

SUPREME COURT OF THE COUNTY OF NEW YORK				
SULLIVAN PROPERTIES	s, L.P.,	X		
		Inc	dex No.:	
	Plaintiff,			
		AF	AFFIDAVIT OF	
-against-		AL	EXIS BRANDON	
BARIS DINCER,				
	Defendant.	X		
STATE OF CALIFORNIA)			
	:ss:			
COUNTY OF)			

ALEXIS BRANDON, being duly sworn, deposes and states:

- I am the tenant of apartment 3BR at 111 Sullivan Street, New York, New York. I reside directly above Baris Dincer ("Defendant"), the Defendant in this action, who resides in apartment 2BR.
- 14. After the incident on April 12, 2020, my neighbor in apartment 3BR left the apartment to go stay with her mother in California. Another neighbor moved out as well as a result of Defendant's behavior.
- 15. On April 15, 2020, Defendant repeatedly slammed his door closed and his window open at 2:30 am. He then began screaming "who f*&^ing broke my f*&^ing

*** emailed on the 13TH - NO CHANCE OF TAMPERING WITH EVIDENCE.

From: Paul Regan <Legal@mskyline.com>
Sent: Monday, April 13, 2020 6:13 PM
To: Weiss, Cory L. <CWeiss@ingramllp.com>

Cc: Joseph Giamboi <JGiamboi@mskyline.com>; Laurie Zucker <LZucker@mskyline.com>

Subject: Fw: 111 Sullivan St. #2BR

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

From: Anne Brandon <anne.d.brandon@gmail.com>

Sent: Saturday, April 11, 2020 2:30 AM

To: Paul Regan

Subject: 111 Sullivan St. #2BR

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FILED: NEW YORK COUNTY CLERK 06/05/2020 01:58 PM

NYSCEF DOC. NO. 22

INDEX NO. 153974/2020

RECEIVED NYSCEF: 06/05/2020

Hello Paul,

It is 11:07 PM California time on Friday, April 10. My daughter, Alexis Brandon, 111 Sullivan Street number 3 BR, just telephoned me, afraid for her life because of what the downstairs neighbor has now done. He once again threw some liquid something or other at her door and he is downstairs doing who knows what. She was asleep. I texted her two hours ago to chat and I did not hear back, because she was asleep. She is coming home to California on Tuesday, April 14 because of changed circumstances. She is going to try to stay with friends for the next several days because she is afraid

2nd day of June 2020, and the exhibits annexed thereto, the affidavit of Andres Reynoso, sworn to on the 3rd day of June, 2020, the affidavit of Adnan Utic, sworn to on the 4th day of June 2020, the affidavit of Alexis Brandon, sworn to on the 11th day of April 2020, the affidavit of Miwako G. Messer, sworn to on the 2nd day of June, 2020, the affidavit of Daniel Rispoli, sworn to on the 4th day of June, 2020, accompanying Memorandum of Law and the accompanying Summons and Complaint,

*** on the 11TH in CALIFORNIA

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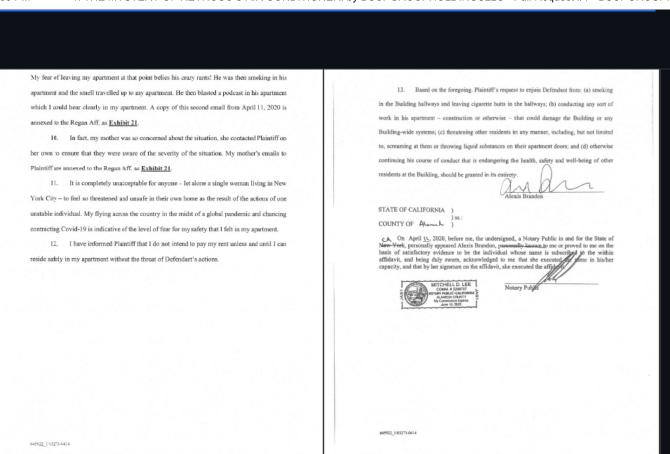
RECEIVED NYSCEF: 06/05/2020

- On April 10, 2020, I emailed the Building super to inform him that Defendant began drilling and banging around n his apartment around midnight.
- 11. On the night of April 11-April 12, 2020, I was awoken at approximately 1 am when I heard my neighbor in apartment 3BR ask someone why he was leaving stuff on her door. I learned that my neighbor heard someone outside her door and found Defendant there, and asked him why he was leaving stuff on her door. He did not respond and left to go back downstairs. Thereafter, he began playing loud music in his apartment that could be heard throughout the Building.
- 12. Also during the night of April 11 April 12, 2020, I heard drilling coming from Defendant's apartment and it sounded as if there were wires being fed through the walls based on the scratching sounds being made inside of the walls.
- 13. Additionally, on April 12, 2020 at 12:29 am, the Defendant began screaming -5 times in a row that he's "building a 1^{th} & ing bed."
- 14. After the incident on April 12, 2020, my reighbor in apartment 3ER left the apartment to go stay with her mother in California. Another neighbor moved out as well as a result of Defendant's behavior.
- 15. On April 15, 2020, Defendant repeatedly slammed his door closed and his window open at 2:30 am. He then began screaming "who f%&^ing broke my f%&^ing window." I am fairly certain that he broke his own window as nobody is around but him, and I was in my apartment upstairs listening to him banging around in his apartment. It also sounded like he was throwing things against his wall.
 - On April 16, 2020, Defendant began hammering in his apartment at 1:23 am.

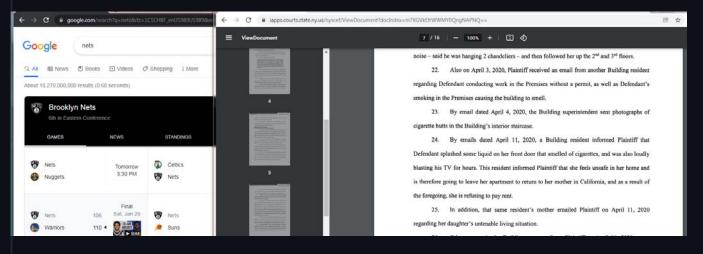
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648795_2/03213-0414

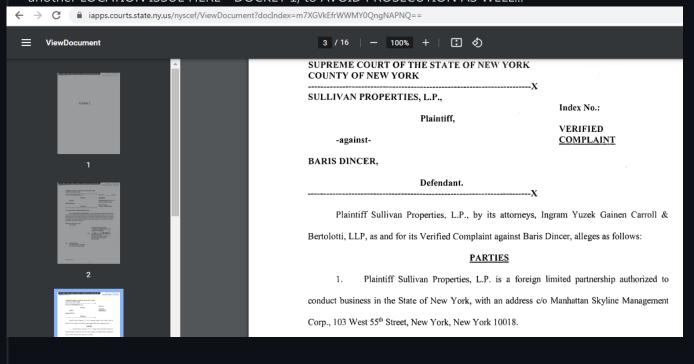
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*** another LOCATION ISSUE HERE - RECONFIRMS THE EMAIL ON THE 11TH AS WELL...



*** another LOCATION ISSUE HERE - DOCKET 1, to AVOID PROSECUTION AS WELL...



SEE ALSO: TRANSFER AND ASSIGNMENT OF THE BUILDINGS LEASES FOR 6MM





BSCPGROUPHOLDINGSLLC commented 1 hour ago

Owner

Author

NOW WHERE WAS ALEXIS FROM 3BR HARASSING ME FROM ON THE 11TH OF APRIL?

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13. Based on the foregoing, Plaintiff's request to enjoin Defendant from: (a) smoking in the Building hallways and leaving cigarette butts in the hallways; (b) conducting any sort of work in his apartment – construction or otherwise – that could damage the Building or any Building-wide systems; (c) threatening other residents in any manner, including, but not limited to, screaming at them or throwing liquid substances on their apartment doors; and (d) otherwise continuing his course of conduct that is endangering the health, safety and well-being of other residents at the Building, should be granted in its entirety.

Alexis Brandon

STATE OF CALIFORNIA) ss.:

COUNTY OF Alamak)

On April 10, 2020, before me, the undersigned, a Notary Public in and for the State of New York, personally appeared Alexis Brandon, 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 affidavit, and being duly sworn, acknowledged to me that she executed he same in his/her capacity, and that by her signature on the affidavit, she executed the affidavit.



Notary Public

blasting his TV for hours. This resident informed Plaintiff that she feels unsafe in her home and is therefore going to leave her apartment to return to her mother in California, and as a result of the foregoing, she is refusing to pay rent.

- In addition, that same resident's mother emailed Plaintiff on April 11, 2020 regarding her daughter's untenable living situation.
 - 26. Other tenants in the Building sent emails to Plaintiff on April 11, 2020 - one

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answer: NONE OF MY BUSINESS!





BSCPGROUPHOLDINGSLLC closed this 1 hour ago





PLEASE ADVISE, ANY FURTHER QUESTIONS IN THIS **DEPT. WITH RESPECT TO**

APRIL 11TH, 2020 - NOTARIZED IN ALAMEDA COUNTY, CALIFORNIA.

COUNSELORS FOR PLAINTIFFS: 150 EAST 42ND STREET, NEW YORK, NY, 10017

*** > DEFENDANTS ARE IN FACT LOCATED AT: 101 WEST 55TH STREET, NEW YORK, NY, 10019

SEE ALSO: DOCKET 25.

[00025]153974_2020 - LaToya Britton Legalasst_mskyline.com ANNE.BRANDON APRIL 13.pdf *** https://iapps.courts.state.ny.us/nyscef/ViewDocument?docIndex=HReCY2ievHu/HIFwa4RPig==

SEE ALSO: DOCKET 22.

[00022]153974_2020 - ANOTHER EMAIL FROM ALEXIS MOTHER APRIL 11.pdf *** https://iapps.courts.state.ny.us/nyscef/ViewDocument?docIndex=xNTn/2OdKM7hivhvhyGleQ==

18 U.S. Code § 1512

...

(b)Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in

misleading conduct toward another person, with intent to-

(1)influence, delay, or prevent the testimony of any person in an official proceeding;

(2) cause or induce any person to—

(A) withhold testimony, or withhold a record, document, or other object, from an official proceeding;

(B)alter, destroy, mutilate, or conceal an object with intent to impair the object's integrity or availability for use in an official

proceeding;

(C)evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an

official proceeding; or

(D)be absent from an official proceeding to which such person has been summoned by legal process; or

(3)hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation [1] supervised release,, [1] parole, or release pending judicial proceedings; shall be fined under this title or imprisoned not more than 20 years, or both.

##(c)Whoever corruptly—

(1) alters, destroys, mutilates, or conceals a record, document, or other object, or attempts to do so, with the intent to impair the object's integrity or availability for use in an official proceeding; or

(2)otherwise obstructs, influences, or impedes any official proceeding, or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both.

##(d) Whoever intentionally harasses another person and thereby hinders, delays, prevents, or dissuades any person from—

(1) attending or testifying in an official proceeding;

(2)reporting to a law enforcement officer or judge of the United States the commission or possible commission of a Federal

offense or a violation of conditions of probation 1 supervised release, 1 parole, or release pending judicial proceedings;

(3) arresting or seeking the arrest of another person in connection with a Federal offense; or

(4) causing a criminal prosecution, or a parole or probation revocation proceeding, to be sought or instituted, or assisting in

such prosecution or proceeding;

or attempts to do so, shall be fined under this title or imprisoned not more than 3 years, or both.

##(e)In a prosecution for an offense under this section, it is an affirmative defense, as to which the defendant has the burden of

proof by a preponderance of the evidence, that the conduct consisted solely of lawful conduct and that the defendant's

sole intention was to encourage, induce, or cause the other person to testify truthfully.

##(f)For the purposes of this section—

(1)an official proceeding need not be pending or about to be instituted at the time of the offense; and (2)the testimony, or the record, document, or other object need not be admissible in evidence or free of a claim of privilege.

##(g)In a prosecution for an offense under this section, no state of mind need be proved with respect to the circumstance—

Federal

Government agency; or

- (2) that the judge is a judge of the United States or that the law enforcement officer is an officer or employee of the Federal Government or a person authorized to act for or on behalf of the Federal Government or serving the Federal Government as an adviser or consultant.
- (h) There is extraterritorial Federal jurisdiction over an offense under this section.
- (i) A prosecution under this section or section 1503 may be brought in the district in which the official proceeding

(whether or not pending or about to be instituted) was intended to be affected or in the district in which the conduct constituting the alleged offense occurred.

- (j) If the offense under this section occurs in connection with a trial of a criminal case, the maximum term of imprisonment which may be imposed for the offense shall be the higher of that otherwise provided by law or the maximum term that could have been imposed for any offense charged in such case.
- (k) Whoever conspires to commit any offense under this section shall be subject to the same penalties as those prescribed for the offense the commission of which was the object of the conspiracy.

2005 Connecticut Code - Sec. 53a-155.

Tampering with or fabricating physical evidence: Class D felony.

Sec. 53a-155. Tampering with or fabricating physical evidence: Class D felony. (a) A person is guilty of tampering with or fabricating physical evidence if, believing that an official proceeding is pending, or about to be instituted, he: (1) Alters, destroys, conceals or removes any record, document or thing with purpose to impair its verity or availability in such proceeding; or (2) makes, presents or uses any record, document or thing knowing it to be false and with purpose to mislead a public servant who is or may be engaged in such official proceeding.

FOR A BONUS, SEE ALSO:

- 1. 25 CFR § 11.416 Forgery.
- 2. 25 CFR § 11.406 Criminal coercion.
- 3. 25 CFR § 11.420 Tampering with records.
- 4. 25 CFR § 11.429 Perjury.
- 5. 25 CFR § 11.443 Harassment.
- 6. 25 CFR § 11.435 Obstructing justice.
- 7. 25 CFR § 11.423 Defrauding secured creditors.
- 8. 25 CFR § 11.413 Receiving stolen property.

101 WEST 55TH STREET, NEW YORK, NY, 10019

*** DOC ID: 1386030

SULLIVAN PROPERTIES LP - 1386030 (CARE OF THE ZUCKER ORGANIZATION).pdf

DOC ID: 2613041

THE ZUCKER ORGANIZATION LLC._- 2613041 (GIAMBOI FOR PROCESS).pdf

150 EAST 42ND STREET - SEE ALSO: CONFLICTS OF INTEREST

^{** 103} WEST 55TH STREET, NEW YORK, NY 10018 ???

