

CENTER for JUDICIAL ACCOUNTABILITY, INC.*

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Elena Ruth Sassower, Director

BY HAND

March 23, 2009

Mayor Joseph M. Delfino
City of White Plains
255 Main Street
White Plains, New York 10601

RE: The Appointment Process by which White Plains Gets its City Court Judges:
On-the-Bench Corruption of White Plains City Court Judge Brian Hansbury,
Disqualifying Him from Reappointment upon Expiration of His Term

Dear Mayor Delfino:

Transmitted herewith is my self-explanatory March 20, 2009 letter to Corporation Counsel Edward Dunphy, to which you and the members of the White Plains Common Council are indicated recipients. Also transmitted is the referred-to substantiating casefile evidence of Judge Brian Hansbury's on-the-bench corruption, disqualifying him for reappointment as White Plains City Court Judge upon expiration of his term.

Such transmitted evidence is a copy of the record of the landlord-tenant case, *John McFadden v. Elena Sassower*, #SP-1502/07, that Judge Hansbury had before him when he rendered his October 11, 2007 and January 29, 2008 decisions & orders therein. These two decisions & orders – each judicial frauds – are each the subject of appeals I have perfected, presently pending before the Appellate Term of the Appellate Division, Second Department. Copies of the appeal briefs are also transmitted as they conveniently summarize the record and establish that my adversary has been unable to defend on appeal what Judge Hansbury did, either factually or legally.

As suggested by my letter to Mr. Dunphy (p. 2), I recommend that review begin with my November 9, 2007 order to show cause. It presented a 30-page analysis of Judge Hansbury's

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EX C

October 11, 2007 decision & order in support of vacatur thereof, whether upon his disqualification for demonstrated actual bias and interest or upon the granting of reargument and renewal. Judge Hansbury's response to this 30-page analysis was to recuse himself, without explanation, by his January 29, 2008 decision & order, but only after disposing of my motion by three sentences, stating:

“At the outset, the Court did review and consider respondent's answer with affirmative defenses/counterclaims in its original decision. Next, respondent's moving papers are supported by nothing more than conclusory and unsubstantiated assertions, falling short of the standards for a motion to reargue/renew, and offer no basis in fact or law for the disqualification of the undersigned Judge. The balance of respondent's motion is denied in its entirety.” (underlining added).

It takes no more than a few minutes' comparison of these three sentences with my November 9, 2007 order to show cause¹, including its memorandum of law exclusively addressed to the law relating to disqualification and disclosure, to establish the flagrant deceit of Judge Hansbury's January 29, 2008 decision & order – and that he is the most brazen of liars.

Copies of this letter, as likewise of my March 20, 2009 letter to Mr. Dunphy, are being furnished to Judge Hansbury – and to his co-conspiring, if not initiating, judicial partner, Senior City Court Judge Jo Ann Friia – with an invitation that they justify the October 11, 2007 and January 11, 2008 decisions & orders by which they colluded to deprive me of relief to which I was entitled, *as a matter of law* – with Judge Friia thereafter taking over for Judge Hansbury and engaging in further judicial fraud and lawlessness to wrongfully evict me from my home of 21 years – the subject of appeals presently being perfected. The underlying record and appeal papers are all conveniently available to them, posted on the Center for Judicial Accountability's website, www.judgewatch.org, accessible *via* the sidebar panel “Judicial Selection-State-NY”, which brings up a menu linking to a webpage entitled “Judicial Appointment Process to White Plains City Court – *Now Unfolding!*” from which the full City Court and Appellate Term record may be viewed.

I look forward to being interviewed by your Judicial Screening Committee – and answering any questions it may have about this dispositive case, not only requiring it to unequivocally reject Judge Hansbury's application for reappointment, but to refer him for disciplinary and criminal prosecution for corruption.

¹ In addition to the full copy of my November 9, 2007 order to show cause herein transmitted, a further copy – albeit without annexed exhibits and accompanying memorandum of law – is annexed as Exhibit C to my reply brief on my appeal of Judge Hansbury's October 11, 2007 decision & order [#2008-1433-WC].

Thank you.

Yours for a quality judiciary,



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

Enclosures

cc: White Plains Corporation Council Edward P. Dunphy
White Plains Common Council:
Council President Benjamin Boykin
Council Member Rita Z. Malmud
Council Member Glen Hockley
Council Member Milagros Lecuona
Council Member Thomas M. Roach
Council Member Dennis J. Power
White Plains City Court Judge Brian Hansbury
White Plains City Court Senior Judge Jo Ann Friia

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John McFadden v. Elena Sassower
White Plains City Court, #SP-1502/07

PLEADINGS

- (1) McFadden's Verified Petition, June 22, 2007
- (2) Sassower's Verified Answer with Affirmative Defenses & Counterclaims,
August 20, 2007

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Motion Papers Underlying Judge Hansbury's October 11, 2007 Decision & Order:

- (1) Sclafani's August 23, 2007 motion for default judgment or, alternatively, to dismiss Sassower's Affirmative Defenses & Counterclaims
- (2) Sassower's September 5, 2007 cross-motion, *inter alia*, for dismissal, summary judgment, costs/sanctions, & disciplinary/criminal referrals
- (3) Sclafani's September 5, 2007 affidavit: "Petitioner's Reply and Opposition to Cross-Motion"
- (4) Sassower's September 11, 2007 affidavit "in Reply to Petitioner's Opposition to her Cross-Motion"

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Motion Papers Underlying Judge Hansbury's January 29, 2008 Decision & Order:

- (1) Sassower's November 9, 2007 order to show cause to disqualify Judge Hansbury for demonstrated actual bias and interest, for disclosure, for reargument/renewal, etc. – with 30-page analysis of Judge Hansbury's October 11, 2007 decision & order (at pp. 5-35 of moving affidavit)
- (2) Sassower's accompanying November 8, 2007 memorandum of law
- (3) Sclafani's November 15, 2007 cross-motion "for re-argument and/or consolidation"
- (4) Sassower's November 26, 2007 affidavit "in opposition to Petitioner's Cross-Motion & in Further Support of Respondent's Motion Underlying her Order to Show Cause

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Appeal of Hansbury's October 11, 2007 Decision & Order
[Appellate Term #2008-1433-WC]:

- (1) Sassower's November 13, 2008 appellant's brief
- (2) Sclafani's January 9, 2009 brief
- (3) Sassower's March 6, 2009 reply brief

Appeal of Hansbury's January 29, 2008 Decision & Order
[Appellate Term #2008-1428-WC]:

- (1) Sassower's November 13, 2008 appellant's brief
- (2) Sclafani's January 9, 2009 brief
- (3) Sassower's February 2, 2009 reply brief

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