



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
In the name of Allah, the Beneficent, the Merciful



FUTA ISLAMIC CENTER, INC.

P.O. Box 791
New York, NY 10030

FOR IMMEDIATE RELEASE

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DATE: MARCH 31, 2009

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THE NAACP AND CHRISTIAN PASTORS

RALLY FOR JUSTICE FOR A HOUSE OF WORSHIP

“HOODWINKED” AND “BAMBOOZLED”

BY BRONX SUPREME COURT JUDGE HOWARD R. SILVER AND COMPANY

After being denied proper due process under the law at the Bronx Supreme Court, The Futa Islamic Center, Inc.'s Masjid “House of Worship” have garnered the support of the NAACP and Christian Pastors to express their outrage to injustice and “judicial piracy” of their Mosque.

WHERE:

**The Steps of CITY HALL
Broadway and Chambers Street**

DATE:

WEDNESDAY, APRIL 1, 2009

TIME:

11:00 AM

OPEN:

GENERAL PUBLIC



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
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After being denied proper due process under the law at the Bronx Supreme Court, The Futa Islamic Center, Inc.'s Masjid “House of Worship” have garnered the support of the NAACP and Christian Pastors to express their outrage to injustice and “judicial piracy” of their Mosque.

New York, NY – After shouting a loud and vocal outcry for justice, the Futa Islamic Center’s protest against the injustices perpetuated by the City and the Bronx Supreme Court judicial system is being retooled by leaders of one of the oldest civil rights organizations in American history – NAACP and, an army of Christian pastors. Speaking out against the antics of what some are calling the “judicial piracy” of a “house of God” will be **Mr. Robert Burke of the NAACP, Dr. Robert Smith of the Savior Church in Coop City and Bishop Rosario of the Bronx Clergy Task Force** just to name a few.

“The support comes at a time when the political muscle of some high profile Bronx politicians seem noticeable buried with their heads in the sand,” said Ahmadou T. Diallo, president of **The Futa Islamic Center, Inc.’s Masjid “House of Worship”** located at 3400 3rd Avenue on the corner of 166th Street in the Morrisania section of The Bronx. “I have not seen one high profile Bronx politician at one of our weekly rallies for justice,” he railed. “Where our elected-official when you need them? Don’t our votes count,” he questioned.

However, armed with Christian and Islamic scriptures, thousands of concerned civic and religious worshippers across the city will make their voices be heard at City Hall, exposing the city’s involvement in a “crooked” tax lien sale of their Mosque that have left them bitterly cold. “We were robbed of our Mosque, robbed of our home, and robbed of our right to due process under the law by Bronx Supreme Court Justice Howard R. Silver,” fumed Diallo.

Bronx Supreme Court Justice Silver’s “shortsightedness” of the facts led him to force the Islamic worshippers to pay the buyer’s of their Masjid, BX Third Avenue Partners, LLC, \$5K each month in rent, if they wanted to continue to use their mosque to worship Allah, while seeking an appeal from justices at the New York Supreme Court’s Appellate Division – First Department. The Order would also evict the worshippers immediately, if they defaulted on the agreement to make monthly payments on time.

Worshippers criticized the Order as a ploy to have them tossed onto the streets due to the exorbitant rent needed to be raised each month. To date, the members, who are mostly taxi drivers and struggling street vendors, have had to work longer hours than usual because of the recession, skipping some meals daily, just to keep their Mosque’s doors open to the Islamic community in The Bronx.

“We are relying heavily on the Appellate Court Justices to overturn the city’s tax lien blunder, return our Mosque to the Muslim community and provide us with fair and just compensation for the unjust and incompetent ruling bestowed by Bronx Supreme Court Justice Silver and company,” said Diallo.

Diallo and other Islamic followers citywide will kick-off their third “tense” demonstration for justice, converging next on Wednesday, April 1, 2009 at 11 AM on the steps of City Hall on Broadway and Chambers Street. The last demonstrations will all take place at 11 AM below:

- **Appellate Court, First Department, 27 Madison Avenue and 25th Street – Wednesday, TBA**

“We are praying that justice will finally be served in our favor,” Diallo continued, “by the Appellate Court Justices who will now preside over our appeal of this case. We Muslims are pleased that our case has reached the Appellate Court, where justices have historically shown to render fair, just and unbiased decisions regardless race, class, gender, sexual orientation and religious affiliation,” said Diallo. “There have been a lot of loopholes that have victimized many in this city, and the truth in this case shall expose the injustice and greed perpetuated by City’s Department of Finance and company,” said Diallo.

“The greedy nature of the City’s Department of Finance to raise questionable and unethical revenue has successfully worked to shortchange the Muslim community of The Bronx,” said Diallo. “This whole fiasco is just another city sanctioned real estate scheme to make their coffers unjustly rich.”

The New York City Department of Finance is headed by Commissioner Martha Stark, 48, who recently resigned from the board of a national real estate company – the Tarragon Corporation – after news aired that she violated rules in the City Charter forbidding department chiefs from engaging in outside employment. Commissioner Stark, who joined Tarragon as a member of its board of directors in December of 2005, secretly earned a cool \$90,316 in 2007 on top of her \$189,700 salary from the city, totaling a whopping \$280,016, according to published reports. Now community leaders are demanding transparency from City Hall on whether Commissioner Stark sits on boards trying to “steal” their Mosque.

“We need to know, if she has a vested-interest in the foreclosure sale of the Mosque,” said Diallo. “If she works for one the plaintiffs or the buyer in a moonlighting gig on the side that will certainly explain her Department’s illegal actions to sell our Masjid. She’s probably waiting for her cut, I mean bonus,” he said.

The Futa Islamic Center, Inc.’s Masjid “House of Worship”, which is a legally recognized 501(c) (3) incorporation, was sold at a public auction by Referee Carl Lucas, Esq. despite their exempt tax status. In an attempt to save their Mosque from a bureaucratic and wrongful foreclosure sale, members said they complied with the City’s illicit demand to settle alleged back taxes in the amount of \$24,804.20. On March 18, 2008, members forked over \$7,500 to the City as a down-payment for signing an installment agreement that required quarterly payments of \$1,611.02 toward tax arrears plus the current taxes due by April 1, 2008.

According to Diallo, the City assured him that as long as installment payments were made on time, the property would not be sold. “During the negotiation of the installation agreement, the NYC Department of Finance did not serve us with any foreclosure papers,” said Diallo. “They did not direct us as to how to resolve the action they started against us. All we were made to believe was that once you make the payment, you are okay.”

To their dismay, Diallo and his worshipers discovered on April 15, 2008 that their place of worship was sold by Referee Carl Lucas, Esq, who was assigned by Bronx Supreme Court Judge Dianne T. Renwick, at a public auction for the bid amount of half a million dollars to BX Third Avenue Partners, LLC. The property’s fair market value according to Diallo is approximately 3 million dollars.

Worshippers immediately hired attorneys and challenged the illegal sale of their Mosque in Bronx Supreme Court, which was assigned to Bronx Supreme Court Judge Mark Friedlander, who

questioned the city's motives and seemed to have felt that The Futa Islamic Center was "railroaded," according to Diallo.

Judge Mark Friedlander "apparent refusal" to side with the plaintiffs', **NYCTL 2004-A TRUST, AND THE BANK OF NEW YORK as Collateral Agent and Custodian for the NYCTL 2004-A Trust**, arguments attempting to justify the foreclosure sale of the Mosque, may have motivated the "powers that be" to have him replaced with Bronx Supreme Court Justice Howard R. Silver said Diallo.

Bronx Supreme Court Judge Howard R. Silver came under fire from the West African community, followers of the Islamic faith, for allegedly orchestrating from the bench a "plot to judicially steal their place of worship." The beneficiary of the "plot" involved the buyer of the mosque which was sold to BX Third Avenue Partners, a wealthy real estate firm, which Judge Silver ultimately ruled in favor.

"The record is devoid of any of fraud, mistake, exploitive overreaching or any other factor which would justify the Court intervention," ruled Justice Silver on September 17, 2008. "This is absolutely false," said Diallo. "Judge Silver willfully refused to allow his court to intervene and aid the interest of the West African community," said Diallo. "Judge Silver is being very hypocritical."

Diallo along with a host of civic and religious supporters contend that Judge Silver's religious and cultural insensitivity has made him shortsighted to judge fairly the well-grounded merits of the case. As such, Diallo and his members immediately hired William T. Martin, Esq. to handle their renewal and re-argument before Judge Silver again on Thursday, November 6 in The Bronx Supreme Court.

Part of Judge Silver's "shady" ruling for ousting the Muslim worshippers from their mosque centered on the name of their place of worship back in 2004 by the plaintiffs, **NYCTL 2004-A TRUST, AND THE BANK OF NEW YORK as Collateral Agent and Custodian for the NYCTL 2004-A Trust**. Before they were known to the world as **The Futa Islamic Center, Inc.'s Masjid**

“House of Worship”, the Muslim congregants referred to their house of worship as the **‘Masjid AL Faysal,’** which was listed on legal documents as the owner.

Somehow the plaintiffs and their process server named Mr. Michael Sposato could not properly serve the defendants because they both believed that **“Masjid AL Faysal”** was a person. And Judge Silver agreed that the plaintiffs and their processors made every attempt to track down **“Masjid AL Faysal.”**

“This is a classic example of being railroaded,” said Diallo. “The bottom line is that the plaintiffs willfully failed to serve them properly under the law.”

“We know the stereotypes that some may hold against Islam. But Judge Silver should not let his personal biases interfere with his ability to render justice to the Islamic community of The Bronx,” said Diallo. “The plaintiffs’ process server, Mr. Michael Sposato was more consumed with looking to find a loophole than trying to serve the Mosque in good faith.”

Attorney William T. Martin, Esq. fighting to overturn Judge Silver’s “religious incompetency” agreed. “Although the argument could be credibly made that this case involved cultural insensitivity, it is important to note that **“Masjid”** means mosque,” said attorney Martin. “A mosque is recognized universally as a religious institution,” he said. “Moreover, if the plaintiffs were credible in their efforts to obtain service they would noticed a 24 hour restaurant adjacent to the mosque, named Jalloh Family Restaurant, located at 3396 Third Avenue.”

“If the plaintiffs had properly reviewed the public record,” said Attorney Martin, “they would have stumbled upon the Real Estate Transfer Tax Return and the Credit Line Mortgage Certificate, which clearly indicate that the ‘Grantee’ is in fact a mosque,” attorney Martin continued. “How is it possible that the Plaintiffs in their myriad efforts to track down the ‘person’ known as **‘Masjid AL Faysal’** failed to discover the tax records which would have greatly assisted them,” asked Attorney Martin in a motion presented to Judge Silver on Thursday, November 6 in The Bronx Supreme Court.

“As a point of reference, we would be kind enough to assist Judge Silver to goggle the name ‘**Masjid AL Faysal,**’ so that he could see for himself that it’s shown online as a not-for-profit religious organization,” said Diallo.

According to Attorney Martin, Judge Silver willfully ignored the fact that “**Masjid AL Faysal**” did not have to pay federal income tax as a not-for-profit religious organization. “Additionally, in a review of records with the Internal Revenue Service it is abundantly clear that the United States of America determined that “**Masjid AL Faysal**” was exempt from federal income tax under section 501 (c) of the Internal Revenue Code as an organization described in section 501 (c) (3),” Attorney Martin continued.

Attorney Martin and supporters strongly believe that Judge Silver side-stepped the West African community by failing to allow testimonials of the group’s members to bring to light any fraudulent activity on the part of plaintiffs in the acquisition of **The Futa Islamic Center, Inc.’s Masjid “House of Worship”**.

“Under the totality of the circumstances, the Court should have had a hearing to establish the absence of fraud; the absence of mistake; the absence of exploitive overreaching because it was factors such as these, set forth herein which at a minimum would justify the Court intervention,” concluded Attorney Martin in his 17-point-motion aimed at reopening the case for further re-argument.

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The Futa Islamic Center



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