

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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March 6, 2023

TO: Attorney Grievance Committee for the First Judicial Department (AGC-1)
Chair Robert J. Anello, Esq.
Chair Abigail T. Reardon, Esq.

FROM: Elena Ruth Sassower, Director
Center for Judicial Accountability, Inc. (CJA)

RE: (1) Full Committee Reconsideration – AGC-1 Docket # 2022.2240 – CJA’s October 10, 2022 complaint against New York State Attorney General Letitia James for litigation fraud, born of conflicts of interest, in *CJA v. JCOPE, et al.*;
(2) Complaint against Chief Attorney Jorge Dopico for conflicts of interest and fraud;
(3) Demand for IMMEDIATE Oversight & Corrective Action by AGC-1 Members, including pursuant to Rule 8.3(a) of New York’s Rules of Professional Conduct.

Pursuant to §1240.7(e)(3) of the [Rules for Attorney Disciplinary Matters](#), I file this written request for full Committee reconsideration of my [October 10, 2022 complaint against New York State Attorney General Letitia James](#),¹ dumped by a [February 6, 2023 letter of Chief Attorney Jorge Dopico](#).

Chief Attorney Dopico’s letter replicates his fraudulent [December 30, 2021 letter](#) and fraudulent [January 28, 2022 letter](#) by which he dumped my [February 11, 2021 complaint against Attorney General James and Solicitor General Barbara Underwood](#).

Once again:

(1) contrary to the false impression created by his use of the words “we” and “our”, as in “We have completed our review of your complaint” and “we have concluded”, it is Chief Attorney Dopico who has dismissed my complaint, NOT the Committee ([§1240.7\(d\)\(1\)](#));

(2) contrary to his use of the word “Specifically”, there is NOTHING “specific” about his bald assertion: “there is an insufficient basis to find that Ms. James engaged in unethical conduct as alleged in your complaint” – the sole explanation his letter provides for why “no further investigation or action is warranted”;

¹ This hyperlink is to CJA’s webpage for the October 10, 2022 complaint, on which is posted this letter.

(3) contrary to his pretense that there is “insufficient basis to find that Ms. James engaged in unethical conduct”, the complaint furnishes the open-and-shut, *prima facie* EVIDENCE of the “unethical conduct” particularized by the complaint, its attachments, and supplied links.

As for Chief Attorney Dopico’s sentence:

“The Committee notes that you have filed essentially similar allegations previously with the Committee which were dismissed.”,

this reference is to the February 11, 2021 complaint against Attorney General James and Solicitor General Underwood – and the fraud committed by Chief Attorney Dopico and complicit AGC-1 attorney staff, to which I alerted you, repeatedly, beginning with [my January 27, 2022 letter](#) and [my February 23, 2022 letter](#), each requesting full Committee reconsideration and embodying complaints against Chief Attorney Dopico and his colluding staff attorneys, without response from you, was the subject of [my August 15, 2022 complaint against you](#), addressed to AGC-1 members.

The August 15, 2022 complaint, which was also against Chief Attorney Dopico’s other enablers, specified as AGC-1 Deputy Chief Attorney Angela Christmas, Appellate Division, First Department Deputy Clerk Margaret Sowah, OCA Inspector General Sherrill Spatz, and, potentially, AGC-1 Vice-Chairs Milton Williams, Jr. and Ricardo Oquendo, was dumped by [Chief Attorney Dopico in a January 20, 2023 letter](#) – to which I responded with a [February 1, 2023 request for full Committee reconsideration](#) addressed to AGC-1 members. It included a supplement to my October 10, 2022 complaint, the particulars of which were as follows:

“Finally, and by way of supplement to my unacknowledged and unresponded-to [October 10, 2022 complaint against Attorney General James](#) for her conflict-of-interest-driven litigation fraud in [CJA v. JCOPE, et al.](#) – to which my August 15, 2022 complaint, by its included July 21, 2022 e-mail to Chairs Anello and Reardon, first alerted you – the status of the lawsuit is as follows: On November 23, 2022, Supreme Court Justice Gandin rewarded Attorney General James’ flagrant violations of Executive Law §63.1 and litigation fraud by ‘throwing’ the case by a decision whose fraudulence, starting with its ‘protectionism’ of Attorney General James, a respondent representing herself and her fellow respondents, I chronicled by a 31-page single-spaced, ‘legal autopsy’/analysis in support of a December 16, 2022 reargument/vacatur motion (NYSCEF ##[121](#), [119](#), [120](#)). The response of Attorney General James’ ‘of counsel’ assistant attorney general, to whom I gave a consented-to two-week extension on the condition that he furnish the motion to his ‘superiors – starting at the top with respondent Attorney General James – so that appropriate, if way belated, steps are taken consistent with professional and ethical responsibilities’, was further litigation fraud by his opposition papers – the particulars of which I set forth by my January 19, 2023 reply affidavit (NYSCEF [#128](#)).

One need only read the FULLY-DOCUMENTED June 6, 2022 verified petition in [CJA v. JCOPE, et al.](#) to know that this state’s governance and its People are being

irreparably and catastrophically injured by Attorney General James' conflict-of-interest-driven litigation fraud – compounding and replicating what she and Solicitor General Underwood did in [CJA v. Cuomo, et al.](#), the subject of my February 11, 2021 complaint against them. Please, therefore, confirm, and as soon as possible, that you are opening an investigation of the October 10, 2022 complaint, for which, as is obvious from the litigation records of these two lawsuits, you have the open-and-shut, *prima facie* EVIDENCE not only of violations of New York's Code of Professional Conduct, but of its Penal Laws.” (hyperlinks, capitalization, and italics in the February 1, 2023 e-mail).

I received NO response to my February 1, 2023 reconsideration request. Instead, five days later, on February 6, 2023, I was sent Chief Attorney Dopico's letter² dumping the October 10, 2022 complaint, whose date it did not identify, not referencing the February 1, 2023 supplement, and not indicating you or AGC-1 members as *cc*'s.

Pursuant to §1240.7(e)(3), you have discretion, as the Committee's chairs, to refer this request for reconsideration of my October 10, 2022 complaint “to the full Committee, or a subcommittee thereof, for whatever action it deems appropriate”. You are plainly disqualified, by interest, from determining the reconsideration request. At issue is Chief Attorney Dopico's “green light” to Attorney General James to corrupt, on appeal, the judicial process in [CJA v. JCOPE, et al.](#),³ without consequence from AGC-1 – replicating his “green light” to Attorney General James and Solicitor General Underwood for [corrupting the appellate process in CJA v. Cuomo, et al.](#) – the subject of my

² Chief Attorney Dopico's February 6, 2023 letter was [e-mailed at 3:34 p.m.](#) by Administrative Assistant Celina Nelson without explanation as to [his February 6, 2022 letter](#) that she had [e-mailed at 11:04 a.m.](#), also entitled “Matter of Letitia A. James, Esq. - Docket No. 2022.2240”, materially differing by its second paragraph which read:

“Specifically, there is an insufficient basis for the Committee to make a prima facie finding that Ms. James' investigation of President Trump and his business dealings violated the New York Rules of Professional Conduct. The Committee notes that the underlying lawsuit filed by Ms. James is pending and appears to be proceeding toward a trial where the merits will be decided in the judicial process.”

³ TWO notices of appeal have been filed:

- (1) a December 16, 2022 notice of appeal from Justice Gandin's INDEFENSIBLE November 23, 2022 “decision, order and judgment” – annexing, as proof of the symbiotic fraud between him and the Attorney General, my 31-page, single-spaced “legal autopsy”/analysis thereof. ([NYSCEF #122](#));
- (2) a February 23, 2023 notice of appeal from Justice Gandin's INDEFENSIBLE February 15, 2023 decision and order denying petitioners' December 16, 2022 reargument/vacatur motion, also annexing, to substantiate the symbiotic fraud between Justice Gandin and the Attorney General, my “legal autopsy”/analysis of it ([NYSCEF #131](#)).

The Appellate Division, Third Department NYSCEF docket for the appeals, CV-23-0115, is [here](#).

February 11, 2021 complaint, whose fraudulent dumping by Chief Attorney Dopico you covered up and enabled – the subject of my August 15, 2022 complaint against you both.

As I stated in my January 27, 2022 and February 23, 2022 letters for full Committee reconsideration of Chief Attorney Dopico's dumping of my February 11, 2021 complaint, ALL AGC-1 members are responsible for the frauds perpetrated in the Committee's name. Therefore, I am *cc*'ing them on this now fourth written request for full Committee reconsideration, with a demand that they IMMEDIATELY discharge their professional responsibilities in this matter, including pursuant to [Rule 8.3\(a\) of New York's Rules of Professional Conduct](#), which you and they are charged with enforcing.⁴

TIME IS OF THE ESSENCE. As a result of the obliteration of ALL cognizable judicial process in *CJA v. JCOPE, et al.* by Attorney General James and Justice Gandin, which AGC-1 has enabled, ALL the unconstitutionality, fraud, and larcenies of the FY2022-23 state budget and of the ethics entities it funds are being repeated in the FY2023-24 state budget, now being enacted.

Please advise expeditiously, as I will otherwise be making application to appropriate supervisory authorities, starting with the Appellate Division, First Department which, pursuant to [§§1240.4 and 1240.5 of the Rules for Attorney Disciplinary Matters](#), appointed you, counsel, and staff to the First Department Attorney Grievance Committee.

I am available to answer questions, including under oath. Meantime, I ask that the foregoing be deemed as sworn by me as true under the penalties of perjury.

Thank you.

s/ELENA RUTH SASSOWER

cc: Members/First Department Attorney Grievance Committee
OCA Inspector General Sherrill Spatz

⁴ Rule 8.3(a), entitled "Reporting Professional Misconduct", quoted at page 7 of my January 27, 2022 reconsideration request, reads:

"A lawyer who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness or fitness as a lawyer shall report such knowledge to a tribunal or other authority empowered to investigate or act upon such violation."