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**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](mailto:judgewatch@aol.com)  
Web site: [www.judgewatch.org](http://www.judgewatch.org)

*Elena Ruth Sassower, Coordinator*

**BY HAND**

October 24, 2000

Chief Judge Judith Kaye  
230 Park Avenue, Suite 826  
New York, New York 10169-0007

RE: CJA's October 16, 2000 Report evaluating the Commission  
on Judicial Nomination's October 4, 2000 Report of  
Recommendees for the Court of Appeals

Dear Chief Judge Kaye:

Following up CJA's October 17<sup>th</sup> hand-delivery to your Chambers of a copy of CJA's October 16, 2000 Report, enclosed is a superseding copy of that Report. This superseding copy reflects changes set forth in CJA's October 18, 2000 memorandum to bar association recipients, faxed to them, as well as the New York State Commission on Judicial Nomination and the New York State Commission on Judicial Conduct on that date. For your convenience, a copy of that faxed memorandum is annexed as Exhibit "A"<sup>1</sup>.

Additionally enclosed are the substantiating evidentiary materials to CJA's October 16, 2000 Report *not* already in your possession. You already possess virtually all the substantiating evidentiary materials listed on the inventory to File Folder "A", annexed to the October 16, 2000 Report.

The substantiating materials for File Folder "A" to CJA's October 16, 2000 Report *not* already in your possession and herewith transmitted are Items #1, #2, and #3 from "CJA's additional correspondence with Commission on Judicial Conduct" consisting of CJA's May 17, 2000 letter to the Commission; CJA's June 26, 2000

<sup>1</sup> Page numbers on the superseding October 16, 2000 Report are also changed so that the prefatory text preceding the Table of Contents begins on page 1, rather than page 2. This text is now entitled "Introduction".

Ex "A-2"

letter to Chairman Salisbury, and Chairman Salibury's July 19, 2000 letter to CJA.

As for File Folder "B", you already possess all the substantiating evidentiary materials listed on the inventory annexed to CJA's October 16, 2000 Report. CJA's three 1994 facially-meritorious judicial misconduct complaints and the Commission's dismissal and acknowledgment letters are all annexed to the copy of the verified petition in *Doris L. Sassower v. Commission* (NY Co. #95-109141)<sup>2</sup>, which, together with that Article 78 file, was hand-delivered to your Chambers under CJA's March 3, 2000 letter to you. The remaining inventoried materials are part of the file of the Article 78 proceeding<sup>3</sup> *Elena Ruth Sassower v. Commission* (NY Co. #99-108551), a copy of which was also hand-delivered to your Chambers under CJA's March 3, 2000 letter to you. This includes all the materials listed under the inventory heading "Exchange of Correspondence".

The copies of these two Article 78 files, as likewise of the Article 78 proceeding *Mantell v. Commission* (NY Co. #99-108655) are, upon information and belief, in the possession of your Special Inspector General for Fiduciary Appointments,

<sup>2</sup> CJA's September 19, 1994 complaint is Exhibit "G" thereto; CJA's October 26, 1994 complaint is Exhibit "I", and CJA's December 5, 1994 complaint is Exhibit "J". The attachments to these complaints - which were not annexed to the verified petition in the Article 78 proceeding, but which were provided to the bar association recipients with free-standing copies of these three complaints, are available upon request. As for the Commission's September 28, 1994, November 4, 1994, and December 14, 1994 acknowledgment letters, these are Exhibits "K-5", "K-7", and "K-8" to the verified petition. The Commission's December 13, 1994 and January 24, 1995 dismissal letters are Exhibits "L-5" and "L-6" thereto.

<sup>3</sup> CJA's October 6, 1998 complaint is Exhibit "C-1" to the verified petition. The Commission's November 3, 1998 acknowledgment letter is Exhibit "D-2" and its December 23, 1998 dismissal letter is Exhibit "F-3".

As for CJA's "Exchange of Correspondence, etc.", most of the inventoried documents are annexed to Exhibit "G" to the verified petition. Thus, #1, CJA's May 6, 1997 fax coversheet to the Commission is Exhibit "E-1" thereto; #3, CJA's May 13, 1997 faxed letter to Chairman Berger is Exhibit "E-2" thereto; #5, CJA's April 17, 1996 letter to Gerald Stern, Administrator, Commission on Judicial Conduct is Exhibit "D-11" thereto; and #6, Mr. Stern's April 18, 1996 letter to CJA is Exhibit "D-12".

As for #2, CJA's May 5, 1996 memorandum to, *inter alia*, the Commission with annexed 3-page analysis, it is Exhibit "A" to the verified petition. As for #3, CJA's \$3,000 public interest ad, "Restraining 'Liars in the Courtroom' and on the Public Payroll" (NYLJ, 8/27/97, pp. 3-4), it is Exhibit "B" to the verified petition.

As for #7, it is CJA's July 28, 1999 Notice of Motion in the Article 78 proceeding. #8 is Exhibit "L" to my July 28, 1999 moving affidavit therein.

Sherrill Spatz. As she has failed to undertake *any* discernible follow-up to a July 11, 2000 interview I had with Bill Flanagan, an "auditor" working with her, these files should be retrieved by you so that you may finally discharge your mandatory duty to the People of this State to protect them from the systemic governmental corruption reflected by CJA's October 16, 2000 Report, involving the corruption of the New York State Commission on Judicial Conduct and New York State Commission on Judicial Nomination – state agencies responsible for safeguarding judicial integrity, to which you appoint members.

Yours for a quality judiciary,

  
ELENA RUTH SASSOWER, Coordinator  
Center for Judicial Accountability, Inc.

**Enclosures**

P.S. The final sentence on page 1 to CJA's October 16, 2000 Report refers to CJA's ongoing "massive correspondence" with public agencies and officers, particularly on the conflict of interest issues that have prevented investigation of the systemic governmental corruption chronicled by CJA's March 26, 1999 ethics complaint. You have already received much of this correspondence, as may be seen from the inventoried correspondence identified by CJA's March 17, 2000 and April 24, 2000 memoranda (Exhibits "B-1", and "B-2"). Enclosed is the balance, as inventoried herein:

To Mary Jo White, U.S. Attorney for the Southern District of NY:

- (1) CJA's August 9, 2000 letter
- (2) CJA's September 6, 2000 letter

To Loretta E. Lynch, U.S. Attorney for the Eastern District of NY:

- (1) CJA's August 14, 2000 letter
- (2) CJA's September 6, 2000 letter

To Attorney General Eliot Spitzer:

- (1) CJA's September 27, 2000 letter<sup>4</sup>

To the NYS Commission on Judicial Conduct:

- (1) CJA's September 25, 2000 letter
- (2) October 5, 2000 letter of Jean Savanyu, Commission Clerk

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<sup>4</sup> This copy corrects and supersedes the one I handed to you on the evening of September 27<sup>th</sup>, when we happened to cross paths on Central Park West.

**INVENTORY OF FILE FOLDER "A"**  
**IN OPPOSITION TO THE COMMISSION ON JUDICIAL  
NOMINATION'S RECOMMENDATION OF ADMINISTRATIVE  
JUDGE STEPHEN G. CRANE AS "WELL QUALIFIED" FOR  
APPOINTMENT TO THE NEW YORK COURT OF APPEALS**

**CJA's COMPLAINTS AGAINST ADMINISTRATIVE JUDGE CRANE:**

1. CJA's February 23, 2000 letter to Governor Pataki
2. CJA's February 25, 2000 memorandum to NYS Attorney General, Manhattan District Attorney, U.S Attorney for the Southern District of New York, and NYS Ethics Commission
3. CJA's March 3, 2000 letter to Chief Judge Judith Kaye
4. CJA's March 3, 2000 judicial misconduct complaint against Administrative Judge Crane, filed with NYS Commission on Judicial Conduct

**ARTICLE 78 FILE:**

Elena Sassower's December 2, 1999 letter to Administrative Judge Crane, accompanied by a copy of her December 2, 1999 letter to Acting Supreme Court Justice Wetzel

**CJA's ADDITIONAL CORRESPONDENCE WITH CHIEF JUDGE KAYE:**

1. CJA's April 18, 2000 letter to Chief Judge Kaye
2. CJA's June 30, 2000 letter to Chief Judge Kaye
3. CJA's August 3, 2000 judicial misconduct complaint against Chief Judge Kaye, filed with NYS Commission on Judicial Conduct

**CJA's ADDITIONAL CORRESPONDENCE WITH COMMISSION ON JUDICIAL CONDUCT:**

1. CJA's May 17, 2000 letter to the Commission on Judicial Conduct
2. CJA's June 26, 2000 letter to Eugene Salisbury, Chairman, Commission on Judicial Conduct
3. Chairman Salisbury's July 19, 2000 letter to CJA