

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.*

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Elena Ruth Sassower, Director

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November 14, 2007

Chief Justice John G. Roberts
United States Supreme Court
1 First Street, N.E.
Washington, D.C. 20543

RE: Misconduct Complaint against U.S. Supreme Court Clerk William K. Suter &
His Staff – Now Expanded by a Misconduct Complaint against the Court’s Counsel
Scott S. Harris: Docket #07-228: Elena Ruth Sassower v. United States of America

Dear Chief Justice Roberts:

This follows up and supplements my October 26, 2007 misconduct complaint against U.S. Supreme Court Clerk William K. Suter and his staff, addressed to you “in your administrative capacity, as you bear ultimate supervisory oversight responsibilities over Mr. Suter and how the Supreme Court Clerk’s Office operates.”

Yesterday, I received a three-sentence November 6, 2007 letter from the Court’s Legal Office, signed by Counsel Scott S. Harris, to which I cannot imagine you would approve.

Conspicuously, the letter – which does not identify my October 26, 2007 complaint as having been addressed to you and does not identify that you referred it to the Legal Office – also does not indicate that you were being furnished a copy of the letter.

I am, therefore, annexing a copy to support my initiation of a misconduct complaint against Mr. Harris for his deceitful cover-up of my serious and substantial complaint against Mr. Suter and his staff. Such new complaint is directly within your purview: the Legal Office “owe[s] [its] existence to the Chief Justice’s general authority as Court manager” and was “created by the Chief Justice to assist in carrying out administrative needs of the Court”, 22 Moore’s Federal Practice, Civil §401.07[2].

* The **Center for Judicial Accountability, Inc.** (CJA) is a national, non-partisan, non-profit citizens’ organization dedicated to ensuring that the processes of judicial selection and discipline are effective and meaningful.

I draw your attention to the second sentence of Mr. Harris' letter, baldly purporting:

“The actions taken by the Clerk’s Office in this matter have been consistent with Court rules and policies.”

Such claim by Mr. Harris is without identifying which “Court rules and policies” he is talking about. Not even Mr. Suter had the temerity to purport “consisten[cy] with Court rules and policies”. Rather, as chronicled by my October 26, 2007 complaint, Mr. Suter wholly ignored my requests that he justify the actions of the Clerk’s Office with respect to my decisive September 17, 2007 and October 9, 2007 motions, shown to be invidious and “protective” of the Government in shielding it from accountability. Indeed – and by way of supplement to my October 26, 2007 complaint – I have yet to receive any response from Mr. Suter to my October 26, 2007 letter to him, which accompanied and substantiated the complaint. No “Court rules and policies” could possibly permit the indecent, unprofessional behavior particularized by that October 26, 2007 letter and by my October 9, 2007 motion, with its annexed September 21, 2007 letter to Mr. Suter, also unresponded-to by him.

As for Mr. Harris' imperious third and final sentence:

“No response will be provided to future correspondence on these issues.”,

it slams the door to what Mr. Harris knew would be my responding request that he specify the “Court rules and policies” to which he was referring and that he do so in the context of the facts, law, and legal argument presented by the documents substantiating my complaint, *to wit*, my undocketed and unreturned October 9, 2007 motion, which disappeared in the Clerk’s Office as if in “a black hole”, and my unresponded-to October 26, 2007 letter to Mr. Suter.

I would further note that upon receipt of Mr. Harris' letter yesterday, I telephoned the Court’s Legal Office (2:42 p.m.) to clarify whether a copy had been provided to you. I spoke with Tanya Powell, who told me that Mr. Harris was on the phone, but would call me back. I received no return call.

Please advise as to whether you endorse and approve of Mr. Harris' handling of my October 26, 2007 complaint against Mr. Suter and his Clerk’s Office staff and, if not, what steps you will take consistent with the “guidance”¹ of Canon 3B(2) of the Code of Conduct for United States Judges, which binds all other federal judges:

“A judge should require court officials, staff, and others subject to the judge’s direction and control, to observe the same standards of fidelity and diligence applicable to the judge.”

¹ Report of the National Commission on Judicial Discipline and Removal, p. 122 (1993).

Finally, inasmuch as the Associate Justices also share responsibility for the proper functioning of the Court's Clerk's Office and Legal Office, I respectfully request that the enclosed eight copies of this letter be distributed to them. Such is additionally germane to their consideration of my October 26, 2007 petition for rehearing, whose first section is based on the same misconduct by Mr. Suter and his staff as is the subject of my October 26, 2007 complaint. The rehearing petition is on the Court's conference calendar for this Tuesday, November 20, 2007.

Thank you.

Yours for a quality judiciary,



ELENA RUTH SASSOWER
Petitioner *Pro Se*

Enclosures

cc: Supreme Court Counsel Scott S. Harris
Supreme Court Clerk William K. Suter
The Supreme Court Associate Justices
United States Solicitor General Paul D. Clement

Supreme Court of the United States
Washington, D. C. 20543

THE LEGAL OFFICE

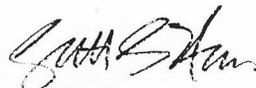
November 6, 2007

Elena Ruth Sassower
Center for Judicial Accountability
P.O. Box 8220
White Plains, New York 10602

Dear Ms. Sassower:

Your October 26, 2007, complaint against Clerk William Suter and other employees of the Supreme Court Clerk's Office has been referred to this office. The actions taken by the Clerk's Office in this matter have been consistent with Court rules and policies. No response will be provided to future correspondence on these issues.

Very truly yours,



Scott S. Harris
Counsel