

Ex. 3

AFFIDAVIT OF SERVICE

SUPREME COURT

STATE OF NEW YORK
DOCUMENTS SERVED WITH INDEX # AND FILED ON
ATTORNEY(S): Dominic M. Franza ,

Plaintiff

DOMINIC M. FRANZA
VS
THE STATE OF NEW YORK

Defendant

STATE OF NEW YORK: COUNTY OF ALBANY COUNTY , SS.:

James Perone , being duly sworn deposes and says deponent is not a party to this action,
is over the age of eighteen years and resides in the State of New York. That on October 3, 2013 at 1:02pm
at STATE CAPITOL, ALBANY NY deponent served the within
VERIFIED RESPONSE AND APPLICATION FOR A FULL PARDON AND EXHIBITS

on: HON. GOVERNOR ANDREW M. CUOMO ' (herein called recipient) therein named.

INDIVIDUAL A [] By personally delivering to and leaving with said
a true copy thereof, and that deponent knew the person so served to be the person mentioned and described in said
VERIFIED RESPONSE AND APPLICATION FOR A FULL PARDON AND EXHIBITS

CORPORATION B [X] By delivering to and leaving with Denise Gagnon at State Capitol, Albany NY
and that deponent knew the person so served to be the Legal Assistant/authorized of the corporation.
Service was made in the following manner after your deponent was unable, with due diligence, to serve the defendant in person:

SUITABLE AGE PERSON C [] By delivering a true copy thereof to and leaving with
a person of suitable age and discretion
at the said premises being the defendants/respondents
[] dwelling place (usual place of abode) [] actual place of business within the State of New York.

AFFIXING TO DOOR D [] By affixing a true copy thereof to the door of said premises, the same being the defendant's
[] dwelling house (usual place of
abode) [] actual place of business within the State of New York.

MAILING TO RESIDENCE (use with C or D) E1 [] Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed
to defendant at defendant's residence at
and deposited said envelope in an official depository under the exclusive care and custody of the United States Post Office within
New York State on

MAILING TO BUSINESS (use with C or D) E2 [] Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first class postpaid envelope properly addressed
to defendant at defendant's actual place of business at
in an official depository under the exclusive care and custody of the United States Post Office within New York State. The envelope
bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the
communication was from an attorney or concerned an action against the defendant and mailed on

PREVIOUS ATTEMPTS (use with D) F [] Deponent had previously attempted to serve the above named defendant/ respondent
Day Date Time
Day Date Time
Day Date Time

Deponent spoke with who stated to deponent that the said defendant(s)
lived at the aforementioned address, but did not know defendant's place of employment.

G [] DEPONENT STATES THAT THE INDEX # AND FILING DATE WERE CLEARLY VISIBLE ON THE SUMMONS.

VOID WITHOUT DESCRIPTION (Use with A, B, C & D) A description of the Defendant, or other person served, or spoken to on behalf of the Defendant is as follows:
Approximate age 35 Approximate weight 130 Approximate height 5'9 Sex Female
Color of skin White Color of hair Brown Other

MILITARY SERVICE [] Deponent asked the person spoken to whether the defendant/respondent was presently in the military service of the United States
Government or on active duty in the military service in the State of New York and was informed he/she was not. Your deponent further
says that deponent knew the person so served to be the person mentioned and described in said legal papers as defendant/respondent
therein. Your deponent is over the age of 18 years and is not a party to this action.

NON-SERVICE H [] After due search, careful inquiry and diligent attempts, I have been unable to effect process upon the person/entity being served due
to the following: [] Not known at address [] Address does not exist [] Evading [] Moved left no forwarding [] Other

WIT. FEES [] \$ the authorizing traveling expenses and one day's witness fee was paid (tendered) to the recipient.

Sworn to before me on this 3rd day of October, 2013

DONNA M. TIDINGS
NOTARY PUBLIC State of New York
No. 01TI4898570, Qualified in Albany County
Commission Expires June 15, 2015

James Perone
James Perone

Attny's File No.

Invoice*Work Order # SP1311606

SERVICO, Inc. - PO Box 871 - ALBANY, NEW YORK 12201 - PH 518-463-4179

DOMINIC M. FRANZA
92A3659
Mt. McGREGOR CORRECTIONAL FACILITY
1000 Mt. McGREGOR ROAD
WILTON, N.Y. 12831
www.nypdprosecutorcorruption.com

8/27/2013

Hon. Andrew M. Cuomo
Governor of New York
Executive Chamber
State Capitol
Albany, N.Y. 12224

VERIFIED
RESPONSE AND
APPLICATION FOR A FULL PARDON

Dear Gov. Cuomo:

I hereby make this verified Response to your Honor's handling of my Demand for Release Restoration of Liberty Interest application, attached hereto and marked as Exhibit "A", and for a full pardon, pursuant to Executive Law Article 2-A §15.

Based upon all the facts supported by evidence within my Demand for Release Restoration of Liberty Interest application, your Honor and Acting Commissioner Annucci (DOCCS) asked Mr. Richard de Simone to respond to my application. Mr. Simone informed me that DOCCS could not grant me the relief I seek (Attached hereto and marked as Exhibit "B"). In response I informed Mr. Simone he was incorrect (Attached hereto and marked as exhibit "C").

Due to the above, as it has been admitted by the N.Y. State Attorney General's office and the N.Y. County D.A.'s office, as a matter of law and fact, that I have been held to answer for an infamous crime without an indictment being filed, nor a waiver

made by me in open court, and based upon the documents from the N.Y. County D.A.'s office which prove that I was indeed held to answer for an infamous crime without an indictment being filed, I now make application for a FULL PARDON based upon the same facts and evidence within my Demand for Release Restoration of Liberty Interest application, including the facts that reveal my conviction was procured on the knowing use of false evidence and false testimonies. Note, I now provide the exhibits in support on C.D.'s (Attached hereto and marked as Exhibit "D" [C.D.'s]).

As a N.Y. & U.S. Citizen I demand my immediate release. In the interim pending your Honor's decision, I ask your Honor to direct Acting Commissioner Annucci to immediately transfer me to Wallkill correctional facility by van, a small and safe facility, so that I may be close to my Family.

Most Respectfully

Dominic M. Franza

VERIFICATION

State of New York }
 }ss.:
County of Saratoga }

Dominic M. Franza, the above-named petitioner, being duly sworn, says that the contents of the foregoing application are well known to him, and that the same is completely true.

Dominic M. Franza
92A3659, Dominic M. Franza

Subscribed to and sworn to before me
this 27 day of August, 2013

Bryan Allen
Notary Public

BRYAN ALLEN
Notary Public, State of New York
Qualified in Saratoga County
No. 01AL6242096
Commission Expires June 20, 2015