

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

Doris L. Sassower, Director
Elena Ruth Sassower, Coordinator

DATE: November 6, 1998

TO: House Judiciary Committee:

Republican Majority: ATT: Tom Mooney, Chief of Staff/General Counsel;
Mitch Glazier, Chief Counsel, Courts Subcommittee;

Democratic Minority: ATT: Julian Epstein, Staff Director/Chief Counsel;
Perry Apelbaum, General Counsel;
Robert Raben, Counsel, Courts Subcommittee

U.S. Justice Department:

Lee Radek, Chief, Public Integrity Section/Criminal Division
Seth P. Waxman, Solicitor General

Administrative Office of the U.S. Courts

ATT: William Burchill, General Counsel

Jeffrey Barr, Assistant General Counsel

Commission on Structural Alternatives for the Federal Courts of Appeals

ATT: Byron White, Chairman

American Bar Association

ATT: Philip S. Anderson, President

Association of the Bar of the City of New York

ATT: Michael A. Cooper, President

RE: Your *continuing* ethical and professional obligations, based on the record-supported presentation in *Sassower v. Mangano, et al.*, S.Ct. #98-106

Enclosed is a copy of the petition for rehearing in *Sassower v. Mangano, et al.*, as well as the certificate of service filed with the U.S. Supreme Court, which specified that the rehearing petition would be mailed to each of you. The rehearing petition is being provided to enable you to meet your *continuing* ethical and professional duty to protect the public from unchecked judicial corruption that has wholly subverted the Constitution and anything resembling the rule of law. For that reason, you were each previously provided with a copy of the record in *Sassower v. Mangano*¹, the cert petition, and the supplemental brief.

¹ The copy of the record provided to the Justice Department's Public Integrity Section [SA-47] was also for use by the Solicitor General [SA-11]; supplemental brief, at p. 10.

The *sole* issue presented by the rehearing petition is the official misconduct of the Supreme Court Justices, rising to a level warranting their impeachment under the most stringent definition of impeachable offenses.

Four grounds for the Justices' impeachment are asserted in the rehearing petition:

- (1) their subversion of the Constitution by their October 5, 1998 summary denial of the *Sassower v. Mangano* cert petition -- with *no* disciplinary or criminal referral of the lower federal judges whose corruption was documented therein;
- (2) their subversion of "the principal disqualification statute in the federal system, 28 U.S.C. §455"², by their wilful failure to adjudicate petitioner's September 23, 1998 application thereunder for their disqualification [RA-6] -- although said statute applies to each Justice [A-3] -- and by their wilful failure to respond to petitioner's October 14, 1998 judicial misconduct complaint based thereon [RA-52];
- (3) their betrayal of their oath of office, requiring each Justice to "faithfully and impartially discharge and perform all duties incumbent upon [him] under the Constitution and laws of the United States" [RA-1]; and
- (4) their abuse of power by "lying to the American People" as to the federal judiciary's adherence to ethical codes and the adequacy of enforcing mechanisms to protect the public from judicial bias and corruption, among them, the federal judicial disqualification and disciplinary statutes [RA-35-48].

Additionally, as to Chief Justice Rehnquist, who also heads the Judicial Conference of the United States, there is a further ground for his impeachment. It rests on his complicity in the Judicial Conference's knowingly false and deceitful representations to the House Judiciary Committee as to the efficacy of the federal judicial disqualification and disciplinary statutes -- 28 U.S.C. §§144, 455, and 372(c) [A-2-5] -- most particularly by his wilful failure to ensure that the Judicial Conference retracted those representations when, by letter dated May 29, 1998 (Exhibit "A"), the true facts were brought to his *direct* attention³. Petitioner's *unadjudicated* September 23, 1998 application for the

² Characterization of Justice Kennedy, writing the dissenting opinion in *Liteky v. U.S.*, 510 U.S. 540, 557 (1994) -- in which three other Justices joined, including Justices Stevens and Souter.

³ U.S. Supreme Court Clerk William Suter personally accepted hand-delivery of CJA's May 29, 1998 letter for Chief Justice Rehnquist in his capacity as head of the Judicial Conference [SA-21; RA-11]. For the Chief Justice's convenience, copies of the essential documents referred to by the May 29th letter were enclosed therewith. These documents are reprinted in the appendix to the cert petition [A-] or in the appendix to the supplemental brief [SA-]. They are: CJA's March 10 and March 23, 1998 Memoranda to the House Judiciary Committee [A-295; A-

Justices' disqualification pursuant to §455 identified the Chief Justice's failure to take corrective steps as illustrating a pattern of cover-up by him of corruption in the lower federal judiciary [RA-11].

As set forth in the rehearing petition:

"Once Congress has concluded its impeachment deliberations as to the President, it will have the benefit of its newly-acquired expertise to turn its attention to the indisputably impeachable conduct of the federal judiciary." (at p. 10)

Consequently, the Center for Judicial Accountability (CJA) requests that the House Judiciary Committee deem this memorandum and enclosed rehearing petition an impeachment complaint against the Justices, individually and collectively -- and, particularly, should the Justices continue to disregard their constitutional, statutory, and ethical duty by denying the rehearing petition. Such impeachment complaint must be given top priority on the Committee's agenda since it presents "substantial and credible" evidence of corruption at the highest level of our federal judiciary, covering up pervasive corruption in the lower federal judiciary, which itself covers up state judicial corruption.

As to the lower federal judiciary's corruption, CJA long ago provided the House Judiciary Committee with *prima facie* proof. This may be seen from CJA's March 10 and March 23, 1998 Memoranda to the Committee [A-295; A-301], whose significance was highlighted by CJA's written statement for inclusion in the record of the Committee's June 11, 1998 "oversight hearing of the administration and operation of the federal judiciary" [SA-17].

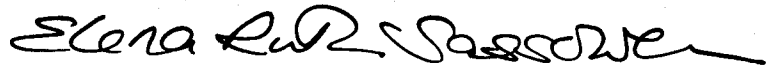
Finally, annexed hereto (Exhibit "B") is a copy of pages 121-123 from the 1993 Report of the National Commission on Judicial Discipline and Removal pertaining to the Supreme Court. Those pages were Exhibit "B" to petitioner's October 14, 1998 judicial misconduct complaint against the Justices [RA-52], but inadvertently omitted from the appendix to the rehearing petition.

Over and beyond the National Commission's recommendation therein that the Supreme Court adopt "policies and procedures for the filing and disposition of complaints against [its] Justices" (at p. 123) -- which the Court did not do -- is the Commission's expressed belief:

301]; CJA's published article, "*Without Merit: The Empty Promise of Judicial Discipline*", *The Long Term View*, (Massachusetts School of Law) Vol. 4, No. 1 (summer 1997) [A-207]; CJA's November 24, 1997 letter to Jeffrey Barr, Assistant General Counsel for the Administrative Office of the U.S. Courts [SA-79]; and CJA's April 24, 1998 testimony before the Commission on Structural Alternatives for the Federal Courts of Appeals [SA-29]. In addition, these documents -- including the May 29th letter itself [R-61-65] -- are contained in the evidentiary compendium to CJA's written statement to the House Judiciary Committee for inclusion in the record of its June 11, 1998 "oversight hearing of the administration and operation of the federal judiciary" -- a copy of which was "lodged" with the Clerk's office [RA-4; RA-20].

“that any publicly-made (non-frivolous) allegation of serious misconduct...against a Supreme Court Justice would receive intense scrutiny in the press and would come to the attention of the House Judiciary Committee.” (at p. 122).

CJA's next stop will be the press. By reason of the House Judiciary Committee's ongoing inquiry into whether the President has committed impeachable offenses -- a question which has filled the airwaves and been the stuff of countless articles and editorials in newspapers, magazines, and in the electronic media -- the press should be more sensitive than ever to both impeachment standards and the Committee's critical impeachment role.



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

Read and Approved by:



DORIS L. SASSOWER
Petitioner *pro se*, *Sassower v. Mangano, et al.*
Director, Center for Judicial Accountability, Inc.

Enclosures

cc: Justices of the United States Supreme Court
[Certified Mail/RRR: 471-036-400]
New York State Attorney General,
Counsel to *Sassower v. Mangano* respondents
and himself a respondent

No. 98-106
IN THE SUPREME COURT OF THE UNITED STATES
October Term 1997

-----X
DORIS L. SASSOWER,

Petitioner,

-against-

Hon. GUY MANGANO, PRESIDING JUSTICE
OF THE APPELLATE DIVISION, SECOND DEPARTMENT
OF THE SUPREME COURT OF THE STATE OF
NEW YORK, and the ASSOCIATE JUSTICES THEREOF,
GARY CASELLA and EDWARD SUMBER, Chief Counsel
and Chairman, respectively, of the GRIEVANCE
COMMITTEE FOR THE NINTH JUDICIAL DISTRICT,
GRIEVANCE COMMITTEE FOR THE NINTH JUDICIAL
DISTRICT, Does 1-20, being present members thereof,
MAX GALFUNT, being a Special Referee, and G. OLIVER
KOPPELL, Attorney General of the State of New York,
all in their official and personal capacities,

Respondents.
-----X

I, DORIS L. SASSOWER, hereby affirm and certify that on this 30th day of
October 1998, three copies of my Petition for Rehearing in the above-entitled matter were mailed,
first class postage prepaid, to counsel for Respondents:

Attorney General of the State of New York
120 Broadway
New York, New York 10271

I further affirm and certify that all parties required to be served have been served.

Additionally, copies of the Petition for Rehearing are being mailed, first-class, certified mail/return
receipt, to the following:

U.S. Solicitor General Seth P. Waxman
Room 5614
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530-0001
[Certified Mail/RRR: Z-471-036-391]

Lee Radek, Chief
Public Integrity Section, Criminal Division
U.S. Department of Justice
10th and Constitution Avenue, N.W.
Washington, D.C. 20530
[Certified Mail/RRR: Z-471-036-392]

Administrative Office of the U.S. Courts
ATT: William Burchill, General Counsel
Jeffrey Barr, Assistant General Counsel
One Columbus Circle, N.E.
Washington, D.C. 20544
[Certified Mail/RRR: Z-471-036-393]

House Judiciary Committee: Subcommittee on Courts and Intellectual Property
Republican Majority: ATT: Tom Mooney, Mitch Glazier, Counsel
B-351-A Rayburn Building
Washington, D.C. 20515
[Certified Mail/RRR: Z-471-036-394]
Democratic Minority: ATT: Perry Apelbaum, Robert Raben, Counsel
B-351-C Rayburn Building
Washington, D.C. 20515
[Certified Mail/RRR: Z-471-036-395]

Commission on Structural Alternatives for the Federal Courts of Appeals
ATT: Byron White, Chairman
One Columbus Circle, N.E.
Washington, D.C. 20544
[Certified Mail/RRR: Z-471-036-396]

American Bar Association
c/o President Philip S. Anderson
Williams & Anderson
111 Center Street, Suite 2200
Little Rock, Arkansas 72201
[Certified Mail/RRR: Z-471-036-397]

Association of the Bar of the City of New York
ATT: Michael Cooper, President
42 West 44th Street
New York, New York

[Certified Mail/RRR:Z-471-036-398]

A handwritten signature in cursive script, reading "Doris L. Sassower". The signature is written in black ink and is positioned above a horizontal line.

DORIS L. SASSOWER, Petitioner *Pro Se*
Member of the Supreme Court Bar
283 Soundview Avenue
White Plains, New York 10606
(914) 997-1677

Z 471 036 394

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.

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Sent to *House Judiciary Committee*

Republican: Moezy Glazov

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Washington D.C. 20515

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Return Receipt Showing to Whom, Date, & Addressee's Address

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Democratic: Perry Rosen

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B-351-C Rayburn Bldg

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Washington D.C. 20515

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Return Receipt Showing to Whom, Date, & Addressee's Address

TOTAL Postage & Fees \$ *4.84*

Postmark or Date

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Is your RETURN ADDRESS completed on the reverse side?

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- Complete items 3, 4a, and 4b.
- 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:
House Judiciary Committee
Republican members:
Att: Tom Moezy, Moezy Glazov
B-351-A Rayburn Bldg
Washington, DC
20515

4a. Article Number
2-471-036-394

4b. Service Type

Registered Certified

Express Mail Insured

Return Receipt for Merchandise COD

7. Date of Delivery
NOV 1 1995

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
X [Signature]

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

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1. Addressee's Address

2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
House Judiciary Committee
Democratic members:
Att: Perry Rosen, Robert Rosen
B-351-C Rayburn Bldg
Washington, D.C. 20515

4a. Article Number
2-471-036-395

4b. Service Type

Registered Certified

Express Mail Insured

Return Receipt for Merchandise COD

7. Date of Delivery
NOV 1 1995

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
X [Signature]

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

PS Form 3811, December 1994

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Thank you for using Return Receipt Service.

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US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to *Lee Radetk Chief*
Public Intenry Section

Street & Number *1024 Constitution Ave NW*

Post Office, State, & ZIP Code *Washington DC 20530*

Postage *2.39*

Certified Fee *1.35*

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing to Whom & Date Delivered

Return Receipt Showing to Whom, Date, & Addressee's Address *1.10*

TOTAL Postage & Fees *\$ 4.84*

Postmark or Date

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SENDER:

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- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Lee Radetk Chief
Public Intenry Section
DEPARTMENT OF JUSTICE
1024 Constitution Ave NW
Washington DC 20530

4a. Article Number

2-471-036-392

4b. Service Type

- Registered Certified
- Express Mail Insured
- Return Receipt for Merchandise COD

7. Date of Delivery

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

5. Received By: (Print Name)

1.12.94

6. Signature: (Addressee or Agent)

[Signature]

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No Insurance Coverage Provided.

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Sent to *US Solicitor General*
Seth Waxman

Street & Number *Room 5614*

Post Office, State, & ZIP Code *Washington DC 20530*

Postage *\$ 2.39*

Certified Fee *1.35*

Special Delivery Fee

Restricted Delivery Fee

Return Receipt Showing to Whom & Date Delivered

Return Receipt Showing to Whom, Date, & Addressee's Address *1.10*

TOTAL Postage & Fees *\$ 4.84*

Postmark or Date

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Washington DC 20530-0001

4a. Article Number

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- Express Mail Insured
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1.12.94

6. Signature: (Addressee or Agent)

[Signature]

PS Form 3811, December 1994

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Thank you for using Return Receipt Service.

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US Postal Service
Receipt for Certified Mail

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Sent to	Administrative Office
Street & Number	Att: Birchill Bldg 1 Columbus Circle NE
Post Office, State, & ZIP Code	Washington, D.C. 20544
Postage	\$ 239
Certified Fee	135
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	110
TOTAL Postage & Fees	\$ 484
Postmark or Date	

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

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Administrative Office of
the US Courts
Att: Birchill Bldg
1 Columbus Circle NE
Washington, D.C. 20544

4a. Article Number
Z-471-036-393

4b. Service Type

Registered Certified

Express Mail Insured

Return Receipt for Merchandise COD

7. Date of Delivery
11/2/98

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

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
X David Gray Jr.

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Domestic Return Receipt

Thank you for using Return Receipt Service.

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US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
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Sent to	Commission on the Federal Appellate Administrative
Street & Number	Att: Birch White 1 Columbus Circle NE
Post Office, State, & ZIP Code	Washington, DC 20544
Postage	\$ 239
Certified Fee	135
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	110
TOTAL Postage & Fees	\$ 484
Postmark or Date	

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- Restricted Delivery

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3. Article Addressed to:
Commission on
Structural Appellate
for the Federal Appellate
Att: Birch White Chairman
1 Columbus Circle NE
Washington, D.C. 20544

4a. Article Number
Z 471-036-396

4b. Service Type

Registered Certified

Express Mail Insured

Return Receipt for Merchandise COD

7. Date of Delivery
11/2/98

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

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
X David Gray Jr.

PS Form 3811, December 1994

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Thank you for using Return Receipt Service.

PS Form 3811, April 1995

PS Form 3800, April 1995

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US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to *President Anderson
American Bar Assoc.*

Street & Number *111 Center Street, Suite 200*
Post Office, State, & ZIP Code *Little Rock Arkansas 72201*

Postage \$ *2.35*

Certified Fee *1.35*

Special Delivery Fee

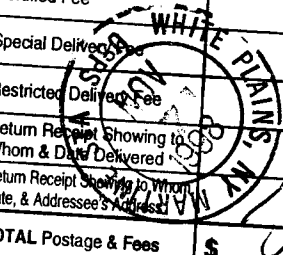
Restricted Delivery Fee

Return Receipt Showing to Whom & Date Delivered *1/10*

Return Receipt Showing to Whom, Date, & Addressee's Address

TOTAL Postage & Fees \$ *4.80*

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

- Addressee's Address
 - Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

*American Bar Assoc.
President Anderson
Williams & Anderson
111 Center Street, Suite
Little Rock, Arkansas 72201*

4a. Article Number

2-471-036-397

4b. Service Type

- Registered
- Express Mail
- Return Receipt for Merchandise
- Certified
- Insured
- COD

7. Date of Delivery

NOV 17 1994

5. Received By: (Print Name)

X May Clark

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

*111 Center Street, Suite 200
Little Rock, Arkansas 72201*

6. Signature: (Addressee or Agent)

X May Clark

PS Form 3811, December 1994

102595-98-B-0229

Domestic Return Receipt

Thank you for using Return Receipt Service.

Z 471 036 398

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to *Assoc of the Bar
of the City of NY: Attn: Michael*

Street & Number *42 West 44th Street*
Post Office, State, & ZIP Code *NY, NY*

Postage \$ *3.00*

Certified Fee *1.35*

Special Delivery Fee

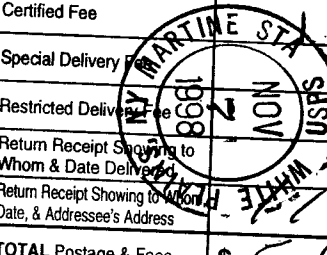
Restricted Delivery Fee

Return Receipt Showing to Whom & Date Delivered *1/10*

Return Receipt Showing to Whom, Date, & Addressee's Address

TOTAL Postage & Fees \$ *5.45*

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

- Addressee's Address
 - Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

*Association of the Bar
of the City of NY
Attn: Michael Cooper, Pres.
42 West 44th Street
NY, NY*

4a. Article Number

2-471-036-398

4b. Service Type

- Registered
- Express Mail
- Return Receipt for Merchandise
- Certified
- Insured
- COD

7. Date of Delivery

11-13-98

5. Received By: (Print Name)

X A Wright

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

*42 West 44th Street
NY, NY*

6. Signature: (Addressee or Agent)

X A Wright

PS Form 3811, December 1994

102595-98-B-0229

Domestic Return Receipt

Thank you for using Return Receipt Service.

PS Form 3800, April 1995

PS Form 3800, April 1995