

## Governor Hochul Files Appeal in Quarantine Camp Lawsuit

March 14, 2023 • by Bobbie Anne Flower Cox

[Originally Published at Brownstone Institute](#)



Late in the day on Monday March 13, 2023, just hours before the deadline, New York Attorney General, Letitia James, filed an appeal to try to overturn our successful lawsuit that struck down Governor Hochul's unconstitutional "Isolation and Quarantine Procedures" regulation.

The case, [Borrello v. Hochul](#), which we won last July, was brought against the Governor and her Department of Health, on behalf of a group of NYS Legislators, Senator George Borrello, Assemblyman Chris Tague, Assemblyman (now Congressman) Mike Lawler, together with our citizens' group, Uniting NYS.

The main premise of the case was breach of Separation of Powers – meaning the Governor and her Department of Health did *not* have the authority to make their dystopian "Isolation and Quarantine Procedures" regulation.

### The Regulation:

For anyone unfamiliar with this regulation, it allowed the Department of Health to pick and choose which New Yorkers they could lock up or lock down, with no proof that you were ever even exposed to, let alone actually sick with, a communicable disease. They could have locked you down in your

home, or they could have removed you from your home and forced you to quarantine in a facility of *their* choosing.

There was no time restriction, so you could have been quarantined for however long they required – days, weeks, months. There was no age restriction, so they could have done this to you, to your child, to your grandchild, etc. In the true fashion of a totalitarian regime, they could have told you what you could and could not do while in quarantine. They literally could have controlled your every move.

The regulation allowed them to use law enforcement to enforce their orders of isolation or quarantine, which means you could have received a knock at the door from your local police or sheriff telling you that you had to go with them... by order of the Health Department.

Furthermore, the regulation had no procedure by which you could be released from quarantine, no way for you to try to negotiate your way out. And it was not COVID19 specific. There was a laundry list of “communicable diseases” that could have triggered this nightmare loss of freedom – diseases such as Lyme, Toxic Shock Syndrome, COVID19 and so many others.

## The Timeline:

We first filed our case in April 2022, and after months of fighting the Attorney General in NYS Supreme Court, Judge Ronald Ploetz rendered his decision in July 2022. Within days, the Attorney General's office filed a Notice of Appeal which then gave them six months to file their appeal papers. We had statewide elections in November, and both Governor Hochul and Letitia James were running for election.

Interestingly, they did not file their appeal to try to overturn this horrific regulation before that crucial election. Then, just days before their six months was going to expire in January 2023, they made a request for an additional two months to file their appeal! Despite our objection, the court granted the extension thereby giving the Attorney General until March 14, 2023 to file the appeal. Mere hours before the deadline, they filed their appeal.

## Press Release:

Here is the statement that was released by plaintiffs [Senator Borrello](#), Assemblyman Tague and Congressman Lawler...



**For Release:** Immediate, March 14, 2023

**Contact:** Lisa Hill, 518-496-2882

## STATEMENT FROM SENATOR GEORGE BORRELLO AND FELLOW PLAINTIFFS ON STATE'S APPEAL OF QUARANTINE REGULATIONS LAWSUIT

ALBANY – Yesterday the New York State Attorney General formally submitted an appeal of the July 8 State Supreme Court ruling that struck down the state's attempt to use a New York State Department of Health rulemaking process to establish isolation and quarantine procedures related to highly communicable diseases.

In response to the state's appeal, State Senator George Borrello, Assemblyman Chris Tague and Representative Michael Lawler, three of the plaintiffs who brought the lawsuit forward, issued the following statements:

"It is disappointing, but not a surprise, that state officials have chosen to pursue an appeal of Judge Ploetz's ruling declaring Rule 2.13 unconstitutional and "null and void." Their actions are an egregious waste of taxpayer dollars and an attempt to defend an indefensible policy. The constitutional separation of powers and the right of due process are principles that cannot be compromised," **said Senator Borrello**. "We are committed to helping attorney Bobbie Anne Cox, who has selflessly led this fight, see this case through to its conclusion."

"This case has been on solid ground from the start and Judge Ploetz's ruling only confirmed that. The notion that a state agency could unilaterally adopt a policy that mandates authoritarian-style isolation and quarantine procedures would have been unimaginable a few short years ago. However, the extreme government control and overreach that was disturbingly normalized during the pandemic has given rise to actions like this one. It has to stop and that is why we won't give up," **said Representative Lawler**.

"This unconstitutional power grab must be stopped in its tracks. If Rule 2.13 is allowed to stand, I guarantee that we will see more frightening intrusions on our civil liberties in the years ahead. I am calling on the Governor and the Attorney General to accept the court's ruling and stop this waste of taxpayer resources on this futile fight," **said Assemblyman Tague**.

###

Please help us win this unprecedented fight for freedom! We need all hands on deck. There are several ways you can help us.

- Sign up for Attorney Cox's weekly Substack where she will keep everyone updated on our progress: <https://attorneycox.substack.com>
- Visit our web page about this lawsuit at [www.UnitingNYS.com/lawsuit](http://www.UnitingNYS.com/lawsuit)
- Sign up for our weekly newsletters at [www.UnitingNYS.com](http://www.UnitingNYS.com)

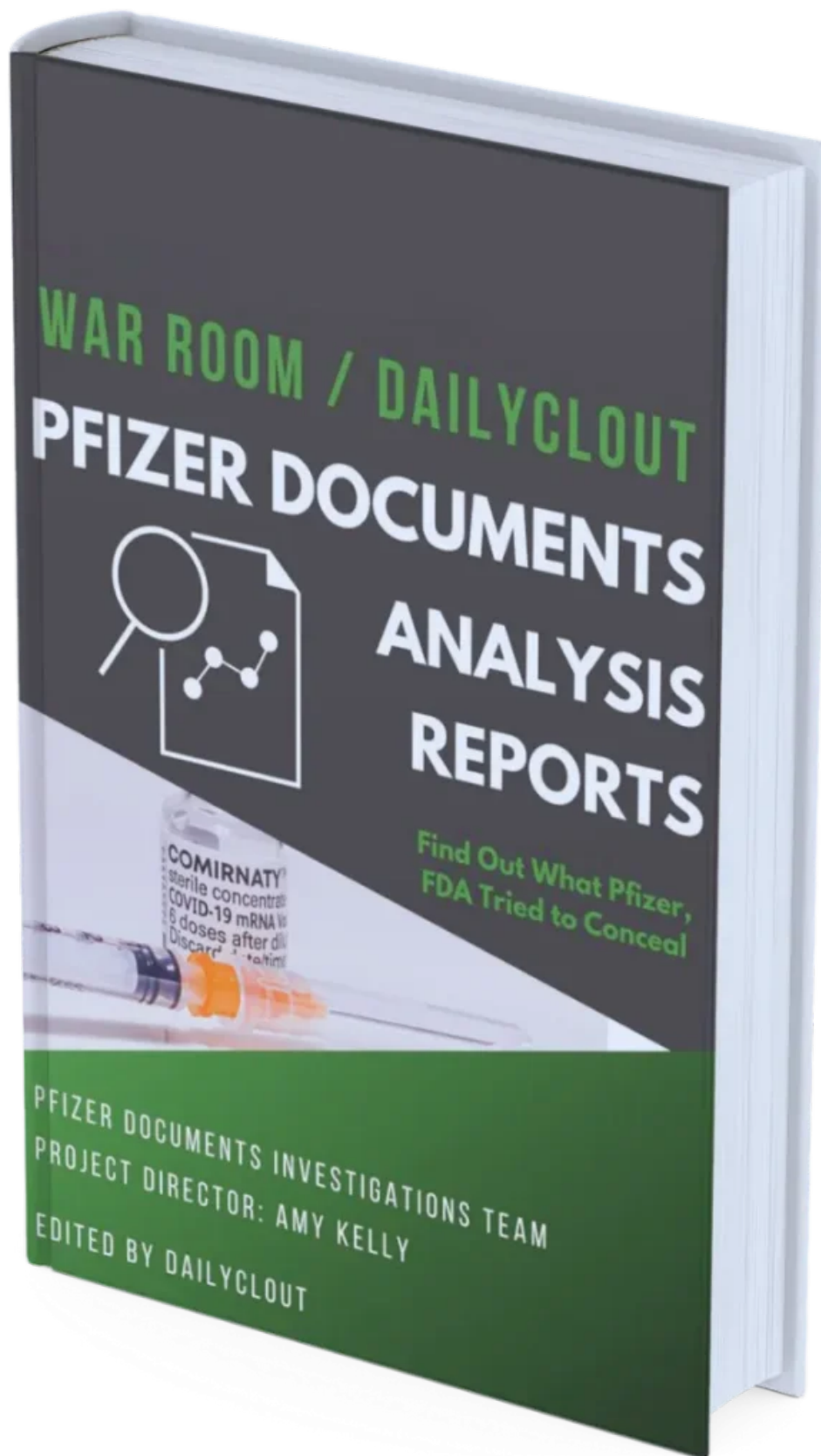
-End-

**[Subscribe to Brownstone Institute!](#)**

## **Please Help the DailyClout / War Room Volunteers Blow the Biggest Story of Our Lifetime Wide Open**

The information that Pfizer and the FDA wanted to keep hidden for 75 years has been thoroughly documented and compiled into an [ebook](#) – and made available on [Amazon](#).

We are shattering expectations, but we need your continued support to push truth up the algorithm, which is not just good for the book and the project but also for the conversation, forcing the criminals to be confronted. We already have the [blueprint for prosecution](#); we just need enough people aware of the crime that has occurred — demanding accountability:



**Pick Up Your Copy!**

Also available on our website.



Bobbie Anne is an attorney with 25 years experience in the private sector, who continues to practice law but also lectures in her field of expertise – government over-reach and improper regulation and assessments.

**This DailyClout article is the writer's opinion.**

**One of our country's most important freedoms is that of free speech.**

**Agree with this essay? Disagree? Join the debate by writing to DailyClout [HERE](#).**

**Spread the love**