

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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BY HAND

February 24, 2000

Judge Bertram R. Gelfand
123 Main Street
White Plains, New York 10601

RE: *Elena Ruth Sassower, Coordinator of the Center for Judicial Accountability, Inc., acting pro bono publico v. Commission on Judicial Conduct of the State of New York (NY Co. #99-108551)*

Dear Judge Gelfand:

Enclosed is a copy of CJA's February 23, 2000 letter to Governor Pataki – to which you are an indicated recipient. This, because the letter refers to (at footnotes 11 and 56) your important statement at the City Bar's May 14, 1997 hearing on judicial conduct and discipline. Indeed, the letter annexes a full copy of your statement as Exhibit "D".

Pages 15-29 contain an analysis of Justice Wetzel's fraudulent January 31, 2000 decision dismissing my Article 78 proceeding. IF, after you read it, you disagree that the word "fraudulent" is an appropriate description of the decision, please let me know.

To assist in your evaluation, transmitted herewith is the balance of the Article 78 file, not delivered to you on February 10th and 11th. It consists of the recusal correspondence and Justice Wetzel's decision. In the event you have not yet seen today's Law Journal, the decision is cited as one "of special interest" on its front-page, summarized on its second front-page, and reprinted in full at page 30.

Yours for a quality judiciary,



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

Enclosures

File of the Article 78 proceeding: E.R. Sassower v. Commission (NY Co. #99-108551)

1. **Petitioner's Notice of Right to Seek Intervention, Notice of Petition, and Verified Petition (April 22, 1999)**
2. **Attorney General's Affirmation (Carolyn Cairnes Olson) in Support of Respondent's Application Pursuant to CPLR §3012(d) (May 17, 1999)**
3. **Attorney General's Dismissal Motion (May 24, 1999), consisting of:**
 - (a) **Notice of Motion, with Affirmation of Assistant Attorney General Michael Kennedy and Affidavit of Albert Lawrence, Clerk of the Commission on Judicial Conduct;**
 - (b) **Memorandum of Law in Support of Motion to Dismiss, signed by Assistant Attorney General Carolyn Cairns Olson**
4. **Petitioner's Omnibus Motion (July 28, 1999), consisting of:**
 - (a) **Notice of Motion, with Affidavit of Petitioner and Affidavit of Doris L. Sassower, CJA's Director;**
 - (b) **Memorandum of Law in Opposition to Respondent's Dismissal Motion & in Support of Petitioner's Motion for Disqualification of the Attorney General, Sanctions, a Default Judgment, and Other Relief**

[w/o freestanding File Folders: see inventory annexed to Petitioner's Affidavit]
5. **Attorney General's Reply Memorandum in Further Support of a Motion to Dismiss and in Opposition to Petitioner's Motion for "Omnibus Relief", signed by Assistant Attorney General Carolyn Cairns Olson (August 13, 1999)**
6. **Petitioner's Papers in Reply and in Further Support of her Omnibus Motion (September 24, 1999), consisting of:**
 - (a) **Petitioner's Reply Affidavit**
 - (b) **Petitioner's Reply Memorandum of Law**
7. **Petitioner's November 5, 1999 letter to Acting Supreme Court Justice Barbara Kapnick**
8. **Petitioner's December 2, 1999 letter to Acting Supreme Court Justice William Wetzel**
9. **Petitioner's December 2, 1999 letter to Administrative Judge Stephen Crane**
10. **Petitioner's December 9, 1999 letter to Acting Supreme Court Justice William Wetzel**
[w/o file of Article 78 proceeding, *Mantell v. Commission* (NY Co. #99-108655)]
11. **Petitioner's December 17, 1999 letter to Acting Supreme Court Justice William Wetzel**
12. **Decision/Order of Acting Supreme Court Justice William Wetzel, dated January 31, 2000**