Received, Manhattan DA - c ma Levine 2/25 4pm

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

P.O. Box 69, Gedney Station
White Plains, New York 10605-0069

Tel. (914) 421-1200
Fax (914) 428-4994

E-Mail: judgewatch@aol.com
Web site: www.judgewatch.org

TO: NEW YORK STATE ATTORNEY GENERAL PART-50E
NEW YORK DISTRICT ATTORNEY
U.S. ATTORNEY/SOUTHERN DISTRICT OF NEW YORK
NEW YORK STATE ETHICS COMMISSION

FROM: ELENA RUTH SASSOWER, COORDINATOR

RE: *Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc., acting pro bono publico v. Commission on Judicial Conduct of the State of New York* (NY Co. #99-108551)

DATE: FEBRUARY 25, 2000

2/25/00

As predicted, the above-entitled Article 78 proceeding has become the third proceeding against the Commission on Judicial Conduct to be "thrown" by a fraudulent judicial decision of the Supreme Court/New York County in the past five years.

This, because each of you – public agencies and officers charged with the duty of protecting the public -- refused to respect fundamental conflict of interest rules so as to permit independent evaluation of the *public's right to your intervention* in the proceeding, *as well as to investigation* of CJA's ethics and criminal complaints based on all three proceedings. The facts pertaining to your conflict of interest are detailed in those complaints[1] – to which each of you has refused to respond.

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[1] **As for the conflict of interest of Attorney General Eliot Spitzer personally,** *see, inter alia,* ¶¶8, 40-53 of petitioner's moving affidavit in support of her July 28, 1999 omnibus motion and Exhibit "A" to her September 24, 1999 reply affidavit and pp. 3-11 of her September 24, 1999 reply memorandum of law.

As for the conflict of interest of the Manhattan District Attorney, *see, inter alia,* pp. 5-7 of CJA's October 21, 1999 criminal complaint to the Manhattan D.A. [Exhibit "G" to petitioner's November 5, 1999 letter to Justice Kapnick];

As for the conflict of interest of the U.S. Attorney/Southern District of NY, *see, inter alia,* pp. 2-3, 18-20 of CJA's October 21, 1999 criminal complaint to the U.S. Attorney for the Southern District of NY [Exhibit "H" to petitioner's November 5, 1999 letter to Justice Kapnick].

Received by Chief Counsel's office date 2/25 for the Attorney General

Ex "R" Rec'd 2/3/00

Nor have you responded to the fact-specific analyses of the two prior fraudulent judicial decisions[2] – which CJA transmitted to you, together with copies of the substantiating files from *Doris L. Sassower v. Commission on Judicial Conduct of the State of New York* (NY Co. #95-109141) and *Michael Mantell v. New York State Commission on Judicial Conduct* (NY Co. #99-108655).

CJA now transmits to you an analysis of the third fraudulent judicial decision, substantiated by the file from *Elena Ruth Sassower v. Commission*, already in your possession. The analysis appears at pages 15-29 of CJA's February 23, 2000 letter to Governor George Pataki, to which you are each indicated recipients.

Based upon the fact-specific analysis provided by that letter, it is your duty to protect the public from this latest subversion of the judicial process – and CJA calls upon you to do so. Specifically, CJA requests that you intervene, *at this juncture*, to vacate the decision for fraud, and that you initiate disciplinary and criminal prosecutions based thereon.

Needless to say, your first duty is to confront the *threshold* conflict of interest issues, heretofore wilfully ignored by you.

Elena Ruth Sassower

cc: Governor George Pataki
U.S. Attorney for the Eastern District of New York
New York State Commission on Judicial Conduct
Judith Kaye, Chief Judge of New York
Administrative Judge Stephen G. Crane
Acting Supreme Court Justice William Wetzel
Association of the Bar of the City of New York
Patricia Salkin, Director, Government Law Center, Albany Law School
Media

As for the conflict of interest of the NYS Ethics Commission, *see, inter alia*, pp. 4-7 of CJA's March 26, 1999 ethics complaint [Exhibit "E" to petitioner's moving affidavit in support of her July 28, 1999 omnibus motion]; pp. 8-10 of CJA's September 15, 1999 ethics complaint [Exhibit "G" to petitioner's September 24, 1999 reply affidavit]; pp. 1-3 of CJA's September 27, 1999 ethics complaint [Exhibit "J" to petitioner's November 5, 1999 letter to Justice Kapnick.

[2] The analyses are part of the record of *Elena Ruth Sassower v. Commission*: *see* Exhibit "A" to the verified petition for CJA's analysis of the fraudulent judicial decision in *Doris L. Sassower v. Commission* and Exhibit "D" to petitioner's December 9, 1999 letter to Justice Wetzel for CJA's analysis of the fraudulent judicial decision in *Michael Mantell v. Commission.*