone records which are part of the official record, an improper political *quid pro quo* may be afoot.

Why would an attorney, a then-serving Assembly Member, and now a Supreme Court Justice lie under oath? Because Castorina was motivated to lie in order to secure his judgeship. Upon information and belief, Castorina made his corrupt bargain with Special Richmond County District Attorney Eric Nelson, who was acting at the behest of the McMahons (Supreme Court Justice Judy McMahon and her husband, District Attorney Mike McMahon), Staten Island's Democratic Party power brokers.

In 2018, Castorina ran against former Assembly Member and current Richmond County Surrogate Matthew Titone. Castorina lost the county-wide race. However, in the summer of 2018, Castorina was promised his current judgeship by the McMahons if Castorina lost the race for Surrogate's Court Judge (which he did). The corrupt exchange was for Castorina's perjured testimony in the Grand Jury in the matter of People v. Luthmann. Fast forward to 2019, and Castorina was basically given NYC Civil Court

judgeship by the Democrats when they ran a non-name lawyer against him. Castorina won by almost 20 points. The next year, Castorina ran for Supreme Court and won again, again against no-name Democrats.

Special Richmond County District Attorney Eric Nelson is also engaged in criminality. In addition to his serious violations of the Rules of Professional Conduct, he aided and abetted the Unauthorized Practice of Law (a felony). Nelson knowingly procured the legal opinion of disbarred attorney and federal felon Perry Reich in order to conspire to violate a criminal defendant's constitutional rights. See the enclosed.

Additionally, the McMahons are not supposed to meddle in the People v. Luthmann matter. Mike McMahon and Judy McMahon are both disqualified from taking any active role in the case. But the entire prosecution has been their "vanity case" from day one. Now, the entire matter has cost New York City and State taxpayers over \$1 million to date. And the charges filed in the case are clearly prosecutions based upon "First Amendment Violations" - the protected political activity of the McMahons' political adversaries.

Finally, on a personal note, I would like to thank you for visiting the Brooklyn MDC in February 2019 to inspect the deplorable and unconstitutional conditions that pre-trial detainees were subject to. Bell v. Wolfish, 441 U.S. 520 (1979). If you remember, we spoke while you were there and I was a detainee. I even gave you a big hug. While we may not always have seen eye to eye politically, I am grateful for your continued battle for social justice. You gave me hope during a dark time in my life, and I will always be thankful to you for that.

If you or your office have any questions or concerns, please do not hesitate to contact me.

Regards,

A handwritten signature in black ink, appearing to read "Richard A. Luthmann". The signature is fluid and cursive, with a long horizontal stroke at the end.

Richard A. Luthmann

CC: File
Lawrence P. Almagno, Jr., Esq.
Mario Romano, Esq.
Arthur Aidala, Esq.

ENCL: Letter to Ronald Castorina with enclosures
Letter to Eric Nelson with enclosures