SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

In the Matter of the Application of

STEPHEN GRANT RUSSELL,
Petitioner,

For a Judgment Pursuant to Article 78
of the Civil Practice Law and Rules,

— against —

HON. MICHELLE I. SCHAUER, F.C.J.,
in her judicial capacity;

HON. MICHELE REED BOWMAN, S.M.,
in her judicial capacity;

WESTCHESTER COUNTY FAMILY COURT;

WESTCHESTER COUNTY,
in the alternative pursuant to CPLR § 103(c);

and TARA KATELYN WALSH,
as real party in interest under CPLR § 7802(d) and § 7804(i),

Respondents.

Index No. _____

NOTICE OF PETITION

(CPLR §§ 7804(c), 403)

Public copy: a private street address and a personal email address are removed. Otherwise as filed.

PLEASE TAKE NOTICE that, upon the annexed Verified Petition of **STEPHEN GRANT RUSSELL**, Petitioner appearing *pro se*, verified by affirmation under CPLR § 2106 on May 18, 2026, together with the accompanying Memorandum of Law, Authentication Affidavit, and the Exhibit Volume annexed thereto, Petitioner will apply to the Supreme Court of the State of New York, County of Westchester, at the courthouse located at **111 Dr. Martin Luther King Jr. Boulevard, White Plains, New York 10601**, in the Part to which this matter is assigned upon filing of the Request for Judicial Intervention, on August 4, 2026, at **9:30 a.m.** in the forenoon of that day, or as soon thereafter as Petitioner may be heard, for a judgment pursuant to Article 78 of the Civil Practice Law and Rules and CPLR § 3001 granting the relief set forth in the Verified Petition.

PLEASE TAKE FURTHER NOTICE that this special proceeding is brought pursuant to CPLR §§ 7801–7806 and CPLR § 3001 and is supported by:

the Verified Petition, with the annexed Exhibit Volume;

Petitioner's Memorandum of Law;

the Authentication Affidavit of Stephen Grant Russell affirming the exhibits under CPLR § 2106; and

all prior proceedings had herein.

Summary of relief requested

Petitioner seeks the four foundational recognitions and six consequences set forth in the Verified Petition's WHEREFORE:

Declaration under CPLR § 3001 that the Appellate Division's holding that the February 2, 2022 order "was not entered upon the father's default" binds the Family Court as law of the case, and mandamus under CPLR § 7803(1) directing the Court Management System record on File No. 154703 to be conformed within thirty days to the AD's holding;

Vacatur under CPLR § 5015(a)(4) and declaration under CPLR § 3001 that the Westchester Family Court's exercise of jurisdiction over the matter has been in excess of the authority

federal and state law leave to it, on three independent grounds each independently sufficient — UCCJEA emergency-jurisdiction overreach; Parental Kidnapping Prevention Act preemption from October 2018 forward; predicate falsification — with the continuing-conduct doctrine independently supporting retroactive vacatur of orders entered on the now-known-false foundation;

Declaration that the three California adjudications of Respondent Walsh's domestic violence liability are res judicata and bind this State, with specific findings of fact established for any future determination;

Declaration that Respondent Walsh's two Westchester defaults on Petitioner's Temporary Order of Protection filing are unrebutted on the record;

Twin mandamus under CPLR § 7803(1) directing the Family Court (on reassignment) to discharge two continuing, unperformed statutory duties: **(A)** to enter a determination on Petitioner's Temporary Order of Protection filing, on which Respondent Walsh defaulted twice in Westchester (March 10 and March 24, 2021) and on which no order has issued in the five years since; and **(B)** to exercise its withheld Family Court Act § 1034 investigation power on the cumulative record of documented harm to E.W. set forth in the Verified Petition;

Declaration that the Appellate Division's narrowing of the speech-restriction provision does not reach *Chappaqua Poison: An American Tragedy* (Evidence Archive Edition, ISBN 979-8-9955749-0-3, Publisher: Prism, First Edition March 2026; Trade Edition in preparation) or *ChappaquaPoison: A Documentary Blog* at chappaquapoison.com, and prohibition under CPLR § 7803(2) of further extra-judicial operation of the original blanket provision;

Declaration that Respondent Schauer is disqualified under Judiciary Law § 14 and 22 NYCRR § 100.3(E)(1), and reassignment of File No. 154703 to a judicial officer outside the Ninth Judicial District;

Prohibition under CPLR § 7803(2) of three continuing excesses of authorized power; annulment under CPLR § 7806 of the March 10, 2026 handwritten Order to Show Cause modifications; and certiorari review under CPLR § 7803(3) of Respondent Bowman's determinations of February 3, 2026 and March 12, 2026 upon ripening of the pending Family Court Act § 439(e) Objection;

Mandamus under CPLR § 7803(1) directing the Family Court (on reassignment) to conduct the omitted DRL § 237 / FCA § 438 fee reviews; and § 7806 restitution of fees and over-extracted child support;

Stay under CPLR § 7805 of all further proceedings in File No. 154703 by Respondent Schauer pending determination of this petition; costs under CPLR § 8101; and preservation, without waiver, of all claims under 42 U.S.C. § 1983 and § 1988 in pending or contemplated federal proceedings.

Plus such other and further relief as the Court deems just and proper.

Service and responsive papers

Pursuant to CPLR § 7804(c), this Notice of Petition and the annexed Verified Petition, together with the Memorandum of Law, the Authentication Affidavit, and the Exhibit Volume, are being served upon Respondents and upon the New York State Attorney General (as a matter of CPLR § 7804(c) service on the AG) not less than **twenty (20) days** before the return date set forth above.

Pursuant to CPLR § 7804(c) and (d), answering papers, if any, shall be served at least **five (5) days** before the return date; and Petitioner may serve reply papers at least **one (1) day** before the return date.

Because this proceeding names judicial officers of the State of New York as respondents in their judicial capacities, a copy will be served upon the **Attorney General of the State of New York** by personal delivery to an Assistant Attorney General at the **Westchester Regional Office, 44 South Broadway, 5th Floor, White Plains, New York 10601**.

Service upon Respondent Tara Katelyn Walsh, an enrollee of the New York State Address Confidentiality Program under Executive Law § 108, will be effected through the Department of State's Address Confidentiality Program.

Pursuant to CPLR § 7804(f), should any Respondent raise an objection in point of law by way of motion to dismiss, Petitioner reserves the right to be heard on such objection prior to any determination of the Petition on the merits, and further reserves the right to amend the Petition as of right or by leave of Court in response to any such objection.

Dated: May 18, 2026
Santa Barbara, California



STEPHEN GRANT RUSSELL
Petitioner, *pro se*
[redacted]
Santa Barbara, California 93101
[redacted]

TO:

(1) **Hon. Michelle I. Schauer**, Westchester County Family Court, 111 Dr. MLK Jr. Blvd, White Plains, NY 10601 — judicial capacity

(2) **Hon. Michele Reed Bowman, S.M.**, Westchester County Family Court — Yonkers, 131 Warburton Avenue, Yonkers, NY 10701 — judicial capacity

(3) **Westchester County Family Court** c/o Chief Clerk, 111 Dr. MLK Jr. Blvd, White Plains, NY 10601 — institutional Respondent

(4) **Westchester County** c/o Westchester County Attorney, Michaelian Office Building, 148 Martine Avenue, 6th Floor, White Plains, NY 10601 — pled in alternative under CPLR § 103(c)

(5) **Tara Katelyn Walsh** c/o New York State Department of State, Address Confidentiality Program, P.O. Box 1110, Albany, New York 12201 — real-party-in-interest, ACP enrollee under Executive Law § 108

(6) **Office of the Attorney General of the State of New York**, Westchester Regional Office, 44 South Broadway, 5th Floor, White Plains, NY 10601 — service under CPLR § 7804(c) for judicial Respondents in their judicial capacity

(7) **Goldschmidt & Genovese, LLP**, Attn: Donna M. Genovese, Esq., 81 Main Street, Suite 405, White Plains, NY 10601 — courtesy copy (most recent AFC of record before January 9, 2026 declination of re-appointment)

End of Notice of Petition.