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BY FAX: 202-457-0718 (20 pages) & E-MAIL  
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Legal Times/Tom Schoenberg

Dear Tom,

This follows up our phone conversation this morning, which concluded with your hanging up on me. Such was wholly unnecessary.

As the Legal Times reporter covering D.C. Superior Court, I object to your writing a story based on characterizations, NOT case file evidence. As you know, on March 22<sup>nd</sup>, I delivered a copy of ALL motion papers in the case to Jonathan Groner, Editor-at-Large, because you were not there to personally receive them. Such transmittal was so that you could *independently verify* the complete obliteration of any cognizable "judicial process" in the D.C. Superior Court – most dramatically, by Judge Brian Holeman, but also prior thereto by Senior Judges Stephen Eilperin, Mary Ellen Abrecht, and Stephen Milliken.

The factual particulars pertaining as to their trashing of "the rule of law" are presented by my February 23<sup>rd</sup> motion for Judge Holeman's disqualification and my March 22<sup>nd</sup> motion to vacate his orders – the latter chronicling the complicity of the highest supervisory echelons at the Superior Court, including Chief Judge Rufus King III. From your comments to me, it does not appear you have read these motions – and you must immediately do so. Likewise, you must read my April 6<sup>th</sup> mandamus petition against Judge Holeman, which I gave you, *in hand*, on Tuesday – just hours after I served it on Judge Holeman and the U.S. Attorney and filed it in the D.C. Court of Appeals. Without reading these documents, you cannot do a proper story. NO WAY.

It seemed that my words fell on "deaf ears" as I tried to explain that Legal Times readers should be enormously interested in, and concerned about, how Judge Holeman – a "merit selected" appointee to the D.C. bench – has been conducting himself *at the outset of his judicial career* in an important, politically-explosive case involving fundamental citizen rights. Mandamus proceedings are a rarity – and the Legal Times should embrace the opportunity to educate its readership as to what they are about – and how they are handled. As set forth in my April 6<sup>th</sup> motion to the D.C. Court of Appeals for a stay pending determination of the mandamus petition – whose precise words I read you on Tuesday – it appears that my mandamus petition is one of "first impression".

Coverage of this groundbreaking mandamus proceeding – including the question of law I raised for certification, *to wit*, whether D.C. Code 10-503.18 entitles me to venue of this case in the U.S. District Court for the District of Columbia – should take precedence over any

detailed coverage of the criminal charge against me, whose facts and circumstances will unfold at the trial.

Suffice to say – but as remains to be verified by you -- the criminal charge against me for “disruption of Congress” is *unprecedented*. I would happily give you the specifics, but Judge Holeman has denied me the discovery to which my October 30, 2003 motion to enforce my discovery rights and the prosecution’s disclosure obligations entitled me. In the event you have NOT examined that decisive motion – and I believe you have not -- you must also do so immediately. For your convenience, enclosed is my August 12, 2003 First Discovery Demand on which it rests, whose item #1 was for:

“Any and all records of arrests by Capitol Police of members of the public for requesting to testify in opposition to confirmation of federal judicial nominees at Senate Judiciary Committee hearings – particularly where the arrestee was charged with ‘disruption of Congress’ (10 D.C. Code Section 503.16(b)(4))”.

Also enclosed are pages 7-20 of that motion, detailing, based on documentary proof,

“the true facts of my arrest, namely, that it was, “an unprecedented response by Capitol Police to entirely proper conduct by me, orchestrated by, and in concert with, New York Home-State Senators Hillary Rodham Clinton and Charles E. Schumer, as well as the Senate Judiciary Committee, in advance of the ‘hearing’, for which Officer Jennings was the ‘cover’.” (at p. 8 underlining in the original).

If you want to understand how my 1996 arrest for “disorderly conduct” fits into this picture – *to wit*, the September 22, 1996 police misconduct complaint I filed against the officers involved, including Sergeant Bignotti, who, on May 22, 2003, was single-handedly responsible for hauling me out of the Senate Judiciary Committee room and arresting me for “disruption of Congress” – it is set forth at pages 19-20. As for the police misconduct complaint, providing “chapter and verse” as to the facts and circumstances pertaining to my 1996 arrest, a full copy is annexed to my October 30<sup>th</sup> motion as Exhibit “M” – with its February 18, 1997 dismissal by then Capitol Police Chief Gary Abrecht – husband of Judge Mary Ellen Abrecht – annexed as Exhibit “N-1”.

Please feel free to call me with any questions you have. This is a profoundly important story – which, sooner or later, whether by you or another reporter, will make MAJOR news and generate the long-overdue, non-partisan, good-government reforms outlined by my June 16, 2003 memo to Ralph Nader, Public Citizen & Common Cause. So that Legal Times readers may see this for themselves, I respectfully request that your story identify the “Paper Trail” of primary source materials on the homepage of our website, [www.judgewatch.org](http://www.judgewatch.org), for their inspection. Thank you.