

From: judgewatchers@aol.com

To: Dahlia.Lithwick@slate.com; tmauro@alm.com

Subject: Boumediene -- It's Not Just about Guantanamo Bay Detainees

Date: Fri, 12 Oct 2007 5:45 pm

Attachments: 9-21-07-ltr-suter.pdf (1793K)

Dear Dahlia & Tony,

Are you familiar with Chief Justice Robert's extraordinary April 26, 2007 opinion -- as Circuit Justice -- in the *Boumediene* case, 127 S.Ct. 1725? I've made an October 9th motion to the Chief Justice requesting that he clarify it -- and challenging the (invidious) use to which it is being put, in my "disruption of Congress" case, by the Clerk's Office.

The motion additionally seeks recall/vacatur of the Court's October 1, 2007 order denying my petition for a writ of certiorari, based on the misconduct of the Clerk's Office in connection with my prior motion to compel the Solicitor General's response to the cert petition.

Please read this latest motion -- whose footnote 5 cites your coverage of the Chief Justices' September 19th speech in Syracuse on judicial independence and the First Amendment. It is posted on CJA's website, www.judgewatch.org, most conveniently accessible *via* the top panel "Latest News".

I'll be in touch next week.

Thanks.

Elena

-----Original Message-----

From: judgewatchers@aol.com

To: Dahlia.Lithwick@slate.com; tmauro@alm.com

Cc: tschoenberg@alm.com; mmcquilken@alm.com

Sent: Fri, 21 Sep 2007 4:51 pm

Subject: A Law Unto Itself -- The U.S. Supreme Court Clerk's Office

Dear Dahlia,

Following up our extensive phone conversation earlier today, for which I sincerely thank you,

& Dear Tony,

Following up my voice mail message for your a short while ago and previous e-mails, as to which I am hopeful,

attached is my letter of today's date to Supreme Court Clerk William K. Suter, summarizing the lawless, unprofessional conduct of the Supreme Court Clerk's Office -- prejudicing the "disruption of Congress" case, calendared for conference this Monday, September 24th.

The letter will enable you to put some "sunshine" into the operations of our nation's highest Clerk's Office -- and into the frequency and significance of the Solicitor General's waivers of the Government's "right to file a response" to cert petitions in criminal cases.

To quote Chief Justice Roberts, "Don't blow it".

Regards.

Elena

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