

[Appellant's Appendix: 104-105]

**Petitioner's May 21, 2003 memo to U.S. Senate Judiciary Committee Chairman Orrin Hatch & Ranking Member Patrick Leahy (enclosure to petitioner's May 21, 2003 fax to Capitol Police)**

**EMERGENCY ATTENTION REQUIRED:**

**May 22, 2003 Senate Judiciary Committee Hearing on the Confirmation of New York Court of Appeals Judge Richard C. Wesley to the Second Circuit Court of Appeals**

DATE: May 21, 2003

TO: Senator Orrin G. Hatch, Chairman,  
U.S. Senate Judiciary Committee  
By Fax: 202-224-6331/ 202-224-9102  
[15 pages]  
By E-Mail: senator\_hatch@hatch.senate.gov  
swen\_prior@judiciary.senate.gov

Senator Patrick Leahy, Ranking Member,  
U.S. Senate Judiciary Committee  
By Fax: 202-224-9516 [15 pages]  
By E-Mail: senator\_leahy@leahy.senate.gov  
rachel\_arfa@judiciary.senate.gov

FROM: Elena Ruth Sassower, Coordinator  
Center for Judicial Accountability, Inc. (CJA)

RE: CJA's request to testify in opposition at the May 22, 2003 hearing on Judge Wesley's confirmation, based on its March 26, 2003 written statement, particularizing the case file evidence ESTABLISHING his corrupt, self-interested, politically-motivated conduct as a New York's Court of Appeals judge, causing on-going and irreparable injury to the People of New York

Enclosed is CJA's letter of today's date to Home-State Senator Schumer, to which you are indicated recipients.

I do NOT wish to be arrested tomorrow for simply exercising a citizen's right in a democracy to peaceably and publicly request to testify in opposition – in the event the presiding chairman at tomorrow's public hearing to confirm Judge Wesley to a [p. 2] "lifetime" Circuit Court of Appeals judgeship does not himself inquire – as had previously been done – "if anyone in the room wish[es] to speak on behalf of or against the nominee". [see fn. 1 of CJA's enclosed letter].

Further, I request that Capitol Police be instructed NOT to arrest me for peaceably and publicly requesting to testify in opposition -- unless the presiding chairman publicly calls for them to arrest me in response [see fn. 2 of CJA's enclosed letter and text on page 2].

Thank you.

s/ Elena Ruth Sassower

Enclosure

cc: President George W. Bush  
Senator Charles E. Schumer  
Senator Hillary Rodham Clinton  
New York Court of Appeals Judge  
Richard C. Wesley  
P. Kevin Castel, Esq.  
Capitol Police Detective Zimmerman  
The Press