

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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June 13, 2007

Professor Jonathan Turley
J.B. and Maurice Shapiro Professor of Public Interest Law
George Washington University Law School
2000 H Street, N.W.
Washington, D.C. 20052

RE: *Amicus Curiae* & Other Legal & Media Assistance in support of U.S. Supreme Court review of the “disruption of Congress” case, *Elena Ruth Sassower v. United States of America*

Dear Professor Turley,

This follows up my yesterday’s voice mail message about the “disruption of Congress” case, now *en route* to the U.S. Supreme Court on a petition for a writ of certiorari, due on August 17, 2007. This is the case you described as “extraordinary” and setting a “worrisome precedent” in remarks to The Village Voice (“*The Scourge of Her Conviction*”, Feb. 2-8, 2005).

Two years ago, when I was appealing the case to the D.C. Court of Appeals, you expressed interest in writing about the case and otherwise publicizing it. You also stated that you would assist me in locating law professors and others who might be willing to file *amicus curiae* briefs for my first three appellate issues¹ – and who might sign-on to the already-drafted *amicus curiae* brief of Professor Andrew Horwitz on my fourth appellate issue². This is reflected by my August 19, 2005 letter to you,

¹ These were: (1) my entitlement to D.C. Superior Court Judge Brian Holeman’s disqualification for pervasive actual bias meeting the “impossibility of fair judgment” standard of the U.S. Supreme Court in *Liteky v. United States*, 510 U.S. 540 (1994); (2) my entitlement to removal/transfer of the case to the U.S. District Court for the District of Columbia, pursuant to the venue provision of the disruption of Congress statute -- where, additionally the record establishes a pervasive pattern of egregious violations of my fundamental due process rights and “protectionism” of the government; and (3) the unconstitutionality of the disruption of Congress statute, *as written and as applied*.

² My fourth appellate was the impropriety and unconstitutionality of Judge Holeman’s probation conditions and the unlawfulness and unconstitutionality of his superseding six-month jail sentence.

which is posted on the Center for Judicial Accountability's website, www.judgewatch.org, accessible via the sidebar panel "Disruption of Congress-The Appeal", which features you and Professor Horwitz as "Defenders of the Public Interest".

I hope you still have the voluminous appeal papers I sent you with that August 19, 2005 letter. However, the complete record of the proceedings in the D.C. Court of Appeals is also posted on that webpage. This includes my January 2, 2007 petition for rehearing and rehearing *en banc*, which I combined with a motion to vacate the appellate panel's December 20, 2006 Memorandum Opinion and Judgment for fraud & lack of jurisdiction, for disqualification, disclosure, & transfer. Its ten pages highlight the panel's violation of "ALL cognizable adjudicative standards" and summarize the Memorandum Opinion and Judgment as follows:

"It affirms Sassower's conviction and sentence for 'disruption of Congress' by materially falsifying her four appellate issues^[fn] and then disposes of each by false factual and legal assertions that are completely conclusory and which ignore ALL the contrary specific facts, law and legal argument she presented, because they are dispositive of her rights. This is accompanied by the panel's own fictionalized account of the 'disruption of Congress' incident – for which it provides no record reference and whose fraudulence is verifiable from the videotape of the incident, in the possession of the [D.C. Court of Appeals]. The dispositive nature of the videotape in establishing that what Sassower did at the U.S. Senate Judiciary Committee's May 22, 2003 judicial confirmation hearing could not constitute 'disruption of Congress', *as a matter of law*, and that she was prosecuted on materially false and misleading prosecution documents – which any fair and impartial tribunal would have thrown out, 'on the papers' – was centrally presented by petitioner's appeal, but is concealed, without adjudication, by the Opinion and Judgment.

Such Opinion and Judgment, making NO claim that Sassower had due process either before Judge Holeman or before [the D.C. Court of Appeals] in any of the prior related proceedings is the latest unconstitutional manifestation of the actual bias and interest of the panel, whose disqualification Sassower sought by an October 16, 2006 letter-application – the existence of which the Opinion and Judgment also conceals, without adjudication." (at pp. 1-2, underlining in the original).

I have already drafted my petition for a writ of certiorari. It presents the Supreme Court with the same four appellate issues as I presented to the D.C. Court of Appeals, but additionally presents the threshold and far more serious issues of the readily-verifiable misconduct/corruption of the D.C. Court of Appeals, obliterating any cognizable judicial process. I take the liberty of e-mailing this draft to you and would greatly appreciate the benefit of your expertise in improving it.

Professor Horwitz has agreed to support my cert petition by filing an *amicus curiae* brief for Supreme Court review of the D.C. Court of Appeals' disposition of my fourth appellate issue. Once again, I need *amicus curiae* for the other three appellate issues, falsified by the the D.C. Court of Appeals –

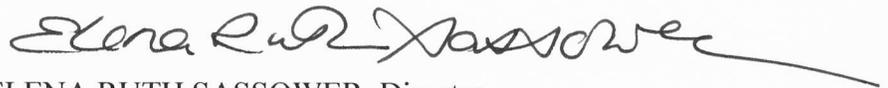
and for the threshold misconduct/corruption issues pertaining to that Court.. It is for this reason – and to secure media coverage and academic scholarship of this historic, far-reaching case – that I am again turning to you.

I know you are very, very busy. However, I need – and would greatly appreciate – the assistance you promised two years ago. May I count on you?

I await your response – hopefully in the affirmative.

Thank you.

Yours for a quality judiciary,

A handwritten signature in black ink, reading "Elena Ruth Sassower". The signature is written in a cursive style and extends to the right with a long horizontal stroke.

ELENA RUTH SASSOWER, Director
Center for Judicial Accountability, Inc. (CJA)

Enclosure: draft cert petition (by e-mail)

cc: Professor Andrew Horwitz