

# 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

April 18, 2000

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

REC'D APR 18 2000  
for Hon. Judith S. Kaye  
AS

- RE:
- (1) Formal Misconduct Complaint against Michael Colodner, Counsel of the Unified Court System
  - (2) Request for Clarification of your Supervisory Power as Chief Judge and your Administrative and Disciplinary Responsibilities under §§100.3C and D of the Chief Administrator's Rules Governing Judicial Conduct

Dear Chief Judge Kaye:

This letter constitutes a formal misconduct complaint against Michael Colodner, Counsel of the Unified Court System. It follows up our telephone conversation on March 31<sup>st</sup>, in which I asked you to *personally* review Mr. Colodner's March 27, 2000 letter to CJA (Exhibit "A"), purporting to respond to CJA's March 3, 2000 letter to you.

It also follows up my two telephone messages for Mr. Colodner, left with his secretary, Joan O'Brien, on March 31<sup>st</sup> and April 7<sup>th</sup>, requesting to speak with him about his March 27th letter and further requesting that he forward CJA's March 3<sup>rd</sup> letter and the boxload of evidentiary materials it transmitted to Sherrill Spatz, Special Inspector General for Fiduciary Appointments, with whom I had already spoken<sup>1</sup>. Mr. Colodner has not returned either call or otherwise responded.

<sup>1</sup> Such evidentiary materials are critical for Ms. Spatz to review as they establish the corruption of the New York State Commission on Judicial Conduct – with which she is supposed to "work closely". As highlighted by CJA's March 3<sup>rd</sup> letter (at p. 2), "it is precisely because the Commission is corrupt that patronage in judicial appointments – long the subject of *facially-meritorious* judicial misconduct complaints, dismissed by the Commission *without investigation*

EX "C-1"

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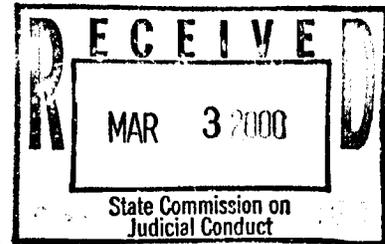
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Elena Ruth Sassower, Coordinator

BY HAND

March 3, 2000

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



- RE:
1. Meeting your Administrative and Disciplinary Responsibilities under §§100.3C and D of the Chief Administrator's Rules Governing Judicial Conduct;
  2. Designation of a Special Inspector General to Investigate the Corruption of the New York State Commission on Judicial Conduct.

Dear Chief Judge Kaye:

This letter calls upon you, as Chief Judge of the State of New York, to take steps to ensure that Supreme Court Justice Stephen G. Crane is demoted from his position as Administrative Judge of the Civil Term of the Manhattan Supreme Court and that both he and Acting Supreme Court Justice William A. Wetzel are removed from the bench and criminally prosecuted.

As set forth in the enclosed copy of CJA's February 23, 2000 letter to Governor Pataki – to which you are an indicated recipient<sup>1</sup> – Administrative Judge Crane and Justice Wetzel collusively used their judicial offices to subvert the judicial process in an important public interest Article 78 proceeding against the New York State Commission on Judicial Conduct to advance ulterior personal and political goals. Among these goals: to keep the Commission as the corrupt façade it is so as to deprive the public of its entitlement under Article VI, §22 of the New York State Constitution and Article 2-A of the Judiciary Law to a functioning disciplinary

<sup>1</sup> See, in particular, p. 32, fn. 58.

Rec'd f Chief Judge Kaye  
3/2/00  
[Signature]

EX "C-2"

**CENTER for JUDICIAL ACCOUNTABILITY, INC.**

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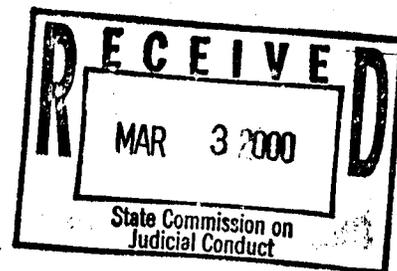
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*Elena Ruth Sassower, Coordinator*

BY HAND

March 3, 2000

New York State Commission on Judicial Conduct  
801 Second Avenue  
New York, New York 10017



ATT: Gerald Stern, Administrator and Counsel

RE: **Judicial misconduct complaint against Acting Supreme Court Justice William A. Wetzel and Administrative Judge Stephen G. Crane** for their official misconduct in *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. #99-108551)

Dear Mr. Stern:

This formal judicial misconduct complaint follows up CJA's February 7, 2000 notice to you and your counsel, the State Attorney General, of your ethical and professional duty to take corrective steps to protect the public from the wilful subversion of the judicial process in the above-entitled Article 78 proceeding by Acting Supreme Court Justice William Wetzel, aided and abetted by Administrative Judge Stephen Crane.

Such notice alerted you to the fact that Justice Wetzel had "thrown" that important case by a fraudulent judicial decision, "brazenly falsifying and fabricating the Article 78 record in EVERY material respect" and that Administrative Judge Crane, who had twice interfered with random assignment of the case, the second time to "steer" it to Justice Wetzel, had failed to respond to the Article 78 petitioner's request as to the basis for his having done so, including his awareness of the facts pertaining to Justice Wetzel's disqualification set forth in her December 2, 1999 application for his recusal.

*Rec'd by Cliff J. Key  
3/2/00*

*EX C-3*

Received by Manhattan DA  
CENTER for JUDICIAL ACCOUNTABILITY, INC.

- Anna Levine 2/25 4:20p

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Elena Ruth Sassower, Coordinator

**BY PRIORITY MAIL**  
**CERTIFIED/RRR Z-509-073-742**

February 23, 2000

Governor George Pataki  
The Capitol  
Albany, New York 12224

ATT: Nan Weiner, Executive Director  
New York State Judicial Screening Committees

RE: Opposition to Court of Claims Judge William A. Wetzel  
and Supreme Court Justice Stephen G. Crane

Dear Ms. Weiner:

The Center for Judicial Accountability, Inc. (CJA) strenuously opposes the Governor's consideration of Court of Claims Judge William A. Wetzel for reappointment to that or any other court. Judge Wetzel sits as an Acting Supreme Court Justice in New York County and is a "holdover", his appointive term having expired *more than seven and a half months ago*.

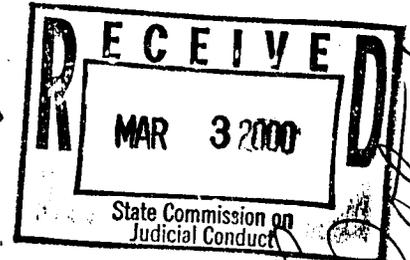
CJA also strenuously opposes the Governor's consideration of Supreme Court Justice Stephen G. Crane for designation to the Appellate Division. Presently, Justice Crane is also Administrative Judge of the Civil Term of the Manhattan Supreme Court.

CJA's opposition, of which you were notified as early as January 13, 2000, with a follow-up letter on February 7, 1999 (Exhibit "A"), is based on *direct, first-hand* experience with both these judges in cases that were before them. Each judge has demonstrated his unfitness by disregard for principles of judicial impartiality and conflict-of-interest, disrespect for the rule of law and fundamental adjudicative standards, and by a readiness to render fraudulent judicial decisions for ulterior personal and political gain. This is documented by the files of those cases --

EX "C-4"

Rec'd For Chief Judge  
Mark...  
3/3/00

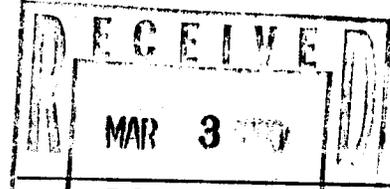
PART-50E FEB 25 2000



Received this date 2/25/00 3:00pm  
for the Attorney General - A. Pataki

Received by Manhattan DA - Anna Levine

2/25 4pm



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PART-50E FEB 25 2000

TO: NEW YORK STATE ATTORNEY GENERAL  
NEW YORK DISTRICT ATTORNEY  
U.S. ATTORNEY/SOUTHERN DISTRICT OF NEW YORK  
NEW YORK STATE ETHICS COMMISSION

FROM: ELENA RUTH SASSOWER, COORDINATOR

RE: *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. #99-108551)*

DATE: FEBRUARY 25, 2000

As predicted, the above-entitled Article 78 proceeding has become the third proceeding against the Commission on Judicial Conduct to be "thrown" by a fraudulent judicial decision of the Supreme Court/New York County in the past five years.

This, because each of you -- public agencies and officers charged with the duty of protecting the public -- refused to respect fundamental conflict of interest rules so as to permit independent evaluation of the *public's right to your intervention* in the proceeding, *as well as to investigation* of CJA's ethics and criminal complaints based on all three proceedings. The facts pertaining to your conflict of interest are detailed in those complaints<sup>1</sup> -- to which each of you has refused to respond.

<sup>1</sup> As for the conflict of interest of Attorney General Eliot Spitzer personally, see, *inter alia*, ¶¶ 8, 40-53 of petitioner's moving affidavit in support of her July 28, 1999 omnibus motion and Exhibit "A" to her September 24, 1999 reply affidavit and pp. 3-11 of her September 24, 1999 reply memorandum of law.

As for the conflict of interest of the Manhattan District Attorney, see, *inter alia*, pp. 5-7 of CJA's October 21, 1999 criminal complaint to the Manhattan D.A. [Exhibit "G" to petitioner's November 5, 1999 letter to Justice Kapnick];

As for the conflict of interest of the U.S. Attorney/Southern District of NY, see, *inter alia*, pp. 2-3, 18-20 of CJA's October 21, 1999 criminal complaint to the U.S. Attorney for the Southern District of NY [Exhibit "H" to petitioner's November 5, 1999 letter to Justice Kapnick].

50/100  
2/25/00

2/25/00

Received this date  
for the Attorney General  
A. Peter

EX "C-5"

Rec'd by Chief Justice  
2/3/00  
for the Attorney General