

CENTER for JUDICIAL ACCOUNTABILITY, INC.

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Elena Ruth Sassower, Coordinator

BY HAND

January 29, 2001

Alan Rothstein, Counsel
Association of the Bar of the City of New York
42 West 44th Street
New York, New York 10036-6689

RE: *Amicus* and other assistance in the appeal of the public interest Article 78 proceeding, *Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc., acting pro bono publico, against Commission on Judicial Conduct of the State of New York* (NY Co. #108551/99; Appellate Division, First Dept. Cal #2000-5434)

Dear Mr. Rothstein:

Following up our January 24th phone conversation, this is to request the City Bar's *amicus* and other assistance in the above-entitled *now perfected* appeal against the New York State Commission on Judicial Conduct, sued for corruption.

Examination of my enclosed Appellant's Brief and Appendix by the relevant City Bar committees¹ will convince them that the Commission has NO legitimate defense to this appeal – and that the *only* way it can survive is if the Appellate Division, First Department fashions a factually fabricated, legally insupportable decision -- as it did last November in deciding the appeal of *Michael Mantell v. New York State Commission on Judicial Conduct* (NY Co. #108655/99, Appellate Division, First Dept. Cal. #2000-3833)².

¹ Please advise the relevant City Bar committees that the City Bar has in its possession a copy of the lower court record, including the lower court record of the incorporated cases *Doris L. Sassower v. Commission on Judicial Conduct of the State of New York* (NY Co. 109141/95) and *Michael Mantell v. New York State Commission on Judicial Conduct* (NY Co. #108655/99).

² The lower court decision in *Mantell v. Commission* appears at 299-307 of the Appendix, with CJA's analysis thereof appearing at 321-334.

A copy of the Appellate Division's decision in *Mantell v. Commission*, as reported by the November 20, 2000 New York Law Journal, is enclosed, annexed to CJA's December 1, 2000 memorandum to the Commission and its attorney, the State Attorney General, calling upon them to move to vacate that decision for fraud.

As discussed, the status of the instant appeal is that the Attorney General requested additional time to respond to my Appellant's Brief. The January 11th stipulation I signed, giving the Attorney General until March 23rd and myself until April 27th, puts the appeal over to the June term. A copy of the stipulation is enclosed. Also enclosed is my January 10th letter to Attorney General Spitzer, calling upon him to disavow his representation of the Commission and to join in support of the appeal and in a motion to ensure that it is heard by a fair and impartial tribunal. Additionally, enclosed is my January 11th letter transmitting my faxed signature on the stipulation.

Please advise the relevant City Bar committees that I would appreciate the opportunity to personally discuss this important appeal with them.

Thank you.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability, Inc. (CJA)

Enclosures:

As indicated, plus CJA's informational brochure