

# Dr. Richard Cordero

Ph.D., University of Cambridge, England  
M.B.A., University of Michigan Business School  
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Brooklyn, NY 11208-1515  
tel. (718) 827-9521; CorderoRic@yahoo.com

[Sample of letters to Judicial Misconduct Act Study Committee & members]

November 26, 2004

Justice Stephen Breyer  
Supreme Court of the United States  
1 First Street, N.E  
Washington, D.C. 20543

Dear Justice Breyer,

I am submitting hereby to you and the Judicial Conduct and Disability Act Study Committee a copy of my November 18 petition for review to the Judicial Conference [C:823] in the context of the dismissals by the chief judge of the court of appeals and the judicial council of the Second Circuit of my two misconduct complaints. It deserves your consideration as a test case of the misapplication of the Act because these dismissals are particularly egregious given the compelling evidence that supports reasonable suspicion of judicial corruption linked to a bankruptcy fraud scheme, yet the complaints were dismissed without any investigation at all.

Indeed, this case concerns the evidence that I submitted of a series of instances for over two years of disregard for the law, rules, and facts by U.S. Bankruptcy Judge John C. Ninfo, II, and other officers and parties in the U.S. Bankruptcy and District Courts, WDNY, so numerous and consistently to my detriment, the only non-local and pro se litigant, as to form a pattern of non-coincidental, intentional, and coordinated wrongdoing. Then evidence emerged of the operation of the most powerful driver of corruption: money!, a lot of money in connection with fraudulent bankruptcy petitions. This results from the concentration of *thousands* of bankruptcy cases in the hands of each of the private standing trustees appointed by the U.S. trustee. They have a financial interest in rubberstamping the approval of all petitions, especially those with the least merits, since petitions confirmed by the court produce fees for the trustees, even a fee stream as a percentage of the debtors' payments to the creditors. Who and what else is being paid?

That question was not even looked at, which follows from the fact that although I submitted the evidence that I had and that which kept emerging, for the underlying cases are still pending, to the Hon. John M. Walker, Jr., Chief Judge of the CA2 Court of Appeals, he neither conducted a limited inquiry nor appointed a special committee. Hence, I filed a complaint about him. It was dismissed too without any investigation, as were my petitions to the CA2 Judicial Council.

Therefore, since this case falls squarely within the mold of systematic dismissals of complaints and review petitions that the Committee is studying and given its particular nature, I respectfully request that you as well as the Committee as such, whether formally or informally:

1. bring to the attention of the Judicial Conference or its members the advisability both of taking jurisdiction of the petition herewith [C:823], on grounds such as those set forth therein, and of investigating the complaints for the purpose, among others, of shedding light on the misapplication of the Act by chief judges and judicial councils;
2. include this case in your Study and investigate it as part thereof, and if the Committee holds hearings, invite me to be heard and answer your questions; and
3. if you believe that Judge Ninfo or any of the others has committed an offense, make a report of this case to the Acting U.S. Attorney General under 18 U.S.C. 3057(a).

Meantime, I look forward to hearing from you.

sincerely, 

Thurgood Marshall Federal Judiciary Building  
One Columbus Circle, NE, Rm. 6100  
Washington, DC 20002-8003



Dr. Richard Cordero  
59 Crescent St.  
Brooklyn, NY 11208-1515

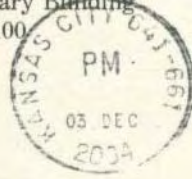
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[Dec 4, 04]

The Judicial Conduct and Disability Act Study Committee  
has received the information you submitted dated 11/26/04.  
If you have not filed a formal complaint and want to do so, please  
refer to section 351(a) of title 28 of the United States Code.



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Washington, DC 20002-8003



Dr. Richard Cordero  
59 Crescent Street  
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1A



[Dec. 6, 2004]

The Judicial Conduct and Disability Act Study Committee  
has received the information you submitted dated Nov. 26, 2004  
If you have not filed a formal complaint and want to do so, please  
refer to section 351(a) of title 28 of the United States Code.



## Dr. Richard Cordero

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[Sample of letters to Judicial Misconduct Act Study Committee & members]

December 20, 2004

Judge Sarah Evans Barker  
U.S. District Court, Southern District of Indiana  
46 East Ohio Street  
Indianapolis, IN 46204

Dear Judge Barker,

Last November 26, I submitted to you and the Judicial Conduct and Disability Act Study Committee a copy of my petition for review to the Judicial Conference [C:823] of the denials by the Judicial Council of the 2nd Circuit of two petitions for review. Those denials and the underlying complaint dismissals constitute a test case of the egregious misapplication of the Act given the compelling evidence of judicial corruption linked to a bankruptcy fraud scheme, yet the council and the chief judge disposed of the petitions and the complaints without any investigation at all.

Now, to render contempt for the Act complete, my petition to the Conference has been dismissed, before ever reaching it or even its Committee to Review Circuit Council Conduct and Disability Orders, by a clerk, that is, a member of the Administrative Office (AO) of the U.S. Courts that renders clerical services to the Conference. The event begs the question whether that clerk, Mr. Robert Deyling, Assistant General Counsel (GC) at the AO's GC's Office, was bold enough to pass judgment on his own on a jurisdictional issue despite lacking therefor any authority under both the Act and the Conference's Rules for Processing Petitions (1§I, infra) [AuC:5102], or whether in light of the circumstances of the dismissal by Mr. Deyling (2 §II)[C:881], he acted on instructions and, if so, who imparted them, out of what motive, and with what purpose.

This case supports the proposition that the judges who under the law are supposed to apply the Misconduct Act and its implementing Rules have rigged them so that they have become a useless pretense of the Judicial Branch's self-policing mechanism. In addition, according to Chief Justice Rehnquist, in the more than 200 years of our federal judiciary, only five federal judges have been convicted for offenses involving financial improprieties, income tax evasion, and perjury<sup>1</sup>...only one judge in more than every 40 years so that statistically, a judge has more chances of becoming chief judge of the Supreme Court than of being investigated, impeached, and convicted! The explanation for this oddity is not that judges are a superior kind of men and women nominated for their immunity to the lure of money, the mentality of a clique, and peer pressure, and who enter office after their incorruptibility has been confirmed. If neither the Act nor impeachment is effective in supervising judges and insuring their continued honesty and impartiality, is a judgeship a safe haven for wrongdoing? Since power corrupts, does non-controlled judicial power corrupt uncontrollably?

Therefore, I respectfully request that you and the Committee:

1. add this letter & supporting documents [C:845] to my case and include them in your Study; and
2. convey to the AO and the Conference that in the interest of studying the handling in the Act's last review stage of the first petition filed with it in many years [C:1771], my petition [C:823] should be forwarded to the Conference to be investigated and decided by it.

Looking forward to hearing from you,

sincerely, *Dr. Richard Cordero*

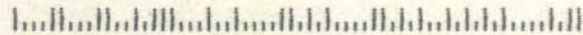
<sup>1</sup> Remarks of Chief Justice Rehnquist at the Federal Judges Association Board of Directors Meeting, May 5, 2003; at [http://www.supremecourtus.gov/publicinfo/speeches/sp\\_05-05-03.html](http://www.supremecourtus.gov/publicinfo/speeches/sp_05-05-03.html). [C:1384]

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Dec 30, 04

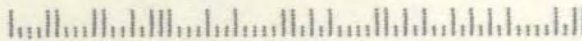
The Judicial Conduct and Disability Act Study Committee  
has received the information you submitted dated 12-20-04.  
If you have not filed a formal complaint and want to do so, please  
refer to section 351(a) of title 28 of the United States Code.



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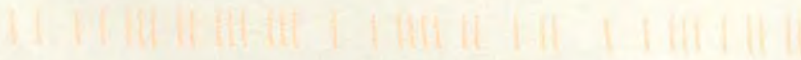


Dr. Richard Cordero  
59 Crescent Street  
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Recd. 10 Jan 05

The Judicial Conduct and Disability Act Study Committee  
has received the information you submitted dated 12/20/2004  
If you have not filed a formal complaint and want to do so, please  
refer to section 351(a) of title 28 of the United States Code.



## Dr. Richard Cordero

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[Sample of letters to Judicial Misconduct Act Study Committee & members]

March 9, 2005

Ms. Sally M. Rider  
Administrative Assistant to the Chief Justice  
Supreme Court of the United States  
1 First Street, N.E  
Washington, D.C. 20543

Dear Ms. Rider,

On November 26, I submitted to your consideration as member of the Judicial Conduct and Disability Act Study Committee [C:1751] a copy of my petition to the Judicial Conference [C:823] for review of the denials by the Judicial Council of the Second Circuit of petitions for review concerning my two judicial misconduct complaints. My petition opened precisely with an argument based on 28 U.S.C. §357(a) for the Conference to take jurisdiction of it. Nevertheless, as stated in my letter to you of December 20 [C:1754], the Office of the General Counsel of the Administrative Office of the U.S. Courts has blocked my petition from reaching the Conference by alleging that under §352(c) the Judicial Conference has no jurisdiction to determine it.

On January 8 and February 7 [cf. C:877; C:890], I brought in writing to the attention of General Counsel William R. Burchill, Jr., that neither his office nor even the Administrative Office has any authority to pass judgment on any argument, let alone on a specific jurisdictional argument, which is a question to be decided in limine by the Conference. I requested Mr. Burchill to forward my petition to the Conference. Far from doing so, he never replied to my letters.

I have brought these unsuccessful requests to the attention of Chief Justice Rehnquist, to whom I have also submitted an addendum [C:899] to my jurisdictional argument. I am submitting it to you too for its consideration as part of the Committee's work. Together with it I also submit to you and the Committee the question whether one of the reasons why since March 2002 the *Report[s] of the Proceedings of the Judicial Conference of the U.S.* [cf.C:1771] have repeated the statement that there was no petition pending before the Conference is that petitions have been arbitrarily blocked by the General Counsel's Office and the Administrative Office. Hence the importance that the Conference consider the argument of its jurisdiction based on §357(a).

To that end, I respectfully request that you and the Committee, whether formally or informally, 1) make known to the Chief Justice the importance for the work of the Committee, which he himself appointed, that he cause the Conference to determine the jurisdictional issue either as presented in the addendum or by having my petition forwarded to it from the Administrative Office; and 2) convey to Mr. Burchill and the Director of the Administrative Office, Mr. Leonidas Mecham, the need to forward the petition so that the Conference be the one to perform that determination. These are necessary steps to answer the question in my December 20 letter whether the ineffectiveness of judicial misconduct complaints and impeachment procedures to discipline judges has allowed a judgeship to become a safe have for wrongdoing.

So that you may realize the need in legal and practical terms to have the Conference review this petition given the egregious nature and harmful effect on me of the misconduct of Complained-about Bkr. Judge John C. Ninfo, II, WBNY, I am including a copy of my motion for his recusal. [C:905] It describes the latest events showing his bias against me and suspiciously toward the debtors although the evidence points to them as participants in a bankruptcy fraud scheme. I look forward to hearing from you.

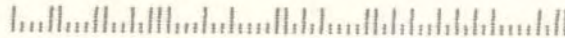
sincerely, 

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11208+1515



[received March 16, 05]

The Judicial Conduct and Disability Act Study Committee  
has received the information you submitted dated 3/9/05.  
If you have not filed a formal complaint and want to do so, please  
refer to section 351(a) of title 28 of the United States Code.



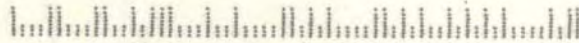


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Washington, DC 20002-8003



Dr. Richard Cordero  
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Mar 25, 05

The Judicial Conduct and Disability Act Study Committee  
has received the information you submitted dated March 9, 2005,  
If you have not filed a formal complaint and want to do so, please  
refer to section 351(a) of title 28 of the United States Code.



## Dr. Richard Cordero

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[Sample of letters to Judicial Misconduct Act Study Committee & members]

March 28, 2005

Judge Pasco M. Bowman  
U.S. Court of Appeals for the Eighth Circuit  
111 South 10th Street  
St. Louis, MO 63102

Dear Judge Bowman,

As stated in my letters to you of 9 instant and November 26 and December 20, 2004 [C:1751,-1754, 1757], last year I filed with the Administrative Office of the U.S. Courts a petition dated November 18, 2004 [C:823], for the Judicial Conference to review the denials by the Judicial Council, 2<sup>nd</sup> Cir., (Exhibits pg. 37=E-37; E-55)\* of two petitions for review (E-23; E-47) concerning two related judicial misconduct complaints (E-1; E-39) [C:1761], one against Judge John C. Ninfo, II, WBNY, and the other against Chief Judge John M. Walker, Jr., CA2.

By letter of December 9, a clerk for the Conference at the Administrative Office, namely, Assistant General Counsel Robert P. Deyling, Esq., blocked the petition from reaching the Conference by alleging that the latter had no jurisdiction to entertain it (23, *infra*) [C:859], thereby passing judgment in lieu of the Conference on the specific jurisdictional issue that I had raised in the petition (3§II, *infra*). As part of my efforts to have the petition submitted to the Conference to let it decide that issue, on January 8 and February 7, 2005 (43; 51), I wrote to the Hon. Judge Ralph K. Winter, Jr., Chairman of the Committee to Review Circuit Council Conduct and Disability Orders. Judge Winter answered by letter of February 15 (25) where he states that neither he nor the Conference has jurisdiction to act on my petition. I am submitting to you and the Study Committee a copy of my reply (28; 29) to his letter. Therein I argue, among other things, that under 28 U.S.C. §331 the Review Committee must review all petitions so that the Committee as a whole, not just he as its chairman, should consider mine; and that since the Review Committee derives its jurisdiction from that of the Conference, it should forward my petition to the latter with the request that it be the one to determine the jurisdictional issue that I raised.

I respectfully request that you and the Study Committee, whether formally or informally, bring to the attention of Judge Winter and the Review Committee the need to let the Conference decide that issue. If so, it would have the opportunity to contribute to your own Study by considering whether too narrow an interpretation of the jurisdictional provisions of the Judicial Misconduct Act accounts for the fact that since March 2002 not a single petition has been submitted to it. Thus, the Conference has not had occasion to consider petitions and in the process provide guidance to judicial councils and chief judges on the Act's proper application. Thereby the Act has become as useless as the impeachment process as a mechanism to control and discipline the judiciary. Instead of it being interpreted to protect individuals who suffer abuse and bias through judicial misconduct (53) or the public at large who must bear the loss of access to justice and the material cost caused by judges engaged in wrongdoing (E-83; E-109), the Act has been interpreted as a means for judges to take care of their own. Has the Conference not been aware of this for the past 25 years during which it issued only 15 misconduct orders? [C:1611]

sincerely, *Dr. Richard Cordero*

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\*These Exhibits were submitted to you and the Study Committee together with a copy of the petition last November 26. The Exhibits are not reproduced below, but reference to their page numbers is made hereinafter with the format (E-#).

# TABLE OF EXHIBITS

submitted on March 26, 2005, to the Members of the Committee to Review  
Circuit Council Conduct and Disability Orders  
in support of the request that they forward to  
the Judicial Conference of the United States for its determination  
the petition for review of November 18, 2004

by

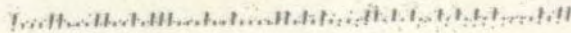
**Dr. Richard Cordero**

1. Dr. Cordero's <b>petition</b> of <b>November 18, 2004, to the Judicial Conference</b> .....	1	[C:823]
2. Letter from Robert P. <b>Deyling</b> , Esq., Assistant General Counsel at the General Counsel's Office of the <b>Administrative Office</b> of the U.S. Courts, of <b>December 9, 2004</b> , stating that <b>no jurisdiction</b> lies for further <b>review by</b> the <b>Judicial Conference</b> of the orders of the Judicial Council .....	23	[C:859]
3. Letter of <b>February 15, 2001</b> , of the Hon. Ralph K. <b>Winter</b> , Jr., Circuit Judge at the Court of Appeals for the Second Circuit and Chair of the Committee to Review Circuit Council Conduct and Disability Orders, <b>to</b> Dr. <b>Cordero</b> stating that the <b>Judicial Conference</b> does <b>not</b> have <b>jurisdiction</b> for further review .....	25	[C:893]
4. Dr. <b>Cordero's letter</b> of <b>March 24, 2005, to Judge Winter</b> requesting that he formally submit to the other members of the Committee as well as to the Judicial Conference the following attachment:.....	28	[C:935]
a) Dr. <b>Cordero's Reply</b> of March 25, 2005, <b>to Judge Winter</b> on the statutory requirement under 28 U.S.C. §331 for the whole Commit- tee to review all petitions <b>for</b> review to the Judicial Conference and on the need for the <b>Conference to decide</b> the issue of <b>jurisdiction</b> .....	29	[C:936]
5. Dr. <b>Cordero's letter</b> of <b>January 8, 2005</b> , and supporting files sent <b>to Judge</b> <b>Winter to request</b> that he withdraw or cause the Judicial Conference to <b>withdraw Mr. Deyling's letter</b> of December 9 as ultra vires, and <b>forward</b> Dr. Cordero's November 18 <b>petition to the Conference</b> for review .....	43	[C:877]
6. Dr. <b>Cordero's letter</b> of <b>February 7, 2005</b> , and supporting files sent <b>to Judge</b> <b>Winter</b> , stating that he has received <b>no response</b> to his January 8 let- ter of and <b>requesting</b> that <b>action</b> be taken on that letter and its requests .....	51	[C:890]
7. Judge <b>Ninfo's bias</b> and <b>disregard for legality</b> can be heard from his own mouth through the <b>transcript</b> of the evidentiary <b>hearing</b> held on <b>March</b> <b>1, 2005</b> , and can be read about in a caveat on ascertaining its authenticity that illustrates <b>his tolerance for wrongdoing</b> .....	53	[C:951]
8. <b>Key Documents and dates in the procedural History</b> of the judicial misconduct complaints filed by Dr. Richard Cordero .....	i	[C:886]
9. <b>Table of Exhibits of the petition</b> for review to the Judicial Conference .....	ii	[C:845]
a) Exhibits.....	E-#	[page num.]

Thurgood Marshall Federal Judiciary Building  
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Dr. Richard Cordero  
59 Crescent Street  
Brooklyn, NY 11208-1515



April 4, 05

The Judicial Conduct and Disability Act Study Committee  
has received the information you submitted dated 3.28.05.  
If you have not filed a formal complaint and want to do so, please  
refer to section 351(a) of title 28 of the United States Code.

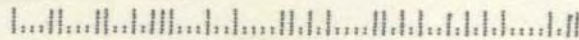


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One Columbus Circle, NE, Rm. 6100  
Washington, DC 20002-8003



Dr. Richard Cordero  
59 Crescent Street  
Brooklyn NY 11208-1515

738



April 7, 05

The Judicial Conduct and Disability Act Study Committee has received the information you submitted dated March 26, 2005. If you have not filed a formal complaint and want to do so, please refer to section 351(a) of title 28 of the United States Code.

## Dr. Richard Cordero

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tel. (718) 827-9521; CorderoRic@yahoo.com

[Sample of letters to Judicial Misconduct Act Study Committee & members]

August 5, 2005

Judge D. Brock Hornby  
U.S. District Court for the District of Maine  
156 Federal Street  
Portland, Maine 04101

Dear Judge Hornby,

Last March 9, I wrote to you as member of the Judicial Conduct Act Study Committee (exhibit page 12, infra=E:12) to inform you that on November 18, 2004, I had petitioned the Judicial Conference [C:823] to review the denials by the Judicial Council, 2<sup>nd</sup> Cir., of my petitions for review of my two judicial misconduct complaints. However, by letter of December 9, a clerk for the Conference at the Administrative Office of the U.S. Courts, namely, Assistant General Counsel Robert P. Deyling, Esq., blocked the petition from reaching the Conference by alleging that the latter had no jurisdiction to entertain it. [C:859] My direct appeals to the Conference members to cause it to seize the petition and decide the threshold jurisdictional issue did not succeed.

Now, last July 28, I wrote to the Conference to petition an investigation under 28 U.S.C. §753(c) of a court reporter's refusal to certify the reliability of her transcript [C:1083], which is yet another in a long series of acts of disregard for duty and legality stretching over more than three years and pointing to a bankruptcy fraud scheme and a cover up. Indeed, on March 1 the evidentiary hearing took place of the motion to disallow my claim in the bankruptcy case of David and Mary Ann DeLano. Bankruptcy Judge John C. Ninfo, II, WBNY, disallowed my claim against Mr. DeLano. Oddly enough, he is a 32-year veteran of the banking industry now specializing in bankruptcies at M&T Bank, who declared having only \$535 in cash and account when filing for bankruptcy in January 2004, but earned in the 2001-03 fiscal years \$291,470, whose whereabouts neither the Judge nor the trustees want to request that he account for.

At the end of the hearing, I asked Reporter Mary Dianetti to count and write down the numbers of stenographic packs and folds that she had used; she did. For my appeal from the disallowance, I requested her to estimate the transcript's cost and state the numbers of packs and folds that she would use to produce it. She provided the estimate, but on three occasions expressly declined to state those numbers. Her repeated failure to state numbers that she necessarily had counted and used to calculate her estimate was quite suspicious. So I requested that she agree to certify that the transcript would be complete and accurate, distributed only to the clerk and me, and free of tampering influence. But she asked me to prepay and explicitly rejected that request! [C:1155-1165]

I called the Administrative Office last August 3, to confirm its receipt of this petition. Mr. Deyling acknowledged it, but again stated that he will not forward it to the Conference because the latter cannot intervene and I do not have a right to petition it. He disregarded my argument that the Conference is a governmental administrative body that under §753(c) has a duty to act on this matter and that I have a constitutional right "to petition the Government for a redress of grievances" under the First Amendment. To the extent that Mr. Deyling is following instructions from the Conference, I pose the question for your Committee whether the uselessness of the Misconduct Act since its enactment 25 years ago results from the determination of the Conference and the judges never to police themselves formally. [cf. C:1611, 1771] I also respectfully request that you let me know to whom in the Conference I can address my petition so as to seize that body thereof.

sincerely, *Dr. Richard Cordero*

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Washington, DC 20002-8003



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*Aug 15, 05*

The Judicial Conduct and Disability Act Study Committee  
has received the information you submitted dated August 5, 2005,  
If you have not filed a formal complaint and want to do so, please  
refer to section 351(a) of title 28 of the United States Code.



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[Sample of letters to Judicial Misconduct Act Study Committee & members]

September 1, 2005

Hon. Judge J. Harvie Wilkinson, III

**As Member of the Judicial Conduct Act Study Committee**

In care of: U. S. Court of Appeals for the Fourth Circuit  
255 West Main Street  
Charlottesville, VA 22902

Dear Judge Wilkinson,

Last August 5, I sent you a letter explaining the submission to the Committee of my petition under 28 U.S.C. §753(b-c) [C:1083] to the Judicial Conference for an investigation, in the context of a bankruptcy fraud scheme pointing to official corruption, of a court reporter's refusal to certify the reliability of her transcript and the designation of another individual to prepare it.

I also submitted the petition to Chief Justice Rehnquist [cf. C:1082] as presiding member of the Conference. On August 11, I received a letter [C:1121] returning it. Anybody who had bothered to read my letter, let alone the caption of the petition, would have realized that neither dealt with an Article III case sent to the Court. Rather, they concerned §753 reporter-related duties of the Conference.

Likewise, the copies of the petition that I filed with the Administrative Office have been returned. A perfunctory letter (E:263) does not even mention my discussion of §753 as authority for Conference action (Petition §V); wrongly copies *a docket entry* on exhibit page 230; and states that because I filed in district court a motion concerning the reporter, the Office "cannot address the court on behalf of a private party". But I never asked the Office to do anything, much less address any court; anyway, does it ignore what concurrent jurisdiction is? I filed the copies with it as the "clerk of Conference" and expected it to forward them to the Conference. Neither the Office has any authority to pass judgment on such filings nor the Conference should use it to avoid its statutory duty or stop a citizen from exercising his 1<sup>st</sup> Amendment right "to petition the [3rd Branch of] Government" by requesting that I cease writing to it. The disingenuousness of the letter is revealed by the fact that nobody wanted to take responsibility for it: it is unsigned! [C:1120]

Another letter [C:1119] pretends that a circuit chief judge cannot forward to a colleague who is the chair of a Conference committee a petition within its jurisdiction with a note "for any appropriate action". I wrote to the Executive Committee chair [C:1123], but have received no answer. There is a pattern: Judges avoid investigating one another by resorting to cursory reading, disingenuous answering, and indifference to official corruption. Yet, there is evidence of a scheme: I served a motion for replacement on the Reporter on July 18 [C:1183], but she did not file even a stick-it with the scribble "I oppose it", though by default she could lose her job, as could the Trustee, who has also disregarded my motion of July 13 [Add:881] for his removal. How did they know that Judge D. Larimer would not act on those motions, which implicate Judge J. Ninfo?

I am respectfully submitting to you and the Committee a Supplement [C:1127] to the Petition showing how the reporter's refusal to certify her transcript is part of a bankruptcy fraud scheme whereby a judge and a trustee have confirmed a debt repayment plan upon the pretense that an investigation cleared the bankrupts of fraud, yet the evidence shows that there was never any investigation and the bankruptcy was fraudulent. I kindly request that you set an example for your peers of concern for judicial integrity and compliance with judges' duty under 18 U.S.C. §3057(a) by referring both the Petition and its Supplement to Attorney General Alberto Gonzales.

sincerely, *Dr. Richard Cordero*



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*Sept. 10, 25*

The Judicial Conduct and Disability Act Study Committee  
has received the information you submitted dated Sept. 1, 2005,  
If you have not filed a formal complaint and want to do so, please  
refer to section 351(a) of title 28 of the United States Code.

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