

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Coordinator

BY HAND

April 18, 2001

Mary Jo White, U.S. Attorney for the Southern District of New York
One Saint Andrew's Plaza
New York, New York 10007

RE: Intervention by the U.S. Attorney in the appeal of *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. #108551/99; Appellate Division, First Dept.: Cal #2000-5434: September 2001 Term)

Dear Ms. White:

As you should know, your professional misconduct in connection with CJA's fact-specific, fully-documented October 21, 1999 criminal complaint/intervention request is the subject of a formal misconduct complaint against you which CJA filed with the U.S. Justice Department's Office of Professional Responsibility. For your convenience, a copy of that professional misconduct complaint, which CJA transmitted to you, certified mail/return receipt, under a March 23, 2001 coverletter, is enclosed.

The systemic governmental corruption, which was the subject of CJA's October 21, 1999 criminal complaint/intervention request, continues unabated. Reflecting this are the appellate submissions in the above-entitled Article 78 proceeding. My Appellant's Brief and Appendix summarize the corruption of the judicial process that occurred in Supreme Court/New York County – of which you have the full record, as CJA provided it to you in substantiation of its request for your intervention therein.

The Respondent's Brief, submitted by the State Attorney General, manifests how brazenly the appellate process is now being subverted. Notwithstanding the Attorney General does not deny or dispute *any* of the facts particularized by my Appellant's Brief, establishing heinous corruption – including a lower court

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decision which falsifies and fabricates the record in EVERY material respect -- he, nonetheless, opposes my appeal by fraud, deceit, and shameless legal positions. This is set forth in greater detail in my letter of today's date to the Attorney General -- a copy of which is also enclosed.

The Attorney General's subversion of the judicial process on the appellate level underscores the need for the U.S. Attorney's intervention on the appeal -- *if for no other reason than to ensure the integrity of the appellate process*. That the appellate process is susceptible to corruption may be seen from the Appellate Division, First Department's fraudulent decision in the related Article 78 proceeding *Michael Mantell v. New York State Commission on Judicial Conduct* (S. Ct. NY Co #108655/99; Appellate Division, First Dept. Cal #2000-3833).

You already have a copy of the record from Supreme Court/New York County in *Mantell v. Commission*, as CJA provided it to you in substantiation of its October 21, 1999 complaint/intervention request. Should you wish a copy of the appellate record in *Mantell v. Commission*, CJA will likewise transmit it to you. This includes a copy of the extensive motion I made therein for intervention and other relief. Meantime, enclosed is a copy of CJA's December 1, 2000 notice to the Attorney General and Commission, particularizing the fraud committed by the Appellate Division, First Department's five-sentence appellate decision in that case.

In view of your disqualifying conflict of interest, as particularized by CJA's October 21, 1999 criminal complaint/intervention request (at pp. 2-3, 19-20), your on-going duty is to ensure independent review of this request for the U.S. Attorney's intervention on the appeal. Pursuant to law, rules, and policy -- such as those itemized in CJA's March 23, 2001 misconduct complaint against you (at p. 2) -- your office should recuse itself and refer this intervention request -- as likewise the record of CJA's October 21, 1999 criminal complaint/intervention request -- to the Justice Department's Public Integrity Section of its Criminal Division.

Please do so without further delay.

Yours for a quality judiciary
and government integrity,

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

Enclosures

cc: Office of Professional Responsibility/U.S. Justice Department