

July 11, 2022

Administrative Judge Alvin Yearwood  
Supreme Court Bronx County Criminal Term  
265 East 161<sup>st</sup> Street, Bronx, NY 10451

Dear Judge Yearwood<sup>‡</sup>

1. I mailed you with date of May 26, 2022, and you received on May 30, a writing thus titled:

**Emergency Application  
of Dr. Richard Cordero, Esq., for his reinstalment in  
Panel A of the current grand jury,  
which is seated for the period May 23-June 17, 2022,  
after the peremptory discharge of him by  
Grand Jury Judge Laurence E. Busching upon the statements to him of  
ADAs and grand jurors accusing Dr. Cordero in his absence;  
for preservation of evidence; and other relief action**

2. Since then, I have had to make numerous calls to your chambers at (718)618-3700 to request from your assistants Ms. Dana and Ms. Stephanie to speak with you and ask for an answer from you to the “Emergency Application”; to no avail. To the same end, I had to call at (718)618-3000 Chief Clerk Michelle Foggie; Mr. Greg Johnson, Acting Bureau Chief Document Liaison; and Mr. Lamar Decassures, Bureau Chief Trial Support. They too were unable to induce you to contact me.
3. However, now, a month later and without even recognizing my writing as an “Emergency Application”, Judge Busching mailed me a letter whose full text is the following:

Supreme Court  
of the State of New York  
LAURENCE E. BUSCHING  
JUSTICE OF THE SUPREME COURT

CHAMBER'S  
BRONX COUNTY HALL OF JUSTICE  
265 EAST 161<sup>st</sup> STREET  
BRONX, NEW YORK 10451

June 29, 2022

Dr. Richard Cordero, Esq.  
2165 Bruckner Blvd.  
Bronx, NY 10472

Dear Dr. Cordero:

Administrative Justice Alvin Yearwood has referred your letter dated May 26, 2022, to me for response.

Please be advised that the A Panel, Sixth Term expired on June 17, 2022. Your application to be reinstated to the grand jury is therefore moot.

Very truly yours,  
/s/ Laurence E. Busching, AJSC

4. My “Emergency Application” consists of 8 pages and 4,743 words. It states in its very title that it deals, in addition with my request for reinstatement in the grand jury, with the substantive issues of genuine material and legal importance of “the peremptory discharge of [me] by Grand Jury Judge Busching upon the statements to him of ADAs and grand jurors accusing Dr. Cordero in his absence; for preservation of evidence; and other relief action”.
5. More importantly, the “Emergency Application” deals with the accusation of murder against two people and their probable incarceration. The ADA who presented the indictment to Panel A of the

<sup>‡</sup> [http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Administrative\\_JudgeAYearwood.pdf](http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Administrative_JudgeAYearwood.pdf)

grand jury on May 23 and 24, 2022, failed to connect to the alleged murder the only two pieces of “evidence”, i.e., a pair of sneakers and of jeans shown on photos, so that they were irrelevant as they lacked any probative value. None of the 12 videos and pictures showed the scene of the alleged crime, the alleged victim lying on the street, or the autopsy report; and the NYPD police officers and detectives who testified before the grand jury did not even allege to have seen any of that. No bystander, nearby storeowner, or relative of the alleged victim was brought to testify. The alleged victim was seen on a video walking on the sidewalk with a friend, who was the only civilian to testify although he could not identify the alleged murderers or provide a composite of them. No murder weapon was recovered and no motive for the murder was alleged. The “evidence” and the testimony could only permit of one conclusion: *no murder had occurred!* Once more, an ADA had abused uncritical and indifferent grand jurors ‘to indict a sandwich’...and how many people?

6. A person guided by “common sense and good judgment” (Grand Juror’s Handbook, p.10), and especially officers of the court charged with administering justice, would have realized the emergency situation at hand: They would have promptly undertaken a determination of whether there was probable cause to free those two accused people immediately as well as people who like them had been accused and even incarcerated for crimes that they could not possibly have committed because the alleged crimes had not even occurred or the alleged “evidence” was totally irrelevant.
7. Judge Busching’s letter to me was non-responsive. Justice Thurgood Marshall put it this way in his dissent in *Greenholtz v. Inmates of the Nebraska Penal & Correctional Complex*, 442 U.S. 1, 40 (1979): “[A]n inability to provide any reasons suggests that the decision is, in fact, arbitrary”.
8. You had the duty to investigate the “Emergency Application” and do so with due diligence. You and J. Busching waited until Panel A’s term had expired to make my request for grand jury reinstatement moot and pretend that was the only issue. You committed bad faith and dereliction of duty.
9. You referred the “Emergency Application” to Judge Busching although he had every interest in not incriminating himself or causing ADAs, NYPD officers and detectives, and grand jurors to incriminate him if he faulted any of them. Self-servingly and inexcusably, you disregarded the millennial principle of judicial process “nobody can be a fair and impartial judge in his own cause”.
10. If you investigated the “evidence” and the transcripts of the proceedings before the grand jury and Judge Busching referred to in the “Application”, you knew how incriminating they were. That knowledge should have prevented you from referring it to him. If you failed to perform that investigation, you engaged in willful blindness and ignorance. Applying the principle, “People are deemed to intend the foreseeable consequences of their acts”, you complicitly intended a cover-up.
11. You, ADAs, witnesses, jurors, and Judge Busching have inflicted injury in fact on the two people referred to in ¶5 above; others similarly accused and incarcerated before and since then; and me. There is precedent that you have made applicable to you: Ninety gymnasts sued the FBI and agents for over \$1 billion last June 8, for its failure to act on the complaints against sexual predator Dr. Larry Nassar filed with FBI agents and the FBI’s cover-up of their inaction. The U.S. Court of Appeals for the Fourth Circuit held in *Strickland v. U.S.*<sup>‡</sup> that the Federal Judiciary itself and its officers in their official and individual capacities can on constitutional grounds be sued and held liable.
12. Hence, I respectfully request that you disqualify them and recuse yourself from any involvement in the “Emergency Application” and refer it, the “evidence”, and the transcripts to Chief Judge Janet DiFiori; Chief Administrative Judge Lawrence Marks; NYC Administrative Judge Deborah Kaplan; NYPD IAB Chief David Barrere; and Inspectors General Sherrill Spatz and Carol Hamm.

cc: Judge Laurence Busching

Sincerely, *Dr. Richard Cordero, Esq.*

Supreme Court  
of the  
State of New York



LAURENCE E. BUSCHING  
JUSTICE OF THE SUPREME COURT

CHAMBERS  
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*Laurence E. Busching*

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