

Hello,

I originally filed the Pro Se papers through the Rochester US Courthouse at 100 State St. If you do your research, you will find that the US District Judge you assigned to this case is a conflict of interest given the circumstances for multiple reasons. Marianne Mariano and Victoria Bahl of the Buffalo and Rochester Federal Public Defender's Office know that Katie [REDACTED] (who I hope is included in the "et al" part after Andrew Clark since I filed her name and address with the Rochester court clerk) had access to John Sinatra's emails. Major reason for the original lawsuit as it is,

The way this paperwork is being filed is already causing me to notify US Appeals Judge Debra Ann Livingston of the 2<sup>nd</sup> Circuit of US Appeals. I would rather this case take place in Rochester where I filed the original paperwork anyways. If I have to add John Sinatra to the list of defendants along with Andrew Clark and Katie [REDACTED] then I will. Counter lawsuits are not obstruction of justice.

The \$405 is here on my commissary at Monroe County Jail and the Rochester court clerk knows this. Please help everything fulfill properly.

Thank you for reading,  
-Luke Wenke

PS, Federal Public Defender Victoria Bahl, 585-263-6201, is the one who can provide updates as we work on appealing my Rochester detention hearing as that is the only liable address change that could possibly happen. I will, too.

OFFICE OF THE CLERK  
**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

Robert H. Jackson  
United States Courthouse  
2 Niagara Square  
Buffalo, New York 14202  
Phone: 716-551-1700  
Fax: 716-551-1705

**MARY C. LOEWENGUTH**  
CLERK OF COURT

**PATRICK J. HEALY**  
CHIEF DEPUTY CLERK

Kenneth B. Keating  
Federal Building  
100 State Street, Room 2120  
Rochester, New York 14614  
Phone: 585-613-4000  
Fax: 585-613-4035

**NOTICE OF CIVIL CASE OPENING**

**26-cv-00181** Buffalo Division

**Luke Marshal Wenke** v. **Andrew Clark et al.**

United States District Judge: *Hon. John L. Sinatra, Jr.*

Your case has been opened under the above-referenced docket number. Please include this docket number on everything you send to the court concerning your case. Please also be advised of the following:

- Documents submitted for filing should be originals and MUST contain an original ink signature.
- An affidavit of service must be included with all documents submitted for filing.
- All documents should be sent to the divisional office (Rochester or Buffalo) indicated above. Do NOT send any paperwork directly to Chambers unless directed to do so by the Judge.
- It is your responsibility to keep this office informed of any change of address, regardless of whether you are represented by an attorney. Address changes should be submitted in writing, signed, and dated. Your case may be dismissed if the Court does not have your current address.
- You will be notified by mail when the Court or another party files documents on your case. It is your responsibility to retain those copies, as well as copies of any documents that YOU file, and monitor the progress of your action yourself.
- If you wish to receive a file-stamped copy of documents that you submit by mail, you must provide a second EXACT copy of your document AND a self-addressed, stamped envelope with proper postage.
- Copy requests, including your docket sheet are assessed a copy fee. You may contact the Clerk's Office for an estimated fee, which must be paid by check or money order before copies can be released. Alternatively, if you have internet access, you may register for a PACER account to view and print documents on your case. There is no cost for registration and fees are waived when usage is less than \$15 quarterly. For more information, visit [www.pacer.gov](http://www.pacer.gov).
- The Clerk's Office may assist you by providing forms or answering general questions concerning procedure or the status of your case, but court employees are not permitted to offer legal advice specific to your case.

**Procedural questions on cases opened in Buffalo: 716-551-1700**

**Procedural questions on cases opened in Rochester: 585-613-4000**

## WHAT HAPPENS NEXT?

### A Summary Guide for Pro Se Parties

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Please review the following documents associated with your case:



#### **PRIVACY NOTICE**

*Detailed information about public access to court documents and how to protect confidential information.*



#### **CONSENT TO PROCEED BEFORE A MAGISTRATE JUDGE**

*There are two types of judges in the federal district courts: U.S. District Judges and U.S. Magistrate Judges. If all parties in your case consent, a lawsuit may be heard for all purposes (including trial) by a Magistrate Judge, pursuant to 28 U.S.C. § 636. By consenting to proceed before a Magistrate Judge, you may find that your lawsuit generally proceeds with greater speed than if the case were before a District Judge. This is because Magistrate Judges are not affected by the scheduling requirements imposed by felony criminal cases, whereas District Judges must give priority to criminal trials, which can be lengthy and complicated.*

*If all parties do NOT consent to proceed before a Magistrate Judge, the District Judge may still refer certain matters to a Magistrate Judge, who may issue an Order on some matters, or a Report and Recommendation on others. If you disagree with either of these, you will have an opportunity to object and the District Judge will consider and rule on your objection. Also, the District Judge will preside over trial if the case proceeds without the consent signed by all parties.*

*Please review the information notice and if you choose to consent, complete the accompanying form and return it to the Clerk's Office.*



#### **SUMMONSES**

*If you paid the filing fee to open your case, the Clerk's Office has issued the summons forms that you have provided, as long as they are in proper form and completed. It is your responsibility to properly serve the other parties in your case.*

*If you applied for in forma pauperis status to have the filing fee waived, you must wait until a Judge renders a decision on that motion before summonses will be issued.*



#### **CIVIL CASE TIMELINE**

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#### **ADDITIONAL RESOURCES**

*It is your responsibility to review and adhere to the Federal and Local Rules of Civil Procedure. You may access these from our website: [www.nywd.uscourts.gov](http://www.nywd.uscourts.gov), under the tab "Representing Yourself."*

*In addition, you may review the "Pro Se Guidelines," which is a reference document that is also available on our website. If you do not have access to the internet, you may request a copy of this document by contacting the Clerk's Office.*

## **PRIVACY NOTICE**

### **To Pro Se Litigants of INTERNET Availability of Civil Case File Information**

The United States District Court for the Western District of New York makes the content of cases available on PACER.<sup>1</sup> Any subscriber to PACER will be able to read, download, store, and print the full content of documents filed on or after January 1, 2004.

To comply with the policy of the Judicial Conference of the United States and the E-Government Act of 2002, Pub. L. No. 107-347, **filing parties shall omit**, or, where inclusion is **necessary**, partially redact (remove) the following personal data information from all pleadings, documents, and exhibits, whether filed electronically or on paper, unless the assigned judge orders otherwise:

- (1) Minors' names: Use the minors' initials (Only initials);
- (2) Financial account numbers: Identify the financial institution and name or type of account, but use only the last four numbers of the account number;
- (3) Social Security numbers: Use only the last four numbers;
- (4) Dates of birth: Use only the year; and
- (5) Other data as permitted by order of the court.

Additionally, you should not include confidential information in any document filed with the court **unless** such inclusion is necessary and relevant to the case. You must remember that any personal information not otherwise protected will be made available over the Internet via PACER. You may omit or partially redact (remove) the following confidential information from all pleadings, documents, and exhibits, unless the assigned judge orders otherwise:

- (1) Personal identifying number, such as driver's license number;
- (2) Medical records, treatment and diagnosis;
- (3) Employment history;
- (4) Individual financial information; and
- (5) Proprietary or trade secret information.

The parties are solely responsible for any personal information filed. **The clerk's office will not review documents for compliance with this rule, seal on its own motion documents containing personal information, or redact documents, whether filed electronically or on paper.**

### **SEALING OF DOCUMENTS**

The clerk's office will not make electronically available documents that have been sealed or otherwise ~~restricted by court order.~~ Rules relating to the sealing of documents are controlled by Rule 5.3 of the Local Rules of Civil Procedure for the Western District of New York.<sup>2</sup> A party wishing to file a document containing the personal information specified above may move for leave to file an unredacted document under seal. (E-Government Act of 2002, Pub. L. No. 107-347). If the court grants the motion, the court will retain the paper document as part of the record. In granting the motion, the assigned judge may require the party to file a redacted copy for the public file. (See Administrative Procedures Guide.)

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<sup>1</sup>Remote electronic access to pleadings filed in civil social security cases is limited to counsel of record and court staff. Non-parties have direct access to the pleadings on file at the Clerk's Office.

<sup>2</sup>If there is a conflict between the Local Rules and the Administrative Procedures Guide, the Administrative Procedures Guide will control.

Luke Wenke # 607 742  
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Rochester, NY 14614

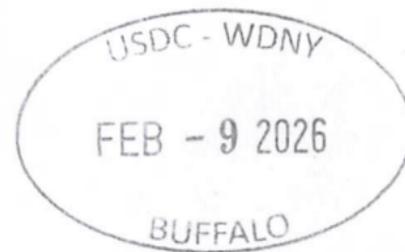
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Clerk of Court Mary C. Loewenguth  
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2 Niagara Square  
Buffalo, NY 14202



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