

CENTER *for* JUDICIAL ACCOUNTABILITY, INC.

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August 6, 2026

TO: Second Circuit Court of Appeals Case Management Team

FROM: Elena Sassower, Petitioner *Pro Se*

RE: Docket Tampering & Invidious, Selective Treatment
Was petitioners' July 30th letter to Clerk O'Hagan Wolfe forwarded to her &, by her, furnished to Chief Judge Lohier?
Docket #26-1905 – Mandamus Proceeding:

In re CENTER FOR JUDICIAL ACCOUNTABILITY, Inc.
and ELENA RUTH SASSOWER, individually and
as director of the Center for Judicial Accountability, Inc.,
*acting on their own behalf and on behalf of the People
of the State of New York & the Public Interest*

Please advise as to who is responsible for [the docketing decisions and entries that I discovered on August 4th](#) and discussed, from 2:57 pm to 3:14 pm, with Lhamo Tsering, who answered the phone when I called the number printed at the bottom of the [July 31st "NOTICE OF DEFECTIVE FILING"](#), docket #14, pertaining to my ["2nd Affidavit in Further Support of Mandamus & Other Relief"](#), docket #12, whose previously-live hyperlink had been removed – a conversation that started with docket #15, having no hyperlink, whose bizarre text, preceded by an incomprehensible date "7/31/2026", read:

"LETTER, dated 07/28/2026, regarding correction and clarification in response to 07/29/2026 order, on behalf of Petitioner Elena Ruth Sassower, RECEIVED. Service date 07/31/2026 by No Service. [Entered: 08/04/2026 10:45 AM]".

Obviously, a letter "dated 07/28/2026" could not be seeking "correction and clarification" of an order whose date is "07/29/2026" – a fact Ms. Tsering did not dispute, even before I read to her the text of my [July 30th e-mail](#) that had transmitted the [July 30th letter](#), whose two sentences stated:

"Above-attached for docketing is petitioners' July 30th letter to Clerk Catherine O'Hagan Wolfe, constituting our response to her 'For the Court' July 29th Order denying the July 15th motion for *pro hac vice* admission of petitioner CJA counsel Gary Zerman.

Please also immediately forward the letter to Clerk O'Hagan Wolfe so that, as the letter requests (at p. 5), she can, in turn, immediately furnish it to Chief Judge Raymond Lohier, Jr. for his 'supervisory evaluation of how this 'Electrolytically Time-Sensitive' mandamus proceeding has been proceeding – or not – since its July 10th filing.'" (italics and underlining in the original).

Ms. Tsering would not confirm that the [July 30th letter](#) had been forwarded to Clerk O'Hagan Wolfe and furnished to Chief Judge Lohier – or that Clerk O'Hagan Wolfe had removed herself, or been removed, from any contact with this mandamus proceeding by reason of what the letter described (at p. 4) as her “[decades at the Appellate Division, First Department and at this Court](#)” from which she has knowledge of:

“facts, extrajudicial to this mandamus proceeding, giving rise to [her] personal bias against petitioners and direct knowledge of, and interest in, what is particularized by our underlying [October 29th verified amended complaint](#) and [December 19th affidavit demonstrating subject matter jurisdiction](#), and by our ‘timely and sufficient’ [June 4th affidavit for Judge Karas’ disqualification/disclosure pursuant to 28 U.S.C §§144 and 455](#) – the subject of our [July 10th Verified Petition for a Writ of Mandamus](#), to which the SOLE respondent is Southern District of New York Judge Karas, so-identified by our July 10th certificate of service/delivery, annexed thereto and by our [July 16th letter](#) (at p 2).” (hyperlinking & capitalization in the original).

As to this, I shared with Ms. Tsering some additional facts as to Clerk O'Hagan Wolfe's knowledge, from 25 years ago, when she was the Appellate Division, First Department's Clerk and I, as the Center for Judicial Accountability's then coordinator, had [an appeal before it against the New York State Commission on Judicial Conduct](#).

In response to my question as to why docket #15 had no hyperlink for the [July 30th letter](#), Ms. Tsering explained that this was because it was “in the process of being defected” – in other words, it would be rejected by a “NOTICE OF DEFECTIVE FILING”, comparable to that for docket #14, though without the so-called “DEFECTIVE FILING” having ever been hyperlinked on the docket, as [#12, my “2nd Affidavit in Further Support of Mandamus & Other Relief”](#), had been. In asking Ms. Tsering what the “defect” was, I believe she stated the requirement of a motion.

In any event, I discussed with Ms. Tsering the motion requirement that was the purported reason for the #14 docket entry pertaining to [#12, my “2nd Affidavit in Further Support of Mandamus & Other Relief”](#), whose description on the docket, preceded by a date of “7/31/2026”, reads:

“DEFECTIVE DOCUMENT, Supplementary Papers, at docket entry 12, on behalf of Petitioner Elena Ruth Sassower, copy to pro se appellant, FILED. [Entered: 07/31/2026 04:25 PM]”.

The docket #14 hyperlink is the [July 31st “NOTICE OF DEFECTIVE FILING”](#), identifying the “Short Title” of the case as “In Re: Elena Ruth Sassower” and stating:

“On July 27, 2026 the Supplementary Papers, on behalf of the Petitioner Elena Sassower, was submitted in the above referenced case. The document does not comply with the FRCP or the Court's Local Rules for the following reason(s):”,

The sole “reason[.]” that follows is stated as:

“Other: **A motion for leave to file supplemental papers in support of the Mandamus Petition is required.**” (underlining and bold in the original).

Notably, no citation is furnished for the purported “motion for leave to file” requirement of “the FRAP or the Court’s Local Rules” – and none is reflected by:

- [FRAP 27 “Motions”](#);
- [Local Rule 27.1 “Motions”](#);
- [FRAP 21 “Writs Of Mandamus And Prohibition, and Other Extraordinary Writs”](#);
- [Local Rule 21.1 “Writs; Electronic Payment of Filing Fee; Number of Paper Copies”](#).

Where can I find the “motion for leave to file” requirement – and, *if it exists*, why does it apply to my “[2nd Affidavit in Further Support of Mandamus & Other Relief](#)”, dated and filed July 27th and docketed, though no longer linked, as #12, but NOT to my “[Affidavit in Further Support of Mandamus & Other Relief](#)”, dated and filed July 13th and docketed and linked as #2? Is it because the 2nd Affidavit, enclosing petitioner’s July 24th Rule 60(b) vacatur motion, is dispositive of the jurisdiction-less fraud committed by Judge Karas’ July 10th Order of Dismissal, seeking to moot the mandamus proceeding?

[FRAP 21\(b\)\(6\)](#) states that mandamus “must be given preference over ordinary civil cases” – and I quoted this to Mr. Tsering, stating that such “motion for leave to file” requirement for mandamus proceedings would be inconsistent with the expedition to which they are entitled, asserted by the [July 30th letter](#) (at p. 4) in a paragraph reading:

“We request your response to this letter’s questions, as immediately as possible – this being a mandamus proceeding entitled to expedition and necessitating same in the ‘**catastrophic, emergency situation**’ which the [July 10th Verified Petition for a Writ of Mandamus](#) describes (at pp. 5-6) and our [July 13th affidavit in further support](#) reiterates (at ¶7):

‘mandamus being an ‘extraordinary writ’, it is appropriate to the **extraordinary, catastrophic, emergency situation presented by petitioners’** [October 29, 2025 verified amended complaint](#), chronicling, *with evidence entitling them to summary judgment*, the destruction of New York’s ‘Republican Form of Government’, concealed and abetted by defendants’ *knowingly* false, ‘fake news’ journalism, injuring, massively and irreparably,^{fn} the State of New York and its People, including by rigging New York’s elections, such as this year for governor, lieutenant governor, attorney general, comptroller, all 213 state legislative seats, and for a dozen or so D.A.s, to which Judge Karas was specifically alerted by petitioners’ [February 23, 2026 letter](#) and [May 8, 2026 letter](#).” (bold and hyperlinking in the original, with the footnote below). (bold,

underlining, hyperlinking, & italics in the original).

Indeed, the urgency of the situation was the basis upon which the [July 30th letter](#) stated:

“because **TIME IS OF THE ESSENCE**, with the 2026 elections for New York’s governor, lieutenant governor, attorney general, comptroller, all 213 state legislative seats, and for a dozen or so D.A.s now less than 100 days away, we request that you immediately furnish this letter to Second Circuit Chief Judge Raymond Lohier, Jr. for his supervisory evaluation of how this ‘Electroally Time-Sensitive’ mandamus proceeding has been proceeding – or not – since its July 10th filing.” (at p. 5, capitalization & bold in the original).

Suffice to add that [Local Rule 27.1\(c\) “Authority of Clerk to Decide Motions”](#) reads: “The clerk is authorized to decide routine, unopposed procedural motions.” In other words, such “motion for leave to file” as the [July 31st “NOTICE OF DEFECTIVE FILING”](#) asserts to be “required” for my “[2nd Affidavit in Further Support of Mandamus & Other Relief](#)”, presumably at Clerk O’Hagan Wolfe’s direction, is authorized to be decided by Clerk O’Hagan Wolfe – there being NO respondents to oppose it, other than Judge Karas, who, apparently, [IF the docket is accurate](#), the Court has NOT “order[ed]...to answer within a fixed time”, pursuant to [FRAP 21\(b\)\(1\)](#), or “invite[d] or order[ed]...to address the petition”, pursuant to [FRAP 21\(b\)\(4\)](#), and who has NOT, himself, “request[ed] permission to address the petition”, also pursuant to [FRAP 21\(b\)\(4\)](#), and, if he has, it has not been granted by the Court pursuant to [FRAP 21\(b\)\(4\)](#).

Is the docket accurate? [Docket entry #8 states](#):

“**PETITION FOR WRIT OF MANDAMUS, SERVED.** [Entered: 07/14/2026 03:55 PM]”.

Yet [FRAP 21](#) does NOT provide for Court service, other than pursuant to (b)(1) and (b)(2), reading:

“(1) The court may deny the petition without an answer. Otherwise, it must order the respondent, if any, to answer within a fixed time.

(2) The clerk must serve the order to respond on all persons directed to respond.”

Where then is the Court’s order, served upon Judge Karas, directing his “answer within a fixed time” – and why is it not docketed, with Judge Karas’ response thereto? Why, too, is the [hyperlinked #8](#), petitioners’ July 10th Verified Petition for a Writ of Mandamus, unaccompanied by any notice that the Court has “SERVED” it, and upon whom, and for what purpose.¹

¹ Even more concealing is the [lower court docket](#), whose #32, posted “07/16/2026”, does not identify “SERVICE” and reads “Petition for a Writ of Mandamus filed by Elena Ruth Sassower in the U.S. Court of Appeals for the Second Circuit..(nd) (Entered: 07/16/2026)”. The [#32 hyperlink](#) is the same as this Court’s [hyperlinked #8](#).

As for the “motion for leave to file” that the [July 31st “NOTICE OF DEFECTIVE FILING”](#) purports as “required”, Clerk O’Hagan Wolfe would, doubtless, delay in deciding it – as she did with [Mr. Zerman’s July 15th *pro hac vice* motion, docket #9](#), denied a full two weeks later by her indefensible [July 29th “For the Court” Order, docket #11](#), concealing that pursuant to [Local Rule 27.1\(c\)](#) and [Local Rule 45.1](#)² it is she who denied the motion – a question asked at the outset of [petitioners’ July 30th letter](#).

Ms. Tsering having resisted my repeated requests for the identity of who has been making the docketing decisions herein and whether Chief Judge Lohier is aware of the July 30th letter, I requested to speak with Margaret, her supervisor, whose last name Ms. Tsering had declined to give me in each of our two prior phone conversations, on July 28th and July 30th. As to the second of these conversations, on July 30th, it was initiated by Ms. Tsering, who called me at 4:20 pm, by way of follow-up to our July 28th phone conversation that I had memorialized by a [July 28th e-mail](#), whose last paragraph stated:

“I have not yet heard back from your supervisor, Margaret, with whom I requested to speak about the incorrect shortened caption that has been given to the mandamus proceeding, as to which you stated a motion would have to be made, which I do not believe to be the case – because if it were, Mr. Giovanniello would have told me that when I called him about the incorrect shortened caption on July 15th, instructing me that what was necessary was a letter requesting the correction, signed by me and Mr. Zerman, which we did the next day, by a [July 16th letter](#). The letter, docketed as #10, is annexed to my above-attached signed ‘Acknowledgment and Notice of Appearance’, e-mailed yesterday by the below. Indeed, as I stated to you, if a motion was required to correct a caption that the Court had incorrectly shortened, such would be stated in the ‘[Acknowledgment and Notice of Appearance Instructions](#)’, which asks about ‘required corrections to the caption’.” (underlining & hyperlinking in the original).

Ms. Tsering’s July 30th phone call, whose purpose was to reiterate that petitioners would have to make a motion to correct the docket captions, came just as I and Mr. Zerman were finalizing the [July 30th letter](#) – and I took the opportunity of Ms. Tsering’s call to discuss the letter with her, in considerable detail.

Notably, despite the supposed motion requirement for correcting the false docket captions, [the docketed #10 July 16th letter](#) was not rejected by a NOTICE OF DEFECTIVE FILING – and it is ONLY Ms. Tsering who has claimed, *orally*, that a motion is required, in our three phone conversations, on July 28th, July 30th, and August 4th.

I do not recollect if Ms. Tsering said she was unable to transfer my call to Margaret, but she offered me Margaret’s phone number (#212-857-8534), which I already had because she had given it to

² [Local Rule 45.1 “Clerk’s Authority to Issue Orders”](#) reads “The clerk signs and enters, electronically or otherwise, all orders on behalf of the court.”

me in our July 30th phone conversation – and which, as I told Ms. Tsering, I had not thereafter called because I assumed [petitioners' July 30th letter](#) to be dispositive of the issues.

However, promptly upon the conclusion of my August 4th conversation with Ms. Tsering, I called Margaret's number, and, upon its pick-up by a voice recording seemingly identifying her last name as Lane, I left a voice message, which I extended, explaining why I was calling, first and foremost to ascertain, who was determining the docket herein – and whether, as I believed, it was Clerk O'Hagan Wolfe.

I have received no return call or e-mail communication since.

Within 15 minutes after my August 4th conversation with Ms. Tsering and voice message for Margaret, [the bizarre docket entry #15](#) was "[Edited 08/04/2026 03:27 PM](#)". Now dated "7/30/2026", the entry read:

"LETTER, dated 07/30/2026, regarding correction and clarification in response to 07/29/2026 order, on behalf of Petitioner Elena Ruth Sassower, RECEIVED. Service date 07/31/2026 by No Service. [Entered: 08/04/2026 10:45 AM] [Edited: 08/04/2026 03:27 PM]".

34 minutes later, pertaining to docket #15, [a docket #16 was posted](#) stating:

"DEFECTIVE DOCUMENT, Letter dated 07/30/2026, at docket entry 15, on behalf of Petitioner Elena Ruth Sassower, copy to pro se appellant, FILED. [entered: 08/04/2026 04:01 PM]".

The hyperlinked docket #16 is an [August 4th "NOTICE OF DEFECTIVE FILING"](#), identifying the "Short Title" of the case as "In Re: Elena Ruth Sassower" and stating:

"On July 30, 2026 the Letter, on behalf of the Petitioner Elena Sassower, was submitted in the above referenced case. The document does not comply with the FRCP or the Court's Local Rules for the following reason(s):".

The sole "reason[]" that follows is stated as:

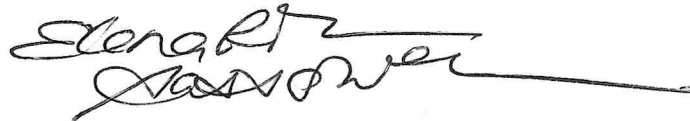
"Other: **Any request to the court must be filed in the form of a motion. All motions must include a T-1080 form, supporting papers and proof of service.**" (underlining & bold in the original).

The hedging "Any request to the court" is a deceit. The [July 30th letter](#) makes NO "request to the court". Rather, it seeks answers from Clerk O'Hagan Wolfe, to whom it is addressed, to questions establishing whether, as stated (at p. 2), this case is "being handled in an invidious, selective manner", as by her July 29th "For the Court" Order denying, indefensibly, Mr. Zerman's July 15th *pro hac vice* motion and employing a docket captioning she knew to be false and prejudicial – the product of her personal bias, borne of knowledge and interests, proscribed by [Canon 3\(F\)\(3\) of the Judicial Conference's Code of Conduct for Judicial Employees](#) and mandating that she "promptly

inform" Chief Judge Lohier so that he could take "appropriate steps".

As hereinabove recited, please advise – and immediately – whether petitioners' July 30th letter was forwarded to Clerk O'Hagan Wolfe, whether she furnished it to Chief Judge Lohier, and who is responsible for the docketing decisions and entries herein. If not, please immediately forward this letter to Chief Judge Lohier for his response and corrective action.

Thank you.

A handwritten signature in black ink, appearing to read "Gary Zerman", with a long horizontal flourish extending to the right.

- * This letter was discussed in draft and approved by Gary Zerman, Esq., who was unable to sign it, as read & approved, as he has been hospitalized today, admitted to the ICU, suffering from sepsis.

cc: Gary Zerman, Esq.