

June 24, 2023

Bronx DA Candidate Tess Cohen and
Campaign Manager Samantha Curatola-Wilber
tel. (205)276 2707 tess@tesscohen.com, sam@tesscohen.com,
info@tesscohen.com, info@pr01.wixemails.com

Dear Ms. Cohen and Ms. Curatola-Wilber,[‡]

1. In your platform, you, Ms. Cohen, pledge to “Ensure Fairness in [Prosecutions](#)” because “[you have] firsthand knowledge of how the system is often rigged against people accused of crimes].
2. I just learned today about your campaign. I1 want to contribute to it and to your work thereafter my firsthand knowledge as a Bronx grand juror of how prosecutions are rigged right from the stage of the indictment.
3. Indeed, while serving as a grand juror, I witnessed how prosecutors and NYPD officers charged two people with a murder that the latter could not have committed because no evidence of a crime was presented: No footage or photo of the alleged victim or the street crime scene; no incident or autopsy report. The indictment was sought in reliance on grand jurors’ uncritical judgment and subservient deference. Abusive prosecutors take advantage of such attitude, which assures them that ‘they can indict a ham sandwich’.
4. When I asked critical questions, the presenting and the supervising prosecutors referred me to the grand jury judge, who discharged me. I described these events in a 4,743-word, 8-page sworn statement and submitted it to the administrative judge. Late enough, he sent it to the grand jury judge, who with no discussion dismissed it on the trivial fact that the grand jury term had expired.
5. I filed a complaint with the Chief Judge, the NYS and NYC administrative judges, the NYPD Internal Affairs Bureau chief and the Commissioner, the Mayor and Bronx council members, public advocates, et al., who have not replied. The Commission on Judicial Conduct dare dismiss the complaint by alleging that it lack jurisdiction to investigate because the Bronx criminal term judges involved were not members of the NYS Unified Court System!
6. All of them are principals or accessories who either pursue through rigging a higher conviction rate as a career-advancing accomplishment or fail to investigate judges to avoid retaliation. Motivated by self-interest², they corrupt or condone the corruption of the process of justice from its inception in indictments sought and obtained through rigged accusations and abused grand juries.
7. By exposing both before and after the election the responsibility of DA Darcel Clark for the rigging that has occurred under her watch, we can help thousands of current and potential victims of rigged indictments.
8. Thereby we can cause DA Clark to lose the election or be too discredited by the rigging and overwhelmed by motions for review of indictments and claims for compensation to be sworn in or serve fully another term. This is a principled application of the aphorism “The enemy of my enemy is my friend.”
9. If your campaign for DA is not successful, we can join forces to help the victims through a class action³. It can be based initially on the facts known to me and the culpable indifference, coordinated in effect, shown by the top NYC and NYS public officers whom I have repeatedly informed of those facts (see *infra*).

10. That class action can bring about an investigation of all those duty-bound to ensure the integrity of the system of justice⁴. The first investigators can be journalists, whom we inform at a press conference, and then authorities, including federal ones. The action can become a model for similar ones across the nation. Thereby it can establish rigging in the justice system as a decisive issue in the coming presidential debates and the 2024 primaries and general elections.
11. I am willing to discuss with both or either of you on the phone or via Zoom, even on Sunday, June 25, this opportunity for you to become not only the new Bronx DA who transforms as an insider the system of justice, but also a defense [attorney](#) who holds the powerful elites accountable –see also other proposed [joint actions](#)^{5, 6}– and in the process earns national recognition as *We the People's* Champion of Justice.

Dare trigger history!...and you may enter it.

Sincerely, /s/ Dr. Richard Cordero, Esq.

Endnotes

- ¹ This letter and its link[‡] can be shared with others potentially interested in joining any of the proposed class actions and attending my presentation on these high profile cases in the public interest. The presentation is supported by my professional law research and writing, and strategic thinking skills, which undergird my three-volume study* ^{† ♣} of judges and their judiciaries, titled and downloadable thus:

Exposing Judges' Unaccountability and Consequent Riskless Abuse of Power: Pioneering the news and publishing field of judicial unaccountability reporting* ^{† ♣}

- a. The study discusses evidence(OL:194§E) showing that [judges](#) complicitly [exonerate](#) each other; and are protected connivingly by the [politicians](#) who put them in office and deem them ‘our men and women on the bench’. Risklessly, they engage in abuse of power for their gain and convenience individually and as a class that [coordinate](#) the running of judiciaries as [racketeering enterprises](#).
- b. Some of my articles have been posted to my website **Judicial Discipline Reform** at <http://www.Judicial-Discipline-Reform.org>. That site has attracted so many webvisitors that as of 25 June 2023 it had turned into subscribers 48,010 of them. They are potential class members.
- ² Led by their **motive** of protecting and increasing their gains, e.g., by breaking the law, as revealed by *The Wall Street Journal*–, federal judges [intercept](#)(18 U.S.C. §§2511) people’s emails and mail to detect and suppress those of their critics. The Federal Judiciary has the **means**, as it runs one of the largest national computer networks and has the Information Technology (IT) expertise necessary therefor: It handles daily the filing, storage, and retrieval of 100s of millions of briefs, motions, applications, case records, reports, dockets, calendars, orders, decisions, rules, etc., through its Public Access to Court Electronic Records ([PACER](#)) system. Judges have the **opportunity** to also compel such interception by the intelligence agencies to which in a quid pro quo they grant 100% of their secret requests for secret orders for secret surveillance under [FISA](#) (50 U.S.C §§1801-1885c).
- a. [There is proposed](#) to hire [IT experts](#) to examine the computers of judges’ critics. If the communications to and from you were intercepted, you can join the class action against

the interceptor for treble damages³ and attorneys' fees. Cf. former CBS reporter Sharyl(155199a-c) Attkisson [sued](#) the Dept. of Justice for \$35 million for hacking into her computers to spy on her investigations.

- ³ The class action can expect sympathetic juries. Indeed, since the advent of the *MeToo!* and BLM movements and those against police brutality, and racial and socio-economic inequality, the national public has become ever more intolerant of all forms of abuse, as expressed in its self-assertive rallying cry:

Enough is enough!
We won't take any abuse from anybody anymore.

Trump lawyers settled a case on their way to the first trial day rather than risk a huge verdict from one of Bronx blue collar juries, known for their negative attitude toward big companies and government.

- ⁴ Developments in the judiciary establish strong precedents that warrant a favorable expectation:
- a. In the civil suit *Strickland v. U.S., the Judicial Conference, et al.*, the U.S. Court of Appeals for the [4th Circuit](#) held on 26 April '22 that the Federal Judiciary and its officers in their official and individual capacities, including [judges](#), can on constitutional grounds be sued and held liable. The plaintiff's exposure of complicit coordination caused the bench of the Court to recuse themselves!
 - b. Ninety gymnasts sued the FBI and agents for [over \\$1 billion](#) on 8 June '22 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 dereliction of duty. USA Gymnastics and U.S. Olympic Committee had to pay [\\$380 million](#).
 - c. A PA state court ordered judges who sent juveniles to government paid/privately run detention facilities in exchange for kickbacks to pay [\\$206 million](#) in compensatory and punitive damages.

- ⁵ [Medicare](#) administers \$100s of billions for the benefit of its more than 33 million insureds. It works with hundreds of HMOs and other health insurance entities. They have common interests: pay the fewest claims and attract to, and maintain in, their networks the largest number of medical services providers. To advance their interests they deny and uphold the denial of as many of their insureds' claims as possible; disregard the legal obligation to accept as total payment Medicare's schedules of fees for services; and condone the billing of insureds for the unpaid balance. Most insureds who appeal denials and balance billing appear pro se. Due to their ignorance of the law, they are abused. The recovery can be huge and force transformative change. I appealed to the Medicare Appeals [Council](#). After I appeal to the Medicare Board, the class action can be filed in district court.

- ⁶ [Walgreens](#) is [described](#) as having had \$139.5 billion in revenue in 2020 and 277,000 employees in 2021. Its purchase-incentivizing program is Cash Rewards. It is a misnomer, for rewards are not earned by paying in cash and cannot be redeemed for cash despite its false advertisement: "Save time. Redeem your rewards instantly at checkout". But at checkout you cannot pay the total cost of the purchase with your Cash Rewards. You can only apply a single "tier" of \$1, \$3, \$5, or \$10 if it is equal to or less than the purchase cost. You must pay the balance with your money. Your rewards, though earned, are not yours, for they expire. The program is a bait and switch scam. This is a test case for suing big businesses that make enormous gains by defrauding millions of customers of small amounts that do not justify the substantial cost of individual prosecution.

Dare trigger history!...and you may enter it.

Supreme Court
of the
State of New York



LAURENCE E. BUSCHING
JUSTICE OF THE SUPREME COURT

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

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

[‡] http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Admininstrative_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.*[‡] 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.*