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March 20, 2000

Ed McElhenney, Secretary
Office of Circuit Executive
United States Court of Appeals
Eleventh Circuit
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

RE: Petition for Review of Orders of Chief Judge Anderson Dismissing Judicial
Misconduct Complaints #00-0002, #00-0003, #00-0004, and #00-0005

Dear Mr. McElhenney:

This letter is in response to your four identical letters dated March 15, 2000, notifying me of the rejection of my petition for review of Chief Judge Anderson's four Orders dismissing the above-numbered judicial misconduct complaints. While I am perfectly willing to comply with the Eleventh Circuit's rules governing the filing of a petition for review, you do not cite any rules for the first two grounds for rejecting the petition, and, as to the third ground, you cite a rule, which, upon inspection, does not stand for the proposition for which you cite it. Consequently, before you put me through the burden and expense of revising the petition for review, I respectfully request that you provide the clarifying legal authority for the grounds of rejection.

As to the first ground, that the petition "identifies more than one case number," the original complaint, although filed with separate complaint forms, attached the identical complaint detailing the conduct of the four separate judges, acting in concert. All four of Chief Judge Anderson's dismissal Orders were identical, with the exception of the Order dismissing the complaint against Judge Collier, which added an additional ground. Where an objection to all four dismissal Orders is identical, plainly it is in the interest of judicial economy that it be stated succinctly in a single petition for review rather than in four repetitive, identical petitions.

As to the second ground, that the petition "identifies four judicial officers by name," the original complaint identifies the four judges by name. What possible objection could there be for identifying the judges by name in the petition for review when their names appear in the original complaint? Surely the Judicial Council cannot determine a petition for review without examining the original complaint.

As to the third ground, that the petition "has attached a group of exhibits which are not authorized by Rule 5(b)," I do not see where that rule bars me from including exhibits. It simply says that a petition for review shall be "in the form of a letter." Letters routinely contain attachments or enclosures. Would it be less objectionable if I refer to the documents as attachments or enclosures? I might point out that my complaint annexed Exhibits "A" and "B," and there was no objection. I see no reason why the petition for review could not likewise include exhibits, if necessarily referred

to as attachments or enclosures. Indeed, it is in the interest of the Judicial Council to have those documents supplied by me since otherwise it would have to independently obtain them either from the Judicial Conference or from law library research. This would require the Judicial Council to expend otherwise needless time and effort since it plainly could not evaluate the petition without examining the referred-to documents which are central to my arguments.

Needless to say, I am pleased that you are "authorized" to extend my due date for filing the petition for review. However, I trust that you are also "authorized" to extend the due date ten (10) days from your letter of clarification. With all due respect, I take particular exception to your second two grounds for rejecting my petition and would hope that a revised petition would, at very least, be able to include the names of the judges and the enclosed attachments.

I await your expeditious response.

Sincerely,

A handwritten signature in cursive script that reads "Alberta Davison".

Alberta Davison

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