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May 20, 2013

Deputy Commissioner Trials Martin G. Karopkin
Police Department City of New York
One Police Plaza
New York, N.Y. 10038

Re: Police Department City of
New York v. Sergeant Raymond
Stukes, Department Advocate's
Serial No.: 2010-2143

Dear Deputy Commissioner Karopkin:

This trial is scheduled to commence on May 28, 2013. Due to recent changes in my court calendar, I will be unavailable.

I have now received the majority of the discovery materials from the Department Advocate's Office. After reviewing these discovery materials I am now even more convinced that this trial is not only a total waste of time and the parties' resources but, a complete miscarriage of justice. This case involves nothing short of a nest of gross incompetence to say the least; serious misconduct and/or even criminal conduct at the worst.

It does not take a great leap in logic to understand that in order for Sergeant Stukes to have been indicted, evidence had to be presented during the Grand Jury proceedings attesting that documents and other evidence presented were examined presumably by the Internal Affairs Bureau investigators' and attributable to him. Quite frankly, the Internal Affairs Bureau is the source of this serious problem. Unfortunately, the Kings County District Attorney's Office as well as the Supreme Court of the State of New York participated, condoned or acquiesced to the Internal Affairs Bureau's gross incompetence at the least; serious misconduct and/or even criminal conduct at the worst.

The Targeted Integrity Test of Police Officer Tanisha S. Facey 'credibility' was a total failure with the Internal Affairs Bureau investigators' themselves we believe falsely testifying during the Grand Jury proceedings as well creating the opportunity for numerous members of the service to make intentional false statements during the Department interviews. As it stands now, there are no 'credible' Department witnesses that can provide evidence in this case.

On at least one prior occasion, the Trial Commissioner's Office studiously provided the Department Advocate's Office with a great opportunity to re-evaluate its' case against Sergeant Stukes but, they squandered that opportunity and for some inexplicable reason decided to proceed with this case.

Therefore, since the Department Advocate's Officer refuses to dismiss this case on its own, Sergeant Stukes respectfully requests a thirty day adjournment. This thirty day adjournment will provide me with enough time to receive the rest of the outstanding materials from the Department Advocate's Office and handle a few other conflicting legal matters. Once Sergeant Stukes receives the outstanding discovery materials, he intends to move this Court in accordance with RCNY Title 38, § 15-03 (g), to dismiss for Failure to State a Claim.

Sincerely,



Eric Sanders

ES/es

cc: Agency Attorney David Green
Department Advocate's Office