DORIS L. SASSOWER

283 SOUNDVIEW AVENUE • WHITE PLAINS, N.Y. 10606 • 914/997-1677 • FAX: 914/684-6554

By Priority Mail

June 9, 1993

Edward O'Connell, Counsel
House Judiciary Committee
Room 207
Cannon House Office Building
Washington, D.C. 20515

RE: Judicial Accountability

Dear Mr. O'Connell:

This letter is intended as a formal complaint of misconduct by certain members of the federal judiciary. The serious charges herein made are fully documentable and arise out of a case of national portent, The asserted misconduct rests on a profound abuse of judicial power for improper and retaliatory purposes.

Such misconduct encompasses a pattern of wilful and deliberate perversion and disregard of controlling law by the District Court Judge sitting in White Plains, New York, including a final decision[1] which was false and fabricated in all material respects.

The District Court's decision, shown on appeal to be without any factual or legal foundation[2], was, nonetheless, affirmed by the Second Circuit[3], which relied on a claimed "inherent power" to impose nearly $100,000 sanctions against civil rights plaintiffs.

---

[1] The District Court's decision is reprinted in the Petition for Certiorari at CA-28.

[2] The factual baselessness of the District Court's decision was meticulously detailed, with record references, at pp. 8-40 of our Appellants' Brief--and unrebutted by Defendants in their Opposing Brief (see Appellant's Reply Brief, pp. 1-2, 9-12, 15-16, 22-3). The legal baselessness of that decision was discussed at pp. 42-54 of our Appellants' Brief and at pp. 1-2, 12-14, 16-18, 23-6 of our Reply.

[3] The Second Circuit's decision is reprinted in the Petition for Certiorari at CA-6.

Ex "E" R-35

The foregoing was made the basis for a Petition for Certiorari to the U.S. Supreme Court--wherein we requested that Court to exercise its "power of supervision" (at pp. 19, 28) to summarily reverse the Second Circuit's decision, which, on its face, similarly violates statutory and rule provisions, as well as controlling decisional law[4].

Following denial of certiorari by the Supreme Court, we filed a Petition for Rehearing and Supplemental Petition for Rehearing, which we have just learned have also been denied. Those two documents--which we recommend as the starting point for your review--provide the framework for this most extraordinary case--identifying the ulterior and retaliatory motives of the Second Circuit Judges, who failed to disqualify themselves notwithstanding they were obligated by law and ethical rules to have recused themselves.

The subject decisions are comprehensively analyzed and discussed in the materials herein transmitted, which include not only the submissions before the Supreme Court, but those before the Second Circuit as well. Such submissions should enable you to recognize that an immediate investigation of the judicial authors of those decisions is mandated--since fabrication of fact and perversion of law is not part of the judicial function.

This case calls for your examination for another reason: by its denial of "cert", the Supreme Court has now given the "green light" to the lower federal courts to use "inherent power" to override congressional intent, as expressed in statutory and rule provisions--such as the Fair Housing Act, 28 U.S.C. §1927, and Rule 11--and to do so without the slightest showing of "necessity" or compliance with due process requirements.

Since the Congress is currently considering proposed amendments to the Federal Rules of Civil Procedure, legislative review of this case is particularly propitious at this time. As set forth in our Petition for Certiorari (at p. 14):

> "This case is a microcosm of the very issues now under study...in connection with the proposed amendments to the Federal Rules of Civil Procedure--Rule 11, discovery, and case management. Those proposed amendments are the product of hundreds of written comments from the bench, bar, and public over a three-year period and of public hearings. Yet, as this case illustrates, the enormous effort

---

[4] A concise summarization of such facial violations appears at pp. 4-6 of the Supplemental Petition for Rehearing.

> expended in the rule-making process is all for naught if inherent power is to be a 'fall-back' for federal courts unwilling to adhere to the text-based requirements of those rules, amended or not."

Any objective investigation of this case will confirm the extent to which our third branch of government has obliterated constitutional and statutory safeguards by sheer usurpation of power. Because the Supreme Court has failed to perform its monitoring function where the lower courts', decisions do not conform with law or the factual record, Congress must step in to protect the public from the destruction of our constitutional system by courts which have run amok.

We trust that this matter will be given all due care and consideration. Upon request, we will be pleased to transmit to you our submissions before the District Court, including our Rule 60(b)(3) motion, referred to in the decisions of the Second Circuit and District Court. Said motion dramatically highlights the extent of to which judicial office has been misused to promulgate decisions which are in every way dishonest, deceitful, and deliberately defamatory.

Very truly yours,

DORIS L. SASSOWER[5]

ELENA RUTH SASSOWER

cc: Charles Stephen Ralston, Esq.
NAACP Legal Defense and Educational Fund

Enclosures: see annexed page

---

[5] To counter the grossly false and defamatory Second Circuit decisions, a copy of my credentials, as last set forth in Martindale-Hubbell's Law Directory, is annexed hereto. Such publication has given me its highest rating of "AV" for all the years I was in my own private practice. It may be further noted that I am also a Fellow of the American Bar Foundation, an honor reserved for less than one-half of one percent of the practicing bar in each State.

Enclosures:

Submissions to the United States Supreme Court:

(1) Petition for a Writ of Certiorari
(2) Respondent's Opposing Brief
(3) Petitioners' Reply Brief
(4) Petition for Rehearing
(5) Supplemental Petition for Rehearing

Appellate submissions to the Second Circuit:

(1) Appellants' Motion to Vacate Judgment for Lack of Jurisdiction
(2) Appellants' Brief, Appendix, and Supplemental Appendix
(3) Amicus Curiae Brief of NAACP Legal Defense and Educational Fund
(4) Appellees' Brief and Appendix
(5) Appellants' Reply Brief and Second Supplemental Appendix
(6) Appellants' Petition for Rehearing

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Edward O'Connell
Counsel
Horse Judicial Committee
Room 207
Cannon House Office Bldg
Washington DC 20515

4a. Article Number

P 021 850 191

4b. Service Type

☐ Registered ☐ Insured
☑ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

5. Signature (Addressee)

6. Signature (Agent)

Timothy J. Stuna

7. Date of Delivery

JUN 12 1993

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 ☆ U.S.G.P.O.: 1992-307-530 DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

P 021 850 191

RECEIPT FOR CERTIFIED MAIL
NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL
See Reverse!

Sent to	Edward O'Connell Horse Judicial Committee
Street and No.	Room 207 Cannon
P.O. State and ZIP Code	Washington DC 20515
Postage	$ 5 70
Certified Fee	1 -
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	1 -
Return Receipt showing to whom, Date and Address of Delivery	
TOTAL Postage and Fees	$ 7 70
Postmark or Date	JUN 12 1993

PS Form 3800, June 1985

R-39