Dr. Richard Cordero, Esq. Judicial Discipline Reform

Ph.D., University of Cambridge, England M.B.A., University of Michigan Business School D.E.A., La Sorbonne, Paris

http://www.Judicial-Discipline-Reform.org

2165 Bruckner Blvd., Bronx, NY 10472-6506 Dr.Richard.Cordero_Esq@verizon.net tel. +1(718)827-9521; follow@DrCorderoEsq

July 26, 2022

Ms. Jaehyun Oh, Esq. The Jacob Fuchsberg Law Firm Phone (212)869-3500; Fax (212)398-1532; j.oh@fuchsberg.com Kate L. Fetrow, Esq. Tel. (212)750-0800 kfetrow@nylag.org Lisa Rivera, Esq. President and CEO lrivera@nylag.org

New York Legal Assistance Group

Dear Ms. Oh, Ms. Fetrow, and Ms. Rivera,‡

According to the NYS Academy of Trial Lawyers, you, Ms. Oh and Ms. Fetrow, are going to present the seminar "Constitutional Claims for Injuries and Abuse Suffered by Incarcerated Persons. This course will include practical discussion regarding how to research, investigate, and litigate cases on behalf of incarcerated persons who suffer violence or abuse, and people who are wrongfully prosecuted and convicted." This means that we pursue a common public interest.

Hence this proposal for you, The Jacob Fuchsberg Law Firm, the NY Legal Assistance Group, and me to join forces to expose wrongdoing coordinated among prosecutors, NYPD officers, and judges. They harm people who still may be in, or are newly sent to, Rikers on indictments that were extracted from a grand jury too disinterested and lacking the critical judgment needed to analyze the evidence presented and realize that the accused could not possibly have committed the crime with which they had been charged because *that crime never happened*. The indictment was concocted as leverage to, e.g., extort the accused's acceptance of the plea bargain offered.

That statement is based on the information that I gained after entering an official position upon swearing to discharge my duties "faithfully". The NY Criminal Procedure Law warns that disclosing such information, except under court order, subjects a person to serious penalties, including imprisonment. So, I wrote it down in an eight-page sworn statement consisting of 4,743 words, titled "Emergency Application", and dated May 26, 2022. I submitted it to Administrative Judge Alvin Yearwood of the Supreme Court, Bronx County Criminal Term, 265 East 161st Street, Bronx, NY 10451; tel. (718)618-3700.* Despite the letters that I have written since, such as those hereunder, and the numberless emails and phone calls to the authorities whose duties it is to investigate such public wrongdoing, I have only been given the runaround. To my knowledge, no authority has opened an investigation or even taken the initiatory action that I requested, namely, to contact Judge Yearwood to ask that he transmit to them a copy of my "Emergency Application".

I respectfully request that you take that action. In addition, we can jointly ask those authorities what they have done about the information that I brought to their attention to ensure that accused people are not wrongfully left in, or sent to, Rikers. Do they deserve as much public criticism as former President Trump has received for his dereliction of duty during the 187 minutes after he finished his inflaming speech to those in the rally at the Ellipse on January 6 and when he went on TV to ask the rioters to end their assault on the Capitol? Just as seven Capitol Police officers have sued Trump and rally organizers, we can expose those authorities' complicit dereliction of duty in a class action that can give rise to national scrutiny of abuse of grand juries.

Also, we can assert their institutional, official, and individual liability to compensate those wrongfully indicted by invoking the precedent set by the Court of Appeals for the Fourth Circuit in *Strickland v. U.S.*, where it held that the Federal Judiciary and its officers in both their capacities can on constitutional grounds be held liable. We can argue that the class action should be tried in federal court by pointing to the need to prevent the bias toward local parties that justifies diversity of jurisdiction and that emerges when judges judge their colleagues; and their failure to "avoid the appearance" of a cover-up in their runaround. Thus, let's discuss this proposal. It may lead us to become *We the People's* Champions of Justice.

Dr. Richard Cordero, Esq.

Ph.D., University of Cambridge, England M.B.A., University of Michigan Business School D.E.A., La Sorbonne, Paris 2165 Bruckner Blvd., Bronx, NY 10472-6506 Dr.Richard.Cordero_Esq@verizon.net tel. +1(718)827-9521; follow @DrCorderoEsq

July 11, 2022

Chief Judge Janet DiFiore NYS Court of Appeals 20 Eagle Street Albany, NY 12207 tel.: (518)455-7700 Chief Administrative Judge Lawrence K. Marks, NYS Unified Court System 25 Beaver St., NY, NY 10004; tel. (212) 428-2120; question@nycourts.gov; ucs-correspondence@nycourts.gov Deputy Chief Administrative Judge Deborah A. Kaplan Supreme Court, NY County, Civil Term, 60 Centre St., NY, NY 10007; tel.: (646)386-5567

Chief of Internal Affairs David P. Barrere Internal Affairs Bureau NY Police Department PO Box 10001, New York, NY 10014 tel.: (212)741-8401; IAB@nypd.org, IABCmdCntr@nypd.org Sherrill Spatz, Esq. Carol M. Hamm, Esq. Inspector General Deputy Inspector General Office of Court Administration
25 Beaver Street, New York, NY 10004
tel.: (646)386-3500; fax: (212)514-7158
IG@nycourts.gov

Dear Chief Judge DiFiore, Judges Marks and Kaplan, Chief Barrere, and IGs Spatz and Hamm,

This is a follow-up to my letters of May 28 and June 18 and numerous calls, where I informed you that after entering an official position, I acquired substantially important information involving judicial, prosecutorial, and police officers that you should investigate as part of your duties. I stated that information in an 8-page, 4,743-word sworn "Emergency Application" of May 26. I submitted it to Administrative Judge Alvin Yearwood of the Supreme Court, Bronx County Criminal Term, where the information originated, and requested that you ask him for a copy.

I have not heard from you. That is disappointing and telling, for I brought to your attention probable cause to believe that there is organized wrongdoing by public officers duty-bound to enforce the law and administer justice, which implies that innocent people are being victimized.

Judge Yearwood has not answered my "Emergency Application" either. Instead, he referred it to Judge Laurence Busching, who enabled and covered up the organized wrongdoing. The text of his letter and my comment on it are in my letter attached hereto. I am complaining against both.

It follows that regardless of what you may have been or may yet be told, the "Emergency Application" has not been disposed of or dismissed...far from it. Indeed, it is not realistic to expect that I will drop the "Application" despite my duty to carry it on as the holder that I was of an official position, the lawyer that I am, and the responsible citizen that I intend to continue to be.

Therefore, I respectfully reiterate my request that you call Judge Yearwood at (718)618-3700 to ask that he forward to you a copy of the "Emergency Application" together with the related "evidence" and transcripts mentioned therein so that you may investigate it without further delay. If you issue an order for me to release the "Application" to you, I will promptly comply with it.

The information in the "Application" can cause an unprecedented erosion of trust in public officers if people come to suspect that inaction is the result of a cover-up among officers of the three branches of government. If public trust is of no concern to you, money should be: 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 brought to FBI agents and the FBI's cover-up of their inaction. The Court of Appeals for the Fourth Circuit held in *Strickland v. U.S.* that the Federal Judiciary and its officers in their official and individual capacities can on constitutional grounds be sued and held liable. Motivated by either principles or opportunism, you can use the information to become nationally recognized by a grateful *People* as one of their Champions of Justice.

Sincerely, Dr. Richard Cordero, Eso.

Supreme Court of the State of New York



CHAMBERS
BRONX COUNTY HALL OF JUSTICE
265 EAST 161ST 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,

Laurence E. Busching

Laurence E. Busching, AJSC

Dr. Richard Cordero, Esq. Judicial Discipline Reform

Ph.D., University of Cambridge, England M.B.A., University of Michigan Business School D.E.A., La Sorbonne, Paris http:

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2165 Bruckner Blvd., Bronx, NY 10472-6506 Dr.Richard.Cordero_Esq@verizon.net tel. 1(718)827-9521; follow @DrCorderoEsq

July 11, 2022

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

Dear Judge Yearwood[‡]

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 161st 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

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 reinstalment 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.* 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, Esa

Dr. Richard Cordero, Esq.

Ph.D., University of Cambridge, England M.B.A., University of Michigan Business School D.E.A., La Sorbonne, Paris 2165 Bruckner Blvd., Bronx, NY 10472-6506 Dr.Richard.Cordero_Esq@verizon.net tel. +1(718)827-9521; follow @DrCorderoEsq

May 28, 2022

Chief Judge Janet DiFiore NYS Court of Appeals 20 Eagle Street Albany, New York 12207 tel.: (518)455-7700 Chief Administrative Judge Lawrence K. Marks NYS Court of Appeals 20 Eagle St., Albany, NY 12207 tel.: (212)428-2120; ucs-correspondence@nycourts.gov Deputy Chief Administrative Judge Deborah A. Kaplan Supreme Court, New York County, Civil Term 60 Centre St., NY, NY 10007 tel.: (646)386-5567

Chief of Internal Affairs David P. Barrere Internal Affairs Bureau NY Police Department PO Box 10001, New York, NY 10014 tel.: (212)741-8401; IAB@nypd.org, IABCmdCntr@nypd.org Sherrill Spatz, Esq. Carol M. Hamm, Esq. Inspector General Deputy Inspector General Office of Court Administration
25 Beaver Street, New York, NY 10004 tel.: (646)386-3500; fax: (212)514-7158 IG@nycourts.gov

Dear Chief Judge DiFiore, Judges Marks and Kaplan, Chief Barrere, and IGs Spatz and Hamm,[‡]

I entered an official position upon swearing to discharge my duties "faithfully". While so discharging them, I acquired information involving judicial, prosecutorial, and police officers of substantial importance that you too should without delay acquire and investigate as part of your official duties. I have written down that information in an 8-page, 4,743-word sworn "Emergency Application" of May 26, 2022. I submitted it to Administrative Judge Alvin Yearwood, Supreme Court, Bronx County Criminal Term, 265 East 161st St., Bronx, NY 10451; tel. (718)618-3700.*

The NY Criminal Procedure Law warns that a person who discloses such information, except under court order, is subject to serious penalties, including imprisonment. Therefore, I respectfully request that you contact Judge Yearwood and ask that he release to you a copy of my Application so that you may promptly start your joint and several investigation of it given that each of you is an "authority empowered to investigate or act upon" such information.

Indeed, I have a legal and ethical duty to bring this information to your attention. That duty flows from NY Rules Of Professional Conduct (22 N.Y.C.R.R. Part 1200), which provides thus:

Rule. 8.3. REPORTING PROFESSIONAL MISCONDUCT(a). A lawyer who knows that another lawyer has committed a violation of the Rules of Professional Conduct that raises a substantial question as to that lawyer's honesty, trustworthiness or fitness as a lawyer shall report such knowledge to a tribunal or other authority empowered to investigate or act upon such violation.

Conversely, Judge Yearwood has a duty under the Rules of the Chief Administrative Judge PART 100. Judicial Conduct, (C) Administrative Responsibilities.(1) to "diligently discharge the judge's administrative responsibilities without bias or prejudice" to protect fellow judges, staff, and others, and "cooperate with other judges and court officials in the administration of court business."

I also have a civic duty to report this information to you. That duty has been repeatedly declared and instilled in the citizenry in the guiding principle of civic conduct, "If you see something, say something". I did see something...and then some...so I am saying it to you.

After you request from Judge Yearwood my Application and I receive from you an order to discuss it with you in person in NYC or by video conference, I will comply. I look forward to your acknowledgment of receipt of this letter and your statement of what you intend to do about it.

Sincerely, Dr. Richard Condero, Esa.

[(718)618-3000] Greg Johnson, ACE [Acting Bureau Chief]
Doc Liaison J

Lamar Decasseres, enc [Bureau Chief,
Trial Support)

OF Supreme Court, Bronx County Crimi Nal Term



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Dr. Richard Cordero, Esq.

Ph.D., University of Cambridge, England M.B.A., University of Michigan Business School D.E.A., La Sorbonne, Paris 2165 Bruckner Blvd., Bronx, NY 10472-6506 Dr.Richard.Cordero_Esq@verizon.net tel. +1(718)827-9521; follow @DrCorderoEsq

June 18, 2022

Chief Judge Janet DiFiore NYS Court of Appeals 20 Eagle Street Albany, New York 12207 tel.: (518)455-7700 Chief Administrative Judge Lawrence K. Marks
NYS Unified Court System
25 Beaver St., NY, NY 10004
question@nycourts.gov; tel. (212)4282120; ucs-correspondence@nycourts.gov

Deputy Chief Administrative Judge Deborah A. Kaplan Supreme Court, New York County, Civil Term 60 Centre St., NY, NY 10007 tel.: (646)386-5567

Chief of Internal Affairs David P. Barrere Internal Affairs Bureau NY Police Department PO Box 10001, New York, NY 10014 tel.: (212)741-8401; IAB@nypd.org, IABCmdCntr@nypd.org Sherrill Spatz, Esq. Carol M. Hamm, Esq.
Inspector General
Office of Court Administration
25 Beaver Street, New York, NY 10004
tel.: (646)386-3500; fax: (212)514-7158
IG@nycourts.gov

Dear Chief Judge DiFiore, Judges Marks and Kaplan, Chief Barrere, and IGs Spatz and Hamm,

This is a follow-up to my May 28 letter, where I informed you that after entering an official position, I acquired substantially important information involving judicial, prosecutorial, and police officers that you should investigate as part of your official duties. I stated that information in an 8-page, 4,743-word sworn "Emergency Application" dated May 26, 2022. I submitted it to Administrative Judge Alvin Yearwood, tel. (718)618-3700, of the Supreme Court, Bronx County Criminal Term, where the information originated, and requested that you ask him for a copy.

I have received no letter acknowledging your receipt of mine. Yet, that information concerns criminal matters. It is so sensitive that the Criminal Procedure Law provides serious penalties, including imprisonment, for the unauthorized disclosure of it. That should have alerted you to the need to act "efficiently and effectively" because you have a duty to "diligently discharge [your] responsibilities" and Judge Yearwood has a duty to "cooperate with other judges and court officials in the administration of court business". Moreover, you have the means of calling him and meeting virtually with him and others in a teleconference, as follows from Chief Administrative Judge Lawrence K. Marks' 2021 Annual Report on the NYS UCS. There he highlights that "we adopted and then mastered virtual technology to…ensure access to justice in the broadest range of cases".

Chief DiFiore's Excellence Initiative can only succeed if it promotes people's trust in officers with the integrity needed to deliver the "level of justice services people have a right to expect and deserve". That trust has been so battered as to spark the movement against police brutality and for defunding the police. The information at stake can so outrage people as to cause them to extend their distrust to prosecutors and judges. The suspicion that inaction is the result of a cover-up among the three branches will exacerbate such outrage. If public trust is of no concern to you, money should be: Ninety gymnasts sued the FBI 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 Court of Appeals for the Fourth Circuit held in *Strickland v. U.S.* that the Federal Judiciary and its officers in their individual and official capacities can be sued and held liable.

Thus, I respectfully request that you inform me of the action that you have taken and intend to take concerning the information at stake. Conversely, I inform you that I am asking political leaders to do likewise by contacting you. Motivated by either principles or opportunism, whether to protect their constituents, in general, and those already, and yet to be, victimized, in particular, or to further their own careers, they may cause you to "diligently discharge [your] responsibilities".

Sincerely, Dr. Richard Cordero, Esa.

Dr. Richard Cordero, Esq. Judicial Discipline Reform

Ph.D., University of Cambridge, England M.B.A., University of Michigan Business School D.E.A., La Sorbonne, Paris

http://www.Judicial-Discipline-Reform.org

2165 Bruckner Blvd., Bronx, NY 10472-6506 Dr.Richard.Cordero_Esq@verizon.net tel. +1(718)827-9521; follow @DrCorderoEsq

June 24, 2022

c/o: Mr. Frank Carone, Chief of Staff NYC Mayor Eric L. Adams City Hall New York, NY 10007 tel. (212) 639-9675 Bronx districts leaders Vanessa Gibson, Diana Ayala, Eric Dinowitz, Kevin C. Riley, Marjorie Velázquez, Pierina Ana Sanchez, Oswald Feliz, Althea Stevens, Rafael Salamanca, Jr., Amanda Farías; Bronx Advocate Socrates Solano; and NYC Public Advocate Jumaane Williams

Dear Mayor Adams, Mr. Carone, and Bronx districts and NYC leaders,[‡]

I entered an official position upon swearing to discharge my duties "faithfully". While so discharging them, I acquired information involving judicial, prosecutorial, and police officers of substantial importance that you too should without delay acquire and investigate as part of your official duties. I have written down that information in an 8-page, 4,743-word sworn statement titled "Emergency Application" and dated May 26, 2022. I submitted it to Administrative Judge Alvin Yearwood of the Supreme Court, Bronx County Criminal Term, 265 East 161st Street, Bronx, NY 10451; tel. (718)618-3700.* Given its origin in a criminal court, the information concerns criminal matters and affects your constituents directly, being apt to deprive them of their property, liberty, and life. In fact, the Criminal Procedure Law provides serious penalties, including imprisonment, for the unauthorized disclosure of it. So, I proceed prudently.

Aware of the inherent conflict of interests in investigating one's colleagues and friends, and thus incriminating oneself, I wrote on May 28, to the six top judicial and police officers named in the letter hereunder. I asked that they contact Judge Yearwood and request that he send them a copy of the "Application". I have made numerous calls to each of them to find out how they have handled and intend to handle the information in it, to no avail. Yet, Judge Yearwood has a duty to "cooperate with other judges and court officials in the administration of court business". You are an "authority empowered to investigate or act upon such violation" of law as described in the "Application". Therefore, I respectfully request that you ask Judge Yearwood and those six top judicial and police officers to send you a copy of it so that you may conduct an investigation separately or jointly with other Bronx district leaders. The onus to investigate is now on you.

Would you expect and demand that an investigation be conducted "diligently" and "efficiently and effectively" if you were suffering the wrongdoing of public officers? Wrongdoing by police officers has eroded public trust in them so gravely as to spark the movement against their brutality and for defunding them. The involvement of national politicians in organizing the January 6 insurrection to overturn *We the People*'s electoral will has shocked many. The revelation by *The Wall Street Journal* in a series of articles beginning with that of September 28, 2021, titled "131 Federal Judges Broke the Law by Hearing Cases Where They Had a Financial Interest" has shown that judges can be risklessly corrupt in reliance on their colleagues' cover-up: not one of them has been disciplined, let alone prosecuted. They are held by themselves and friends unaccountable.

If people come to suspect that inaction is the result of a cover-up among officers of the three branches, all officers, including you, will suffer an unprecedented erosion of public trust. If such trust is of no concern to you, money should be: 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.* that the Federal Judiciary itself and its officers in their official and individual capacities can on constitutional grounds be sued and held liable. You can whether motivated by principles or opportunism use the "Application" information to become nationally recognized by a grateful *People* as one of their Champions of Justice.

Sincerely, Dr. Richard Cordero, Esa.