

No. _____

IN THE SUPREME COURT OF THE UNITED STATES
October Term 2006

ELENA RUTH SASSOWER,

Petitioner

v.

UNITED STATES OF AMERICA,

Respondent

MOTION TO ADD 5-1/2 PAGES TO
PETITION FOR A WRIT OF CERTIORARI

To the Honorable John G. Roberts, Jr., Chief Justice of the Supreme Court
of the United States and Circuit Justice for the District of Columbia:

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss.:

ELENA RUTH SASSOWER, being duly sworn, deposes and says:

1. I am the petitioner *pro se* – a non-lawyer – and bring this motion for leave to exceed, by 5-1/2 pages, the 30-page limit for petitions for writs of certiorari.
2. This Court has jurisdiction pursuant to 28 U.S.C. §1257(b) and previously granted my motion to extend my time to file my petition for a writ of certiorari to August 17, 2007. This motion is being hand-delivered to the Court 10 days before that date.¹

¹ I had previously been advised by the Clerk's Office that I could file this motion on August 17, 2007, simultaneous with filing forty copies of my cert petition. I was further told that if the motion were denied, either when filed on that date or prior thereto, I would be given additional time to file a conforming petition. Apparently, that is not the case – as I learned yesterday upon

3. In the interest of judicial economy, annexed hereto is a copy of that prior motion (Exhibit A). It recites the pertinent fact that the D.C. Court of Appeals' Memorandum Opinion and Judgment (Exhibit B), affirming my conviction and six-month jail sentence for "disruption of Congress", is "a judicial fraud, being insupportable factually, legally, and knowingly so" – as to which, in substantiation, it annexed a copy of my petition for rehearing, and rehearing *en banc*, motion to vacate for fraud, lack of jurisdiction, and for disqualification/disclosure, and transfer (Exhibit C).

4. The overarching issue presented by my cert petition is the D.C. Court of Appeals' disqualification for interest and pervasive actual bias meeting the "impossibility of fair judgment" standard of *Liteky v. United States*, 510 U.S. 540 (1994). Such serious and substantial issue cannot be presented without an extensive factual recitation – and my draft cert petition reflects this (Exhibit D). It is almost entirely devoted to a factual summary of the case.

5. The cert petition itself explains why this is so – at the outset of the "Statement of the Case":

"Ordinarily, a brief factual summary would suffice. Here, however, a lengthier summary is necessary because the Memorandum Opinion and Judgment materially falsifies the 'disruption of Congress' incident, materially falsifies petitioner's four appellate issues to the D.C. Court of Appeals and the record with respect thereto, and materially omits all that Court's extensive prior contact with the case. It is this prior contact, spanning 2-1/2 years and embracing each of petitioner's four appellate issues, that underlies her unadjudicated and concealed motion for disqualification, disclosure and transfer – and establishes the D.C. Court of Appeals' disqualification for interest and pervasive actual bias meeting the "impossibility of fair judgment" standard of *Liteky v. United States*, 510 U.S. 540 (1994).

It must be noted that with one limited exception, all the D.C. Court of Appeals' orders during this 2-1/2 year span themselves conceal

calling the Clerk's Office and speaking with Jeff Atkins, a supervisor, who advised me to immediately make my motion.

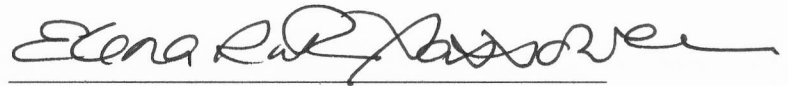
petitioner's prior motions for its disqualification, disclosure, and transfer. Consequently, these orders, though included in the appendix herein [A-xxx-xxx], cannot and do not provide this Court with information germane to the disqualification/disclosure/transfer issues. This has left petitioner with no choice but to herself recite the facts pertaining to her prior motions for disqualification, disclosure, and transfer. Though consuming virtually the entirety of her cert petition, it provides the Court with the firmest of foundations for granting the petition." (Exhibit D, at p 3).

6. Prior to making this motion, I spent hundreds of hours drafting and redrafting the cert petition, always struggling to abridge the facts as much as possible, while preserving enough of the particulars to enable the Court to understand the basis of the D.C. Court of Appeals' interest and the pervasiveness of its actual bias, manifesting itself again and again throughout 2-1/2 years, including the six months of my incarceration, when I was entitled to release, *as a matter of law*. I honestly believe I have condensed as far as I can.

7. Although I had hoped to obtain legal assistance and the guidance of experts in developing and refining the petition – and made enormous efforts to secure same – none was forthcoming. Annexed, as illustrative, is a sampling of my efforts: my June 19, 2007 memo to the Justice at Stake Campaign and its Campaign Partners (Exhibit E-1) and my July 2, 2007 memo to nine of those Campaign Partners (Exhibit E-2), including the American Bar Association and its Standing Committee on Judicial Independence, American Judicature Society, Brennan Center for Justice, and The Constitution Project.

8. There is no prejudice to respondent – or the Court – by the granting of this motion, which would serve justice and the public interest, mightily.

WHEREFORE, petitioner respectfully prays that she be granted 5-1/2 additional pages for her cert petition.

A handwritten signature in black ink, appearing to read "Elena Ruth Sassower", written over a horizontal line.

ELENA RUTH SASSOWER

Sworn to before me this
7th of August 2007

Notary Public

TABLE OF EXHIBITS

- Exhibit A: Petitioner's May 21, 2007 motion for an extension of time to file her petition for a writ of certiorari
- Exhibit B: D.C. Court of Appeals Memorandum Opinion and Judgment, dated December 20, 2006
- Exhibit C: Petitioner's Petition to D.C. Court of Appeals for Rehearing, Rehearing *En Banc*, Vacatur for Fraud & Lack of Jurisdiction, Disqualification/Disclosure & Transfer, dated January 2, 2007
- Exhibit D: Petitioner's draft cert petition
- Exhibit E-1: Petitioner's July 19, 2007 memo to Justice at Stake Campaign & Its Campaign Partners
- Exhibit E-2: Petitioner's July 2, 2007 memo to Justice at Stake Campaign Partners

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