

November 9, 2018

Mr. Mark Langer, Clerk of Court
U.S. Court of Appeals for the District of Columbia Circuit
E. Barrett Prettyman United States Courthouse, Rm 5205
333 Constitution Avenue, NW, Washington, D.C. 20001

[no. DC-18-90089]

Dear Clerk of Court Langer¹,

1. I and the people assembled with me, exercising our 1st Amendment “freedom of speech, of the press, and the right of the people peaceably to assemble, and to petition the Government for a redress of grievances”(*>[jur:111§3](#))², which no statute or self-interested required ‘confidentiality’ can abrogate, file publicly this complaint under the Judicial Conduct and Disability Act of 1980 (the Act), 28 U.S.C. §§351-364([jur:24](#)^{18a}) about Judge Brett Kavanaugh, Chief Judge Merrick Garland, and their peers and colleagues on the District of Columbia Circuit (the complained-about judges or the judges; DCC) for dismissing 100% of the 478 complaints about them filed under the Act in DCC, and denying 100% of petitions for review of such dismissals during at least the 1oct 06-30sep17 11-year period. This is a fact established by the statistics([infra 795§C](#)) that they were required under 28 U.S.C. §604(h)(2)([jur:26](#)^{23a}) to submit and did submit to Congress and the public.
2. The Act is to be construed broadly: It does not require complainants to show standing to file a complaint about a judge, whether by having suffered injury in fact as a result of the judge’s misconduct or disability complained about; meeting any residence requirement relative to the judge’s workplace or residence; or otherwise. Rather, it provides under §351(a) that “Any person alleging that a judge has engaged in conduct prejudicial to the effective and expeditious administration of the business of the courts, or alleging that such judge is unable to discharge all the duties of office by reason of mental or physical disability, may file with the clerk of the court of appeals for the circuit a written complaint containing a brief statement of the facts constituting such conduct”.
3. The 15 complaints filed in your Court about J. Kavanaugh following his confirmation hearings in Sep. 2018 were transferred under Rules 25 and 26 of the Rules for Judicial Conduct and Disability Proceedings([jur:125](#)²⁶⁴; †>[OL2:778](#)) by C.J. Garland, who disqualified himself, to DCC J. Karen Henderson, who in turn transferred them to C.J. John Roberts, Jr., who assigned them on Oct. 10 to 10 Cir. C.J. Timothy Tymkovich. We respectfully petition you and all other officers to likewise transfer and process this complaint with the other 15 so that their processing may be informed by each other; all be used to detect judges’ patterns and trends of misconduct and the Federal Judiciary’s institutionalized policy of misconduct as its modus operandi; and their processing may lead to the independent investigation of the Judiciary’s interception of its critics’ communications.

A. The facts of the complained-about judges’ prejudicial conduct

4. Through their 100% dismissal of the 478 complaints about them and 100% denial of the petitions for review, the judges have “engaged in §351(a) prejudicial conduct”. Indeed, they have:
 - a. arrogated to themselves the power to abrogate in effect that Act of Congress, which it is “the business of the courts” and its judges([¶c infra](#)) to enforce together with its other acts;

¹ http://Judicial-Discipline-Reform.org/retrieve/DrRCordero-DCCCA_Clerk-of-Court.pdf

² The materials corresponding to the ([parenthetical references in blue](#)) are contained in my 2-volume study of judges and their judiciaries, which is titled and downloadable thus:

Exposing Judges' Unaccountability and Consequent Riskless Wrongdoing:
Pioneering the news and publishing field of judicial unaccountability reporting* †

- b. abused the self-disciplining power entrusted to them under the Act by exonerating themselves from all complaints so as to evade any disciplinary action, thereby resolving in their favor the conflict of interests arising from being the target and the judges of the complaints;
- c. breached their oath of office under 28 U.S.C. §453 whereby “[We] solemnly swear (or affirm) that [we] will administer justice without respect to persons [like our peers, colleagues, and friends as opposed to other parties to complaints], and do equal right to the poor [in connections to us] and to the rich [in IOUs on us that we gave the peers, colleagues, and friends who dismissed complaints about us], and that [we] will faithfully and impartially discharge and perform all the duties incumbent upon [us] as judges under the Constitution and laws of the United States”. Instead, they administered ‘unequal protection *from* the law’ with respect to relationship to them by being 100% partial toward their peers, colleagues, and friends when they became the target of complaints, 100% of which they dismissed;
- d. disregarded their duty under the Code of Conduct, Canon 1, which requires them to “uphold the independence and integrity of the judiciary”. They have shown that how they “discharge and perform all the duties incumbent upon [them] as judges under the...laws [such as the Act]” depends upon whether the person whose conduct they are judging is their peer, colleague, or friend, on whom they dependent for cover-up of their misconduct and disability;
- e. prejudiced through such reciprocal partiality “the integrity of the judiciary”, of whose essential character for the “effective...administration of the business of the courts” they have imputed knowledge because the Commentary to Canon 1 provides that “Deference to the judgments and rulings of courts depends on public confidence in the integrity and independence of judges. The integrity and independence of judges depend in turn on their acting without fear or favor. Although judges should be independent, they must comply with the law and should comply with this Code. Adherence to this responsibility helps to maintain public confidence in the impartiality of the judiciary. Conversely, violation of this Code diminishes public confidence in the judiciary and injures our system of government under law”;
- f. failed to maintain the “good Behaviour” required of them under Article III, Section 1, of the Constitution “to hold their Offices”; defined by what their oath singles out, i.e., their pledge to “faithfully and impartially discharge and perform all the duties [under the] laws”, such as the Act; and reiterated by Canon 1 in its Commentary “they must comply with the law”;
- g. committed “impropriety and the appearance of impropriety” prohibited by Canon 2, for under Canon 2A “reasonable minds with knowledge of the relevant circumstances after reasonable inquiry would conclude” that it is ‘beyond reasonable doubt’ impossible for all the judges to independently deem that 100% of the 478 complaints about them filed over 11 years were properly dismissible but for a complicit reciprocal complaint dismissal agreement;
- h. denied complainants the benefit intended for them under the Act of redress for the prejudice that they had suffered or witnessed relating to the judges’ misconduct or disability;
- i. deprived complainants and the rest of the public of the working mechanism for complaining that the Act had provided for their protection from misconducting and disable judges;
- j. showed reckless disregard for 100% of the nature, extent, frequency, and gravity of the misconduct and disability complained about in the 478 complaints filed about, and dismissed by, them, whose recklessness was aggravated by their systematic failure to investigate the complaints through the appointment of special committees, provided for under §353;
- k. showed reckless indifference to the rights and well-being of complainants and the rest of the public by leaving them exposed to 100% of the prejudice caused by the misconduct and

disability complained about, and any additional prejudice at the hands of the exonerated judges, who were left free of any deterrent to further committing misconduct and indulging in disability; and at the hands of other judges who, realizing that misconduct and disability had no adverse consequences for judges, committed misconduct and indulged in disability;

- l. disregarded Canon 3 providing that “The duties of judicial office take precedence over all other activities”, for the number of extra-judicial activities highlighted on their individual page on the DCC website allows ‘the math of perfunctoriness’(OL2:760) to demonstrate how lack of time accounts for 93%(OL2:457§D) of appeals being disposed of through the clerk-filled out, reasonless, arbitrary, fiat-like dumping forms of summary orders(jur:43§b);
- m. intentionally “prejudic[ed] the effective and expeditious administration of the business of the courts” and the persons to whom they swore to administer justice, *We the People*: It is a torts tenet that “people are deemed to intend the foreseeable consequences of their acts”. By dismissing 100% of the complaints and denying 100% of review petitions, the judges rendered their misconduct and disability riskless, which enabled their further prejudicial misconduct and disability. Worse yet, they emboldened themselves and others to commit misconduct and indulge in disability of ever more diverse nature, to a greater extent, more frequently, and of higher gravity. While dismissing and denying for over a decade, they saw their foreseeable prejudice become a fact, whose continued occurrence they intended;
- n. deceived potential and actual complainants by pretending that their complaints would be fairly and impartially processed although the judges intended to dismiss 100% of them, thus running the Act’s complaint mechanism as a sham that works fraud on *We the People*.

B. Action requested

5. Therefore, we respectfully petition the judicial officers processing this complaint to:
 - a. deem and treat this complaint as the public document that it already is; and make it available to the public easily and widely as it progresses through the stages of its processing;
 - b. communicate to us and the public the judges’ answers; and afford the opportunity to reply, for it would constitute partiality toward the judges to take their answers at face value;
 - c. in the interest of justice for the complainants and public confidence in judges, make the 478 complaints and their dismissal orders, review petitions, and denials public, and transfer them under Rules 25 and 26 to be processed impartially by DCC-unrelated §353 special committees, whose members need not be judges or lawyers (*next*) and which can replace the failed mechanism of judges –priests, police officers- judging their peers, colleagues, and friends;
 - d. hold fact-finding public hearings on this and all other complaints to ascertain the causes for complaint, which hearings Judge Anthony Scirica, Chair of the Judicial Conduct and Disability Committee, stated at the Oct. 30 hearing on Code and Rules proposed changes are conceivable as part of the Committee’s work; and let independent fact-finders, i.e., news anchors and editors, investigative reporters, and journalism professors(OL2:777¶21c) conduct them to find whether dismissing complaints regardless of the nature, extent, frequency, and gravity of the misconduct and disability turned into judges’ pattern of action that became the Judiciary’s institutionalized policy of misconduct as its modus operandi(OL2:756¶¶9-11);
 - e. have independent IT, mail, and phone forensic experts investigate the Judiciary’s interception of its critics’ communications(OL2:781), such as mine by email, mail, phone, my website, *PayPal*, *GoFundMe*, *LinkedIn*, and *FB* accounts(*>ggl:1); and make their findings public:

Dr.Richard.Cordero_Esq@verizon.net , DrRCordero@Judicial-Discipline-Reform.org ,
CorderoRic@yahoo.com , Dr.Richard.Cordero.Esq@gmail.com ,
Dr.Richard.Cordero.Esq@outlook.com , Dr.Richard.Cordero.JDR@gmail.com ,
Dr.Richard.Cordero.Esq.JDR@gmail.com

Visit the website at, and
subscribe for free to its series of articles thus:
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to advance our common interest in exposing
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at the **GoFundMe** campaign
<https://www.gofundme.com/expose-unaccountable-judges-abuse>

<https://www.linkedin.com/in/dr-richard-cordero-esq-0508ba4b>

C. Links to official court statistics on complaints about judges and their analysis

6. Article on official statistics on complaints about J. Kavanaugh, DCC Chief Judge Merrick Garland, & peers and their analysis using "the math of abuse": http://Judicial-Discipline-Reform.org/retrieve/DrRCordero_JJ_Kavanaugh-Garland_exoneration_policy.pdf
7. Table of complaints against judges lodged in, and dismissed by, DCC in the 1oct06-30sep17 11-year period: http://Judicial-Discipline-Reform.org/retrieve/DrRCordero_table_exonerations_by_JJ_Kavanaugh-Garland.pdf
8. Collected official statistics on complaints about federal judges in the 1oct96-30sep17 21-year period: http://Judicial-Discipline-Reform.org/retrieve/DrRCordero_collected_statistics_complaints_v_judges.pdf
9. Template to be filled out with the complaint statistics on any of the 15 reporting courts: http://Judicial-Discipline-Reform.org/retrieve/DrRCordero_template_table_complaints_v_judges.pdf
10. Article on statistics and math: neither judges nor clerks read the majority of briefs, disposing of them through 'dumping forms': unresearched, unreasoned, arbitrary, and fiat-like orders; http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Honest_Jud_Advocates.pdf >OL2:760, 457§D

Dare trigger history!(>jur:7§5)...and you may enter it.*

Sincerely, Dr. Richard Cordero, Esq.
Dr. Richard Cordero, Esq.
Judicial Discipline Reform
New York City

OFFICE OF THE CIRCUIT EXECUTIVE

UNITED STATES COURTS OF THE
DISTRICT OF COLUMBIA CIRCUIT

Elizabeth H. Paret
202.216.7340 Phone

E. Barrett Prettyman U.S. Courthouse
333 Constitution Avenue, N.W.
Washington, D.C. 20001

November 16, 2018

Dr. Richard Cordero, Esq.
2165 Bruckner Blvd.
Bronx, NY 10472-6506

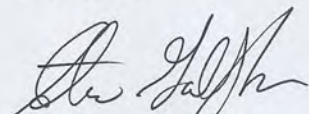
Dear Mr. Cordero:

Your correspondence regarding allegations of judicial misconduct was received on November 13, 2018. Complaints of judicial misconduct are considered under the *Rules for Judicial-Conduct and Judicial-Disability Proceedings*. A copy of the rules is attached. Additional information is available on the website of the U.S. Court of Appeals at www.cadc.uscourts.gov under the Judicial Misconduct tab at the top of the page.

With regard to your comments regarding Chief Judge Garland, note that Rule 6(d) states the "truth of the statements made in the complaint must be verified in writing under penalty of perjury." If not verified, the Rule provides that "the submission will be accepted, but it will be reviewed under only Rule 5(b)." Since your correspondence was not properly verified, it will be reviewed only under Rule 5(b). If you prefer to have your correspondence considered under Rule 6 as a complaint, you must provide the proper verification on or before December 3, 2018. A form is not required, but one is enclosed for your convenience should you choose to use it.

With regard to your comments related to former Judge Brett M. Kavanaugh, Rule 4 provides that the rules apply only to judges of the courts of this circuit. Former Judge Kavanaugh is no longer a judge of this circuit so this office can take no action under the rules regarding him.

Sincerely,



Steven Gallagher
Deputy Circuit Executive

Enclosure

November 27, 2018

Circuit Executive Elizabeth H. Paret tel. (202)216-7340
U.S. Court of Appeals for the District of Columbia Circuit
333 Constitution Avenue, N.W., Washington, D.C. 20001-2866

Dear Ms. Paret¹,

1. I am in receipt of the letter of your deputy, Mr. Steven Gallagher, of November 16, which was delivered only on November 23 after Thanksgiving, in connection with my judicial misconduct complaint of November 9, addressed to the DCCCA Clerk of Court, Mr. Mark Langer. Both the letter and the complaint are attached hereto for your ease of access.
2. In response to Mr. Gallagher's comment on the lack of verification of my complaint, I declare under penalty of perjury that the statements that I made in that complaint as well as herein are true and correct to the best of my knowledge. I have provided the same verification in the form that he sent me for that purpose, which I have filled out and attached hereto.
3. So, I am requesting here, as was my clear intent in the complaint, that it be treated as such, whereby Rule 6 of the Rules for processing judicial misconduct complaints (the Rules) should be applied.
4. Surprisingly, Mr. Gallagher appears to be under the mistaken impression that my complaint concerns only Chief Judge Merrick Garland, whereby he exonerates all the other subject judges. But I clearly identified all the subject judges thus:
 1. I...file publicly this complaint...about Judge Brett Kavanaugh, Chief Judge Merrick Garland, and their peers and colleagues on the District of Columbia Circuit...for dismissing 100% of the 478 complaints about them filed under the Act in DCC, and denying 100% of petitions for review of such dismissals during at least the 1oct 06-30sep17 11-year period.
5. Mr. Gallagher tries to exonerate J. Kavanaugh by stating the following:

"With regard to your comments related to former Judge Brett M. Kavanaugh, Rule 4 provides that the rules apply to judges of the court of this circuit. Former Judge Kavanaugh I no longer a judge of this circuit so this office can take no action under the rules regarding him."
6. This type of exoneration is the one that the Catholic Church conjured up to escape liability and protect its pedophilic priests: 'The diocese of the alleged pedophilic priest could no longer investigate him because he had been transferred to another diocese, and the transferee diocese could not do so either because he did not commit the alleged pedophilic acts in its diocese'. Through this coordinated exoneration the Church institutionalized the cover-up of its pedophilic priests.
7. But judges have not approved of the Church's institutionally coordinated exoneration. Instead, they have held the Church liable to more than \$2 billion in damages to the victims of those priests and its decades-long institutional cover-up. Judges must not hypocritically apply that exoneration to benefit one of their own by alleging, mutatis mutandis, that 'Judge Kavanaugh cannot be investigated for this complaint either by the DCCCA 'diocese' because he has been transferred from it or by the 'cardinals' of the Supreme Court because they have exonerated themselves from the Judicial Discipline and Disability Act (the Act) and its complaint processing Rules, just as they have exonerated themselves from the Code of Conduct. Through such abusive double standard,

¹ http://Judicial-Discipline-Reform.org/retrieve/DrRCordero-DCCCA_Clerk-of-Court.pdf

[†] http://Judicial-Discipline-Reform.org/OL2/DrRCordero-Honest_Jud_Advocates.pdf >from OL2:394

the institutionally coordinated exoneration is applied to get off Judge Kavanaugh scot-free.

8. Moreover, Mr. Gallagher's application of Rule 4 is ultra vires as a crass attempt to evade what the Act provides in "§358. Rules: ... (c) Procedures... No rule promulgated under this section may limit the period of time within which a person may file a complaint under this chapter". However, his application of Rule 4 does precisely that: In practice, it limits the time for filing a complaint to that during which the judge continues to serve in the court where he allegedly committed misconduct or indulge in disability. That is facially impermissible as violative of the Act.
9. Rule 4 would apply if J. Kavanaugh had committed his misconduct while he was a Supreme Court justice; but that is not the case at all. He committed all of it while he was a judge of a court subject to the Act, i.e., at least during the 1oct06-30sep17 period in which he served in DCC—plus the time between 1oct17 and the last day in 2018 when he was no longer able to participate in dismissing complaints and denying review petitions or covering up such dismissals and denials-.
10. The "peers and colleagues" of C.J. Garland and J. Kavanaugh are also subject judges. They are not exonerated from my complaint because I prudently chose not to venture into the task of trying to identify all those "peers and colleagues" without whose participation and cover-up it would have been impossible for C.J. Garland and J. Kavanaugh to commit the misconduct of dismissing 100% of 478 complaints about them and denying 100% of dismissal review petitions during at least 11 years. An independent investigation, i.e., one conducted by a §353 special committee composed of independent people not including any subject judges and not appointed by any of them, will be in a better position than I to identify them.
11. Those "peers and colleagues" are not independent: They depend on each other for exoneration from any complaint naming them subject judges. To make their dependency binding, they have entered a complicit reciprocal complaint dismissal agreement. On its strength, they evade discipline, make themselves unaccountable, and go on risklessly committing misconduct and indulging in disability. Thus partial toward each other, they cannot process my complaint. Hence, it must be transferred out of DCC as requested, lest they all complicitly disregard Canon 2 of the Code of Conduct by engaging in crass self-interested "impropriety and the appearance of impropriety", as they have been doing for years. In paragraph 3, I stated the precedent for such transfer established by C.J. Garland and DCCCA Judge Henderson themselves:
 3. The 15 complaints filed in your Court about J. Kavanaugh following his confirmation hearings in Sep. 2018 were transferred under Rules 25 and 26 of the Rules for Judicial Conduct and Disability Proceedings [the Rules] ...by C.J. Garland, who disqualified himself, to DCC J. Karen Henderson, who in turn transferred them to C.J. John Roberts, Jr., who assigned them on Oct. 10 to 10 Cir. C.J. Timothy Tymkovich. We respectfully petition you and all other officers to likewise transfer and process this complaint with the other 15 so that their processing may be informed by each other; all be used to detect judges' patterns and trends of misconduct and the Federal Judiciary's institutionalized policy of misconduct as its modus operandi; and their processing may lead to the independent investigation of the Judiciary's unlawful interception of its critics' communications.
12. Therefore, I respectfully request that you cause my complaint to be transferred to Chief Justice John Roberts, Jr., for its processing under Rule 6 against Judge Kavanaugh, as 15 other complaints were, and against C.J. Garland and their DCC peers and colleagues.

Dare trigger history!(>jur:7§5)...and you may enter it. Sincerely, Dr. Richard Cordero, Esq.*

OL2:803 * http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf >all prefixes:# up to OL:393

OL2:795c

**JUDICIAL COUNCIL OF THE DISTRICT OF COLUMBIA CIRCUIT
COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY**

E. Barrett Prettyman U.S. Courthouse
333 Constitution Avenue, N.W.
Washington, D.C. 20001-2866
202-216-7340

This form should be completed and mailed to the above address to the attention of the "Circuit Executive". The envelope should be marked "JUDICIAL MISCONDUCT COMPLAINT" or "JUDICIAL DISABILITY COMPLAINT". Do not put the name of the judge on the envelope.

The "Rules for Judicial-Conduct and Judicial-Disability Proceedings", adopted by the Judicial Conference of the United States, contain information on what to include in a complaint (Rule 6), where to file a complaint (Rule 7), and other important matters. Your complaint (this form and the statement of facts) should be typewritten and must be legible. Only the original form and up to a five page statement of facts should be submitted. No copies are required.

1. Name of Complainant: Dr. Richard Cordero, Esq.
Address: 2165 Bruckner Blvd., Bronx, NY 10472-6506
Telephone: (718) 827-9521

2. Name(s) of Judge(s) complained about: Chief Judge Merrick Garland, Judge Brett Kavanaugh, and their peers and colleagues in DCC who dismissed 100% of the 478 complaints about them, and denied 100% of the petitions for review of such dismissals, filed during at least the
Court: 1oct06-30nov17 11-year period

3. Does this complaint concern the behavior of the judge(s) in a particular lawsuit or lawsuits?
 Yes No

If "yes" give the following information about each lawsuit (use reverse side if more than one):

Court: _____
Case number: _____

Are (were) you a party or lawyer in the lawsuit?

Party Lawyer Neither

If you are (were) a party and have (had) a lawyer, give the lawyer's name, address, and telephone number:

Docket number(s) of any appeals of above case(s) to the Court of Appeals, D.C. Circuit:

4. Have you filed any lawsuits against the judge?

Yes No

If "yes" give the following information about each lawsuit (use the reverse side if more than one)

Court: _____

Case number: _____

Present status of lawsuit: _____

Your lawyer's name: _____

Address: _____

Telephone: () -

Court to which any appeal has been taken in the lawsuit against the judge: _____

Docket number of the appeal: _____

Present status of the appeal: _____

5. **Brief Statement of Facts.** Attach a brief statement of the specific facts on which the claim of judicial misconduct or disability is based on up to five double-sided pages (8.5 x 11"). Include what happened, when and where it happened, and any information that would help an investigator check the facts. If the complaint alleges judicial disability, also include any additional facts that form the basis of that allegation. See Rule 6 (a) for further information on what to include in your statement of facts.

Declaration and Signature:

I declare under penalty of perjury that the statements made in this complaint are true and correct to the best of my knowledge.

Signature: Dr. Richard Cordero, Esq.

Date: November 27, 2018

17 dec 18

OFFICE OF THE CIRCUIT EXECUTIVE

UNITED STATES COURTS OF THE
DISTRICT OF COLUMBIA CIRCUIT

Elizabeth H. Paret
Circuit Executive
202.216.7369

Room 4726
E. Barrett Prettyman U.S. Courthouse
333 Constitution Avenue, NW
Washington, D.C. 20001

December 13, 2018

Dr. Richard Cordero, Esq.
2165 Bruckner Blvd.
Bronx, NY 10472-6506

Re Judicial Complaint No. DC-18-90089

Dear Mr. Cordero:

Your correspondence dated November 27, 2018, regarding allegations of misconduct by judges of the United States Courts of the District of Columbia Circuit was received on December 3, 2018. As it relates to Chief Judge Merrick B. Garland, your complaint has been filed and has been assigned Judicial Complaint No. DC-18-90089. Please use this number on any future correspondence pertaining to your complaint.

I have reviewed and endorse the actions taken by Mr. Gallagher regarding the allegations against former Judge Kavanaugh and the group of unnamed judges noted in your correspondence. Complaints of judicial misconduct are considered under the *Rules for Judicial-Conduct and Judicial-Disability Proceedings*. Rule 4 prohibits this office from accepting for filing a complaint against anyone who does not hold a judicial office within this circuit. Note also that Rule 7(a) requires that such a complaint "must be filed with the circuit clerk in the jurisdiction in which the subject judge holds office." In addition, Rule 8(c) specifically provides that if a potential complaint relates to a person not holding an office described in Rule 4, the complaint must not be accepted under these Rules. Therefore, this office cannot accept a filing alleging misconduct by former Judge Kavanaugh. He no longer holds office in this circuit.

Rules 4 and 6 also require that the subject judge be identified along with a "concise statement that details the specific facts on which the claim of misconduct or disability is based." Therefore, in order for complaints to be filed, you must identify which judges are alleged to have committed misconduct, and what each judge did that you allege to be misconduct.

Sincerely,



Elizabeth H. Paret
Circuit Executive

Judicial Council of the District of Columbia Circuit

In the Matter of

Judicial Council Complaint No. DC-18-90089

**A CHARGE OF JUDICIAL
MISCONDUCT OR DISABILITY**

ORDER

BEFORE: Garland*, Chief Circuit Judge; Griffith, Srinivasan, Millett, and Pillard, Circuit Judges; Howell, Chief District Judge; and Sullivan, Kollar-Kotelly, and Mehta, District Judges.

On December 13, 2018, the complainant filed a complaint of misconduct against a current judge, a former judge, and other unnamed judicial peers and colleagues. Judge Henderson, the most senior active circuit judge, asked the Circuit Judicial Council to either authorize her to dispose of the complaint on its merits or to request that the Chief Justice transfer the complaint to another circuit. Upon consideration thereof, it is

ORDERED, by the Judicial Council, that this matter be referred to the Chief Justice to consider transferring it to another circuit's judicial council pursuant to Rule 26 of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.

FOR THE COUNCIL:



ELIZABETH H. PARET
Circuit Executive

*Chief Circuit Judge Garland did not participate in the instant order.

Filed: February 21, 2019

OFFICE OF THE CIRCUIT EXECUTIVE
UNITED STATES COURTS OF THE
DISTRICT OF COLUMBIA CIRCUIT

Elizabeth H. Paret
Circuit Executive
202.216.7369
202.273.0331 Fax

Room 4726
E. Barrett Prettyman U.S. Courthouse
333 Constitution Avenue, NW
Washington, D.C. 20001

February 21, 2019

The Honorable John G. Roberts, Jr.
Chief Justice of the United States
One First Street, NE
Washington, D.C. 20543

In re: Judicial Misconduct Complaint No. DC-18-90089

Dear Chief Justice Roberts:

Because of the exceptional circumstances related to this complaint and the concern that local disposition may weaken public confidence in the process, the Judicial Council of the District of Columbia Circuit requests that you transfer this complaint to another circuit's judicial council as provided by Rule 26 of the Rules for Judicial-Conduct and Judicial-Disability Proceedings. The complaint and order of the Judicial Council are attached. Thank you.

FOR THE COUNCIL:



Elizabeth H. Paret
Circuit Executive

Attachments

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
THE CHIEF JUSTICE

March 26, 2019

The Honorable Ed Carnes
Chief Circuit Judge
United States Court of Appeals
for the Eleventh Circuit
Frank M. Johnson, Jr.
United States Courthouse
One Church Street, Room 403
Montgomery, Alabama 36104

Dear Chief Judge Carnes:

On February 21, 2019, I received a request from the Judicial Council of the District of Columbia Circuit, under Rule 26 of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, to transfer judicial conduct proceeding captioned *In Re: Judicial Misconduct Complaint No. DC-18-90089*, to the judicial council of another federal judicial circuit.

In response, I have selected the Judicial Council of the United States Court of Appeals for the Eleventh Circuit to accept the transfer and to exercise the powers of a judicial council with respect to the identified complaint and any pending or new complaints relating to the same subject matter.

Sincerely,



cc: The Honorable Merrick B. Garland
Chief Circuit Judge, United States Court of Appeals
for the District of Columbia Circuit
Mr. James C. Duff
Director, Administrative Office of the United States Courts
The Honorable Anthony J. Scirica
Chair, Judicial Conference Committee on Judicial Conduct and Disability

OFFICE OF THE CIRCUIT EXECUTIVE

UNITED STATES COURTS OF THE
DISTRICT OF COLUMBIA CIRCUIT

Elizabeth H. Paret
202.216.7340 Phone

E. Barrett Prettyman U.S. Courthouse
333 Constitution Avenue, N.W.
Washington, D.C. 20001

March 26, 2019

Dr. Richard Cordero, Esq.
2165 Bruckner Blvd.
Bronx, NY 10472-6506

Re: Judicial Complaint No. DC-18-90089

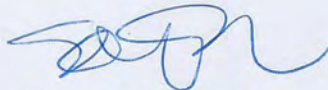
Dear Dr. Cordero:

The Judicial Council of the District of Columbia Circuit requested that the Chief Justice of the United States determine as provided by Rule 26 of the *Rules for Judicial-Conduct and Judicial-Disability Proceedings* whether or not to transfer your complaint to another circuit for consideration due the exceptional circumstances related to your complaint and the concern that local disposition may weaken public confidence in the process.

In response, Chief Justice John G. Roberts, Jr., has assigned your complaint to the Judicial Council of the Eleventh Circuit. Inquiries may be directed to the following office.

Office of the Circuit Executive
United States Court of Appeals
Elbert P. Tuttle Court of Appeals Building
56 Forsyth Street, N.W.
Atlanta, GA 30303
(404) 335-6535

Sincerely,



Elizabeth H. Paret
Circuit Executive

Attachment: Letter dated March 26, 2019, from the Chief Justice of the United States



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Merrick B. Garland, Chief Judge	216-7460
Karen LeCraft Henderson	
Judith W. Rogers	216-7260
David S. Tatel	216-7160
Thomas B. Griffith	216-7170
Sri Srinivasan	216-7080
Patricia A. Millett	216-7110
Cornelia T.L. Pillard	216-7120
Robert L. Wilkins	216-7240
Gregory G. Katsas	216-7220
Neomi J. Rao	216-7180
Harry T. Edwards	216-7380
Laurence H. Silberman	216-7353
Stephen F. Williams	216-7210
Douglas H. Ginsburg	216-7190
David B. Sentelle	216-7330
A. Raymond Randolph	216-7425

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Chief Judge Merrick B. Garland

Judge Thomas B. Griffith

Judge Sri Srinivasan

Judge Patricia A. Millett

Judge Cornelia T.L. Pillard

Chief Judge Beryl A. Howell

Judge Emmet G. Sullivan

Judge Colleen Kollar-Kotelly

Judge Amit P. Mehta

Eleventh Circuit Judges

Judges' Chambers may be contacted through the Eleventh Circuit Court of Appeals [Clerk's Office](#). All filings should be directed to the clerk's principal office in Atlanta. The rules for filing can be found at [FRAP 25](#).

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Statistics & Reports

Table S-22—Other Judicial Business (September 30, 2018)

Data Tables

★ Table S-22—Other Judicial Business (September 30, 2018)

U.S. Federal Courts—Complaints Filed and Action Taken Under Under 28 U.S.C. §§ 351-364 —During the 12-Month Periods Ending September 30, 2017 and 2018

DOWNLOAD DATA TABLE
(PDF, 317.06 KB)

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Reporting Period End Date: September 30, 2018
Publication Name: Judicial Business
Topic(s): Judicial Complaints
Current Table Number: S-22
Publication Table Number: S-22

Table S-22
Report of Complaints Commenced and Action Taken Under Authority of 28 U.S.C. 351-364
During the Period Ending September 30, 2018

Summary of Activity	Circuits											National Courts ¹				
	Total	Fed	DC	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	CC	CIT
Complaints Pending on September 30, 2017²	593	0	12	28	42	52	105	72	114	8	46	21	31	59	3	0
Complaints Filed	1,348	15	69	18	78	219	171	131	130	77	74	153	37	153	23	0
Source of Complaints																
Filed by Complainant	1,343	15	69	18	77	219	171	130	130	76	74	152	36	153	23	0
Identified by Circuit Chief Judges	5	0	0	0	1	0	0	1	0	1	0	1	1	0	0	0
Complainants³																
Prison Inmates	549	0	4	2	27	73	76	120	32	24	39	83	19	50	0	0
Litigants	770	15	26	15	46	146	92	43	98	51	35	70	15	97	21	0
Attorneys	27	0	4	0	4	4	1	5	0	3	3	2	0	0	1	0
Public Officials	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	71	0	35	1	1	0	2	11	0	2	4	4	4	6	1	0
Judges Complained About																
Circuit Judges	390	9	48	5	7	74	57	28	41	18	21	35	7	40	0	0
District Judges	690	4	20	10	53	108	89	60	71	49	44	78	19	73	12	0
Court of International Trade Judges	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Court of Federal Claims Judges	12	1	0	0	0	0	0	0	0	0	0	0	0	0	11	0
Bankruptcy Judges	49	0	1	1	9	6	5	5	3	3	4	4	1	7	0	0
Magistrate Judges	207	1	0	2	9	31	20	38	15	7	5	36	10	33	0	0
Tax Court Judges	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Nature of Allegations³																
Erroneous Decision	1,120	13	14	17	54	219	150	106	111	71	47	132	36	130	20	0
Delayed Decision	98	1	0	2	4	0	12	22	23	1	8	16	1	8	0	0
Failure to Give Reasons for Decision	25	0	0	7	3	0	0	3	2	0	5	0	0	3	2	0
Improper Discussions With Party or Counsel	47	1	2	2	3	1	8	3	1	1	11	8	2	3	1	0
Hostility Toward Litigant or Attorney	124	1	0	6	13	0	22	12	3	2	18	7	4	35	1	0
Racial, Religious, or Ethnic Bias	68	0	2	3	2	1	6	12	12	0	8	15	2	4	1	0
Personal Bias Against Litigant or Attorney	285	1	7	5	14	2	41	65	9	2	27	32	1	79	0	0
Conflict of Interest (Including Refusal to Recuse)	85	2	3	6	11	3	11	13	6	0	8	10	1	10	1	0
Failure to Meet Financial Disclosure Requirements	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Table S-22. (September 30, 2018—Continued)

Summary of Activity	Circuits												National Courts ¹			
	Total	Fed	DC	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	CC	CIT
Improper Outside Income	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Partisan Political Activity or Statement	6	0	1	0	0	0	1	0	0	0	1	1	0	2	0	0
Acceptance of Bribe	8	0	0	0	0	1	0	0	0	0	0	5	0	2	0	0
Effort to Obtain Favor for Friend or Relative	16	0	0	2	1	1	2	1	0	0	7	1	0	1	0	0
Solicitation of Funds for Organization	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Violation of Other Standards	151	0	0	5	25	5	44	10	3	1	30	2	3	16	7	0
Retaliation against complainant, witness, or others involved in the process	25	1	1	1	6	0	6	4	0	0	5	0	0	1	0	0
Other Misconduct	415	1	53	2	1	170	45	16	7	0	5	59	2	52	2	0
Disability	22	0	2	0	0	0	5	1	0	0	4	5	0	4	1	0
Actions Regarding Complaints																
Withdrawn	4	0	0	0	0	0	2	2	0	0	0	0	0	0	0	0
Complaint Withdrawn with Consent of Circuit Chief Judge	4	0	0	0	0	0	2	2	0	0	0	0	0	0	0	0
Withdrawal of Petition for Review	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Actions by Circuit Chief Judge																
Matters returned from Judicial Council or Judicial Conference Committee	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Complaint Dismissed in Whole or in Part³	992	15	43	18	38	203	131	86	89	77	58	118	7	93	16	0
Not Misconduct or Disability	55	0	4	4	1	0	5	10	10	7	0	13	0	0	1	0
Merits-Related	822	3	9	18	37	190	113	79	66	58	41	108	7	85	8	0
Frivolous	285	0	0	0	0	197	1	38	33	5	6	5	0	0	0	0
Allegations Lack Sufficient Evidence	721	0	38	18	32	200	119	48	26	9	31	96	7	88	9	0
Allegations Incapable of Being Established	3	0	0	0	0	2	0	0	1	0	0	0	0	0	0	0
Filed in Wrong Circuit	19	12	0	0	0	0	0	0	0	0	0	0	0	0	7	0
Otherwise Not Appropriate	14	0	1	0	1	0	2	0	5	1	0	0	0	0	4	0
Complaint Concluded in Whole or in Part	21	0	0	0	2	0	2	11	0	0	2	0	0	4	0	0
Informal Resolution Before Complaint Filed	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Voluntary Corrective Action Taken	5	0	0	0	0	0	2	2	0	0	0	0	0	1	0	0
Intervening Events	16	0	0	0	2	0	0	9	0	0	2	0	0	3	0	0

Table S-22. (September 30, 2018—Continued)

Summary of Activity	Circuits											National Courts ¹				
	Total	Fed	DC	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	CC	CIT
Complaint Referred to Special Committee	6	0	0	0	0	0	0	4	0	1	0	0	1	0	0	0
Actions by Special Committees																
Matter Returned From Judicial Council	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
New Matter Referred to Circuit Chief Judge	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Judicial Council Proceedings																
Matter returned from Judicial Conference	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Complaint Transferred to/From Another Circuit	1	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0
Special Committee Reports Submitted to Judicial Council	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0
Received Petition for Review	475	4	8	15	29	102	71	36	39	32	42	47	18	32	0	0
Action on Petition for Review																
Petition Denied	492	4	12	19	29	81	62	43	60	35	63	47	15	22	0	0
Matter Returned to Circuit Chief Judge	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Matter Returned to Circuit Chief Judge for Appointment of Special Committee	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Received Special Committee Report	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0
Action on Special Committee Report³	16	0	0	0	0	0	16	0	0	0	0	0	0	0	0	0
Complaint Dismissed	14	0	0	0	0	0	14	0	0	0	0	0	0	0	0	0
Not Misconduct or Disability	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Merits Related	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Allegations Lack Sufficient Evidence	14	0	0	0	0	0	14	0	0	0	0	0	0	0	0	0
Otherwise Not Appropriate	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Corrective Action Taken or Intervening Events	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Referred Complaint to Judicial Conference	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Table S-22. (September 30, 2018—Continued)

Summary of Activity	Circuits											National Courts ¹				
	Total	Fed	DC	1st	2nd	3rd	4th	5th	6th	7th	8th	9th	10th	11th	CC	CIT
Remedial Action Taken																
Censure or Reprimand	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0
Suspension of Assignments	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Action Against Magistrate Judge	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Removal of Bankruptcy Judge	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Requesting of Voluntary Retirement	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Certifying Disability of Circuit or District Judge	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Additional Investigation Warranted																
Returned to Special Committee	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Retained by Judicial Council	1	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0
Received From Judicial Council	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Complaints Terminated by Final Action Between 10/1/2017 and 9/30/2018																
	959	15	26	22	45	193	86	87	113	80	89	119	14	59	11	0
Complaints Pending on 9/30/2018																
	695	0	47	17	43	67	121	84	75	4	21	44	44	116	12	0

¹ CC = U.S. Court of Federal Claims; CIT= U.S. Court of International Trade.

² Revised.

³ Number of complainants may not equal total number of filings because each complaint may have multiple complainants. Each complaint may involve multiple allegations. Each complaint may have multiple reasons for dismissal.

March 3, 2019

Ms. Emily Demikat tel. (857)300-0018
Lawyers Defending American Democracy
hello@lawyersdefendingdemocracy.org

Mr. C. Ryan Barber
National Law Journal
cbarber@alm.com

Dear Ms. Demikat and Mr. Barber,

1. The open letter of Lawyers Defending American Democracy (LDAD) released last February 21 and reported by you, Mr. Barber, “call[s] on...fellow lawyers nationwide to speak out...against these attacks by the President on the core of our democratic constitutional form of government.” I want to speak out as described hereunder and urge you, LDAD, and NLJ to do so too.
2. Your chair, Scott Harshbarger, Esq., reportedly said, “The general silence of and seeming acquiescence by, law firm, bar and law school leaders as well as elected law enforcement and legal officers, is absolutely deafening.” His words are applicable to their silence and acquiescence about ‘the disregard of the rule of law’ not only by the President, but also by more powerful and “threatening” officers: life-tenured, discipline self-exempting, in practice unimpeachable and irremovable judges with power over people’s property, liberty, and the rights and duties that frame their lives.
3. For his part, John Montgomery, Esq., a member of LDAD’s steering committee, said that the “focus of the group is to mobilize and amplify the voices of lawyers [because] we have a unique position in American society and a responsibility to support the values underlying the rule of law”. But this rule has been ‘weakened by a pattern of disregard’ by judges because nobody dare ‘challenge and check their power’. This has ‘invited its unfettered growth’ and allowed judges to ‘transform themselves into autocrats’, who are more ‘threatening to [the abstract notion of] democracy’ and the concrete parties before them and the rest of *We the People* than the President is.
4. “As lawyers, we have the responsibility to defend the...core values and principles [of] truthfulness to the public; and the integrity of our system of justice. “Our democracy is built on trust and telling the people the truth about public matters”. “The maintenance of that trust and Americans’ ability to make informed and rational public decisions require” us to provide them “essential facts and other information necessary to inform[ed] actions”, e.g.: We, lawyers, have allowed judges to go “unchallenged and unchecked” so that they “disregard the rule of law” risklessly(infra) for their benefit. “Accordingly, we, as lawyers, cannot ignore or remain silent about [judges’] disregard of these core values and principles” while criticizing the President for his “most pernicious...contempt [for] the truth”. If we continue our “intentional efforts to suppress and distort our [clients’ and all other Americans’] ability to discover the truth about what our [judges] are doing, or not doing, and why”, we are hypocrites and accessories to Judges Above the Law, anathema to democracy.
5. To urge Mr. Harshbarger, Mr. Montgomery, and their fellow members to “speak out” and assume ‘the responsibility that they acknowledge we all have as lawyers’, I respectfully request that you share this and the next letter with them and arrange for me to make to you and them one or more presentations(†>OL2:821-824) via video conference or in person on defending the integrity of judicial process from judges’ “unchallenged and unchecked” power; and that you, Mr. Barber, report it and cause the publication of the articles at †>OL2:760 and 781 for the reasons stated below.
6. The text below with supporting articles can be downloaded in the format of a formal business letter through this link: <http://www.Judicial-Discipline-Reform.org/LDAD/DrRCordero-LDAD.pdf>
7. Please let me know how you intend to proceed. I look forward to hearing from you and the members.

Dare trigger history!(>jur:755)...and you may enter it.* Sincerely, *Dr. Richard Cordero, Esq.*

Dr. Richard Cordero, Esq.

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

Judicial Discipline Reform
www.Judicial-Discipline-Reform.org

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March 3, 2019

Scott Harshbarger, Esq., Chair,
Lawyers Defending American Democracy

John Montgomery, Esq., Steering Committee
hello@lawyersdefendingdemocracy.org; tel. (857)300-0018

Dear Mr. Harshbarger, Mr. Montgomery, and LDAD members,

1. I read LDAD's open letter stating that its members "believe that the virtually unprecedented assault on our democracy by our President must not stand". I agree. You are justified in 'making your voices heard' about 'the bedrock values and principles of our American, constitutional, democratic form of government' that the President has repeatedly violated'. But to be consistent and avoid a double standard, you must also raise your voice against worse assaulters and violators thereof: judges. While P. Trump is "challenged and checked" by the media, Congress, voters, you, etc., nobody 'challenges and checks' federal judges, the model for their state counterparts: In the last 230 years since the creation of the Federal Judiciary in 1789, the number of them impeached and removed is 8! Yet, on 30Sep17, there were 2,142 federal judicial officers on the bench (*>jur:22¹³⁻¹⁵). Once a nominee is confirmed to the federal bench, he or she can abuse risklessly his or her powers over people's property, liberty, and rights in reliance on this historic record.
2. Still worse, federal judges ensure their own unaccountability: Indeed, in the 2006-2017 11-year period during which Then-Judge Bret Kavanaugh served on the District of Columbia Circuit, he and his peers and colleagues dismissed 100% of the 478 complaints filed against them and denied 100% of the petitions for review of those dismissals(†>OL2:748). That is what Then-Judge Neil Gorsuch and his peers and colleagues in the 10th Circuit did(OL2:548); what Then-Judge Sonia Sotomayor in the 2nd did (*>jur:11) before being elevated to the Supreme Court; and what their peers and colleagues in the other circuits do(jur:10). Hence, the justices have a self-interest in not denouncing judges' continued abuse of their self-disciplining authority lest they incriminate themselves. In addition, the politicians who recommended, endorsed, nominated, and confirmed judges to the Judiciary protect them thereafter as 'our men and women on the bench'. As a result, judges have transformed the Judiciary from a government branch liable to checks and balances in-to a state within the state. They are far more powerful than the President: One single federal judge suspended nationwide his first Muslim travel ban, and three circuit judges sustained his suspension nationwide. One single judge can suspend his invocation of emergency powers to build his wall. A fortiori, judges abuse much weaker parties, while lawyers "ignore and remain silent" about it.
3. Judges' abuse is shown by the "honest, factual information" in my study [Exposing Judges' Unaccountability and Consequent Riskless Wrongdoing: Pioneering the news and publishing field of judicial unaccountability reporting](#)* †: Judges fail to read the majority of briefs(OL2:608§A), causing parties to waste the \$1Ks and even \$10Ks that it costs to produce a brief(OL2:760). The federal circuits dump out 93% of appeals in unresearched, unreasoned, fiat-like orders "on procedural grounds [e.g., lack of jurisdiction], unsigned, unpublished, without comment, and by consolidation"(OL2:457§D); the remaining 7% unfairly and unequally get published opinions. To cover their abuse, judges intercept their critics' communications(OL2:781). 'The values and principles threatened by [judges] go much deeper, and are much more important, than...any [lawyer's] self-interest' in not antagonizing judges. If "As lawyers, we have a responsibility to uphold "the rule of law" and prevent "the law of [judicial] rulers", we must "defend the...value [of] truthfulness to the public...and the integrity of our...judiciary [as] a pillar of our democracy. We must speak out". 'Americans need to hear your voice' about judges' abuse. So I respectfully ask that LDAD hear mine by sharing this letter and inviting me to present thereon via video conference or in person.

Dare trigger history!(>jur:7§5)...*and you may enter it.

Sincerely, *Dr. Richard Cordero, Esq.*

* http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf >all prefixes:# up to OL:393 OL2:841

March 3, 2019

List of Lawyers Defending American Democracy contacted by email and mail in the last days February and early days of March 2019 to encourage them to apply the same principles that they professed in their open letter critical of President Trump also to defend Americans and their democracy from unaccountable judges and their consequent riskless abuse of power, but from whom not a single reply by either email or mail was received, which provides probable cause to believe that our communications were intercepted because it is statistically not credible that 100% of them had the same reaction inconsistent with their own principles

Subject line of Dr. Cordero' email: To LDAD Demikat & NLJ Barber [my part of the line]:
'We Must Speak Out': Hundreds of Lawyers Form New Group Assailing Trump [this part of the subject line is the subject line of National Law Journal Reporter Barber's email announcing the formation of LDAD]

Title in the body of the email:

**A call to you and your fellow members of
Lawyers Defending American Democracy
to apply consistently
democratic values and principles
to the President as well as to
the far more powerful and "threatening" judges,
who go "unchallenged and unchecked"
in defiance of "the checks and balances"
that constitute the structural principle of
American Democracy
thus becoming anathema to it and you:
Judges Disregarding the Law of *We the People***

Collected emails:

NOTE: The following block of email addresses can be used to ask LDAD members whether they received Dr. Cordero's emails and letters and whether they replied to them. If they did not receive any or if they did receive and reply to them but since he did not receive any reply. If so, there is probable cause to believe that their communications have been intercepted. Those who have the strongest motive to do so are those who have the most to lose if there is a joining of forces to expose their abuse and hold them accountable and liable, namely, the judges. Those of the Federal Judiciary have the means, for they hold a national digital network that handles scores of millions of electronic filings and retrieval through their PACER system, that is, Public Access to Court Electronic Records; <https://www.pacer.gov/>

info@casneredwards.com, John.Montgomery@ropesgray.com,

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- | | |
|---|--|
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| 2. [the author of the NLJ article announcing the creation of LDAD and publication of its open letter to the public critical of President Trump and the impact of his conduct on American democracy]
Reporter C. Ryan Barber
National Law Journal
cbarber@alm.com | 5. Jon S. Bouker, Esq.
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April 20, 2019

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Re: Judicial Misconduct Complaint DC-18-90089

Dear Mr. Gerstenlauer,

By letter of last March 26([infra](#) ↓ [page 795k](#)), Circuit Executive Elizabeth H. Paret of the District of Columbia Circuit (DCC) informed me that “due [to] the exceptional circumstances related to your complaint and the concern that local disposition may weaken public confidence in the process”, my above-referenced complaint had been transferred by the DCC Judicial Council to Supreme Court Chief Justice John G. Roberts, Jr., and by him to the 11th Circuit Judicial Council (the Council), after which she referred any subsequent inquiry to your office.

This is not a petition for review under Rule 18 of the Rules for Judicial-Conduct and Judicial-Misconduct Proceedings (the Rules), for there is no chief judge’s decision to review. This is the presentation of argument against statements made by C.E. Paret and her deputy that could adversely influence the Council in determining the complaint’s scope and its manner of handling it.

A. Neither the Act nor the Rules require that a subject judge be identified by name

1. Neither the Judicial Conduct and Disability Act, 28 U.S.C. §§351-364([*jur:24^{18a}](#); the Act), nor Rule 4 or 6 requires a complainant to identify a subject judge(a judge complained against) by name.
2. Article 351(a)([↓792¶2](#)) provides that a complaint may be filed against “a judge [that] has engaged in conduct prejudicial to the effective and expeditious administration of the business of the courts”. The conduct of the subject judge, not his or her name, is the controlling factor of the complaint.
3. Likewise, “Rule 4. Covered Judges” identifies such judges only by their “actions or capacity”. It does not require at all that they be identified by their names.
4. For its part, “Rule 6. Filing of Complaint” only provides that “(b) A complaint must contain a concise statement that details the specific facts on which the claim of misconduct or disability is based. The statement of facts should include a description of:...” The name of the subject judge does not figure among what “should”, rather than ‘must’, be included. This is so obvious and admits of no addition that the “Commentary on Rule 6” is “The Rule is adapted from the Illustrative Rules and is self-explanatory”.
5. Complainant Dr. Cordero properly identified the subject judges of his complaint by their “conduct, actions, and capacity” as:

Judge Brett Kavanaugh, Chief Judge Merrick Garland, and their peers and colleagues on the District of Columbia Circuit (the complained-about judges or the judges; DCC) for dismissing 100% of the 478 complaints about them filed under the Act in DCC, and denying 100% of petitions for review of such dismissals during at least the 1oct06-30sep17 11-year period.([↓792¶1](#))

6. There is no list of the names of the DCC chief judges and Judicial Council members during the 11 years covered by the complaint, much less of the judges who as a matter of fact participated in dismissing 100% of the complaints and denying 100% of the review petitions of those years. But without doubt, the DCC records show who served as chief judge and Council member during that

[†] http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf >all prefixes# up to OL :393 OL2:881

[‡] <http://Judicial-Discipline-Reform.org/OL2/DrRCordero-11Circuit.pdf>

period. Understandably, Dr. Cordero was not in a position to identify them by name([↓803¶¶10-11](#)).

7. The Act provides in §353(a)(1) for the appointment of a “special committee to investigate the facts and allegations contained in the complaint”. The committee is not limited in its investigatory scope. On the contrary, §353(c) provides that a “special committee...shall conduct an investigation as extensive as it considers necessary”; to that end, it is even entrusted with “full subpoena powers” under §356(a). In addition, §332(d)(2) provides that “All judicial officers and employees of the circuit” must comply under penalty of contempt with a committee subpoena or an order of the judicial council, which under §354(a)(1)(A) “may conduct any additional investigation which it considers to be necessary”.
8. It follows that any special committee, judicial council, chief judge, or §351(c) “circuit judge in regular active service next senior in date of commission” intent in good faith on providing, as required under §351(a), “effective and expeditious administration of the business of the courts”, could have identified the subject judges of Dr. Cordero’s complaint.
9. Therefore, it was disingenuous for DCC Circuit Executive Paret to exclude from the complaint the judges that Dr. Cordero did not identify by name by pretending in her December 13 letter that:

Rules 4 and 6 also require that the subject judge be identified along with a "concise statement that details the specific facts on which the claim of misconduct or disability is based. Therefore, in order for complaints to be filed, you must identify which judges are alleged to have committed misconduct, and what each judge did that you allege to be misconduct.([↓795f](#))
10. Circuit Executive Paret’s pretext illustrates how the DCC chief judges and their circuit peers and lower court colleagues have managed to dismiss 100% of complaints and deny 100% of review petitions for at least the 11 years covered by the complaint: by systematically misrepresenting the provisions in the Act and the Rules and conjuring up requirements not contained there at all.
11. In fact, if C.E. Paret and the DCC chief judge and judicial council had been intent in good faith on being “effective”, they would have done what Dr. Cordero hereby does for consideration by the 11th Circuit Judicial Council: identify by name the current members of the DCC Judicial Council by simply looking up the corresponding page on their website([↓795m](#)). This incorporation by reference into Dr. Cordero’s complaint does not exclude previous DCC chief judges, Council members, or other judges who fit the description([↑¶5](#)) of the subject judges of his complaint.

B. The disingenuous exclusion of Then-Judge Kavanaugh from the complaint

12. Just as DCC Deputy C.E. Steven Gallagher had done in his letter of November 16, 2018([↓795a](#)), C.E. Paret([↓795f](#)) endorsed his disingenuous exoneration from Dr. Cordero’s complaint of Then-Judge Kavanaugh on the pretext that he was no longer a DCC judge. Dr. Cordero incorporates herein by reference([↓802¶¶ 4-9](#)) his arguments against such disingenuous exoneration.
13. Dr. Cordero adds to them that the “effective and expeditious administration of the business of the courts” requires that he be investigated for his alleged misconduct during his 11 years of service on DCC because if such misconduct prevented the administration of justice, then any resulting decision is null and void. Justice demands that it be vacated and the underlying matter reconsidered.
14. Moreover, under Article III, Section 1, of the Constitution, judges are simply employees who “at stated Times, receive for their Services, a Compensation”. Every party that paid a filing fee to a DCC court entered into a contract for services. Where J. Kavanaugh through his misconduct failed to provide such service, he caused DCC as its agent to breach the contract. That party is entitled

to a fee refund and compensation for breach of contract as well as to the vacation of the decision in question and reconsideration.

15. In the same vein, a party who received a filing fee exemption and went on to spend effort, time, and money to prepare and present its case in reliance on the reasonable expectation of benefiting from the administration of justice only to have injustice administered through J. Kavanaugh's misconduct has a reliance interest supporting its claim for compensation, vacation, and reconsideration.
16. What is more, Article III also provides that "The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour". Therefore, it does not matter that J. Kavanaugh is presently serving in the Supreme Court. If his participation in the dismissal of 100% of 478 complaints against him and his DCC peers and colleagues, and the denial of 100% of review petitions amounted to 'bad Behaviour', he did not satisfy the "good Behaviour" sine qua non for him to "hold Office" in DCC or to be nominated and confirmed to, and "hold Office" in, the Supreme Court. But for his and his peers and colleagues' 'bad Behaviour' consisting in their "Office"-abusive self-exoneration from complaints, he would not "hold Office" anywhere. He cannot benefit from his own and their 'bad Behaviour' by continuing to "hold Office" in the Supreme Court.

C. The Council's conflict of interests: a finding against the DCC subject judges would indict the judges of the 11th Circuit on identical grounds

17. The facts and arguments in [↑§B](#) point to a disqualifying conflict of interests of the judges of the 11th Circuit Judicial Council called upon to determine Dr. Cordero's complaint: Whether they limit their determination to Chief Judge Garland, include the other CCD judges, or extend it to Then-Judge, Now-Justice Kavanaugh, they will incriminate themselves in the same 'bad Behaviour'.
18. Indeed, the complaint statistics that they submit annually to Congress through the Administrative Office of the U.S. Courts show that they too consistently dismiss all complaints against them and deny all review petitions([↓795¶8](#); [*>jur:10-14](#)). Those for the latest year, i.e., 1oct17-30sep18 ([↓795o-s](#)), show that they handled 212 pending and new complaints, but referred **0** complaint to a special committee; upon a petition for review returned **0** complaint to the chief judge; and took **0** corrective action so that they censured, reprimanded, or suspended the assignments of **0** judge. That is what those statistics show their counterparts in the other 14 circuits and national courts subject to the Act, including DCC, did. Their judges and those on the 11th Circuit are jointly "running the Act's complaint mechanism as a sham that works fraud on *We the People*"([↓794¶n](#)).
19. The judges of the 11th Circuit have engaged in misconduct as defined in Rule 4: They have
 - a. Rule 4(a)(1)(B): "accepted personal favors related to the judicial office" from the judges who under their complicit reciprocal complaint dismissal agreement([↓793¶g](#); [OL2:803¶11](#)) exonerated them from complaints against them;
 - b. Rule 4(a)(6) and (7): "Failed to Report or Disclose...any reliable information reasonably likely to constitute judicial misconduct", prioritizing complicit reciprocally beneficial "confidentiality of information of misconduct serious or egregious such that it threatens the integrity and proper functioning of the judiciary...over their responsibility to disclose it";
 - c. Rule 4(a)(7): engage in "conduct reasonably likely to have a prejudicial effect on the administration of the business of the courts, including a substantial and widespread lowering of public confidence in the courts among reasonable people", by failing to apply the Act and the Rules so as to censure, reprimand, or suspend the assignments of 0 of their fellow judges.
20. From Commentary on Rule 4 it follows that the DCC and the 11th Circuit judges engage in a "pat-

tern of violations” of the Act and the Rules so consistent –100% to their benefit and 0 to their detriment– as to constitute their institutionalized policy to hold themselves unaccountable for their ‘bad Behaviour’. They have abused their “Office” to abrogate in effect the Act and the Rules.


21. No reasonable person informed of the facts and to be informed by Dr. Cordero from now on can have probable cause to believe that the 11th Circuit Judicial Council will handle his complaint in a way diametrically opposed to its own and its 14 circuits and national courts’ statistical record in order to meet the standard of Commentary on Rule 4 of “protecting the fairness and thoroughness of the process by which a complaint is filed or initiated, investigated (in specific circumstances), and ultimately resolved”. The Council will only cause what C.E. Paret stated that the referral of the complaint out of DCC intended to avoid: “weaken public confidence in the process”(↓795k).

D. Action requested from the 11th Circuit Judicial Council

22. Dr. Cordero respectfully requests that the Judicial Council process the complaint as follows:
- a. treat C.J. Garland, Judge Kavanaugh, and their DCC peers and colleagues as subject judges;
 - b. 1) Commentary on Rule 26, 3rd¶: appoint a special committee; 2) Rule 13(c) and Commentary on Rule 13: let it “hire special staff through the Director of the Administrative Office of the U.S. Courts”; 3) Rule 13(a): let that staff be investigation “expert professionals”, namely, Pulitzer Prize-winning investigative journalists and national media journalists; and charged with 4) Commentary on Rule 14: “the duty to be impartial seekers of the truth” who 5) Rule 13(a): “determine the full scope of the misconduct”, including, 6) Commentary on Rule 20: “institutional issues related to the complaint; conditions that may have enabled misconduct or prevented its discovery; and precautionary or curative steps that could be undertaken to prevent its recurrence”; and thereafter
 - c. Commentary on Rule 25(e): let the judges on the committee and all other judges on the 11th Circuit, who have engaged in the same consistent pattern of complaint dismissal and review petition denial as the DCC judges, be barred from participating in the staff’s investigation and report-writing so as to avoid “the appearance of bias, prejudice...and self-interest in creating substantive and procedural precedents governing such proceedings”;
 - d. Rule 14(a) and (b): let the staff hold public hearings to take testimony, upon subpoena if necessary, from those who have 1) filed complaints in DCC and the 11th Circuit; 2) been harmed by judges’ misconduct or disability even if they have not filed a complaint; and are or were 3) court and law clerks; and 4) judges, so that, Commentary on Rule 14, the staff “present evidence representing the entire picture”;
 - e. Rule 14(b) and Commentary: let the staff obtain as evidence copies of filed complaints by calling on complainants to submit them, which can lead to the detection of patterns and trends(*>OL:274-380, 304-307) of judges’ ‘bad Behaviour’;
 - f. Rule 16(b) and Commentary, 2nd¶: let the staff investigate Dr. Cordero’s submission(↓885-886k) of evidence of judges’ interception of the email and mail communications of critics and non-critics of judges, e.g., Lawyers Defending American Democracy(↓840-841g); Harvard and Yale law school students and professors, The Harvard Crimson, journalists(↓886L); etc.
23. I declare under penalty of perjury that the statements that I have made in this letter and its attachments are true and correct to the best of my knowledge; and look forward to hearing from you.

Dare trigger history!(>jur:7§5)...*and you may enter it.

Sincerely, *Dr. Richard Cordero, Esq.*



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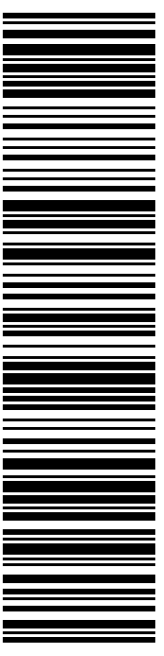
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April 20, 2019

Evidence of judges' interception of the communications of their critics and non-critics

The email addresses of the apparent senders of intercepted emails can be used as leads in an official or journalistic investigation; and intercepted senders can assert causes of action as parties injured in fact by deprivation of their First Amendment rights.

1. Dr. Richard Cordero, Esq., conducts professional law research and writing on judges and their judiciaries. As a result, he has produced a two-volume study*[†] thereon and its title describes what his strategic thinking aims to achieve: **Exposing Judges' Unaccountability and Consequent Risk-less Wrongdoing: Pioneering the news and publishing field of judicial unaccountability reporting*[†]**. Dr. Cordero has more than 15,000 email addresses on his emailing list and posts to scores of yahoo-groups. His articles reach people of all walks of life. Currently, his website at <http://www.Judicial-Discipline-Reform.org> has more than 25,370 subscribers and many more visitors.

2. On March 25, 2017, and for the next few days, Dr. Cordero mass emailed an article([†]>OL2:546) under this subject line –hereinafter referred to as the Gorsuch email–:

How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them and dispose of 93% of appeals with reasonless decisions; the need for *We the People* to demand that Congress hold public hearings on our experience at the mercy of unaccountably independent Judges Above the Law

3. On November 9, 2018, Dr. Cordero used the official statistics of the courts annually submitted to Congress under 28 U.S.C §604(h)(2)(*>jur:26^{23a}) to file a complaint in the District of Columbia Circuit (DCC)(^{supra}↑ 792). He charged Chief Judge Merrick Garland, Judge Brett Kavanaugh while serving as such there, and their peers and colleagues with having dismissed 100% of the 478 complaints against them and denied 100% of the petitions for review of those dismissals in the October 1, 2006-September 30, 2017, 11-year period during which Judge Kavanaugh served there.

4. By letter of March 26, 2019, DCC Circuit Executive Elizabeth Paret notified Dr. Cordero that his complaint, no. DC-18-90089, had been transferred to Chief Justice John Roberts, Jr., who in turn had transferred it to Chief Judge Ed Carnes of the 11th Circuit Court of Appeals for disposition by its Judicial Council(↑ 795a-k). Pursuant to standard practice, neither DCC nor C.J. Roberts made Dr. Cordero's name or complaint public; and the DCC March 26 letter to Dr. Cordero was not published. There was no way for the public to link these official letters to him or his complaint.

5. Yet, on March 30, 2019, on the day when the March 26 letter could have been expected to reach Dr. Cordero, and for a total of seven days until April 5, 71 emails were received in two of his accounts managed by two different Internet Service Providers with notices that the Gorsuch email sent two years earlier on March 25, 2017, had been “Not read”; no “Read” notice was received.

6. People saving an email for two years in their email mailbox without opening or deleting it only to proceed during a period of seven days to delete it, either automatically or manually sending a “Not read” notice, is ‘beyond a reasonable doubt’ impossible. This conclusion becomes a statement of fact upon realizing that the apparent senders of the 71 emails were not people of all walks of life. Rather, they are all members of the media, but for one law professor who appears in the media routinely as a news commentator, one district attorney, and one attorney at a top national law firm:

- a. (See their names ↓886i.) Ashton.Day@KSHB.com, Brittany.Green@WXYZ.COM,
dersh@law.harvard.edu, devona.moore@kshb.com, Eric.Weiss@wptv.com,
FBohorquez@bakerlaw.com, GONZALEE@BrooklynDA.org, Jason.Davis@wptv.com,

* http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf >all prefixes:# up to OL:393 OL2:885

Jasmin.Pettaway@WEWS.COM, JDucey@abc15.com, Jennifer.Tintner@wptv.com,
joe.kernen@nbcuni.com, jon.rehagen@kshb.com, jsmoore@jsmooresq.com,
JSparksJr@wptv.com, Justin.Madden@WEWS.COM, Kathleen.Boutwell@KSHB.com,
lauren.beiler@kshb.com, Lindsay.Shively@kshb.com, Lisa.Benson@kshb.com,
Megan.Strickland@KSHB.com, nicole.phillips@kshb.com, NTotenberg@npr.org,
richard.sharp@kshb.com, Richards@wews.com, samah.assad@wews.com,
Sarah.Plake@KSHB.com, stephanie.carr@newschannel5.com, Taylor.Shaw@KSHB.com

- b. The addresses in black sent their notices to Dr.Richard.Cordero_Esq@verizon.net and many also to DrRCordero@Judicial-Discipline-Reform.org; those in blue only in the latter(↓890).
7. Those apparent senders are the kind of people who have the greatest professional and commercial motive, means, and opportunity to expose public servants' abuse of power. By so doing, they can win a Pulitzer Prize, command a higher salary, and move up to a more highly reputed media outlet. They could have realistically envisioned themselves earning those benefits if they a. exposed how Then-Judge Gorsuch had participated(*>jur:90§§b, c) in dismissing 99.83% of complaints against himself and other judges, denying review petitions, and terminating 93% of appeals with fiats (OL2:457§D, 546¶4); b. based it on judges' statistics; and thus c. prevented his confirmation to the Supreme Court and even d. caused the resignation of justices(*>jur:92§d) by showing how they have continued to cover up judges' abuse, lest the justices be incriminated for their own abuse when they were judges who committed all forms of abuse while ensuring their impunity through similar dismissals and denials. So, it is beyond a reasonable doubt impossible for all the apparent senders to have lacked interest in those benefits, let alone what drives media people: curiosity. Even a minimum of it would have led some, if not most, of them to read the Gorsuch email.
8. This shows that out of the thousands of people who received the Gorsuch email there was no random self-selection of those who became the apparent senders of the "Not read" notices. Far from it, somebody has the means of intercepting emails between critics and non-critics of judges, storing them for years, and choosing intercepted parties as apparent senders whenever expedient. If the interceptors are judges, they sent the notices to convey the message, 'just as we did before(*>ggl:1 et seq.), we control who receives your emails and when; and even intercept your mail(infra). We won't let you assemble people, not even on the Internet, to expose us'. If the apparent senders are whistleblowers, they want to hint at their existence through the intentionality of their choice of apparent senders, and say, 'This is confirmation that judges intercept your emails. Keep going! We are those you asked for(OL2: 788¶37): today's Deep Throat(*>jur:106§c). We no longer want any part in the abuse. Even if only as hidden inside informants, we cry *NotMeAnymore!*'(OL2:787§D).
9. Edward Snowden's leak revealed that the NSA abused its means to collect without authorization the metadata of scores of millions of phone calls. Judges have the necessary national electronic network and contact with intelligence agencies to intercept the communications of even more people. They also have what the NSA has never had: the power to exonerate themselves from 100% of complaints against them. The interception of the Gorsuch email begs the question how far judges' interception of people's communications goes. To answer it there are many leads(*>OL:194§E).
10. Do you trust judges who violate your constitutional right of 'freedom of speech and the press, and to assemble' to protect your other rights? If you do not and are outraged, share this article with everybody, beginning with the apparent senders, who were injured in fact(OL2:729). To contact them and facilitate their communication among themselves and with you, put the bloc(↑¶6a) of their addresses in the To: line of your email to them. You can thus help form a national movement for judicial abuse exposure, redress, and reform(OL2:867) and become a Champion of Justice.

Dare trigger history!(>jur:7§5)...and you may enter it*


Dates and email addresses of the apparent senders of the “Read” and “Not read” notices to Dr. Richard Cordero, Esq. concerning his email, first sent on March 25, 2017, under the subject line: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them and dispose of 93% of appeals with reasonless decisions; the need for *We the People* to demand that Congress hold public hearings on our experience at the mercy of unaccountably independent Judges Above the Law

	Email addresses of the apparent senders	Date when Dr. Cordero sent the email; comments; and conclusion.	Date of the “Read” or “Not read” notice
1.		“Read” and “Not read” notices received in the AOL email account Dr.Richard.Cordero_Esq@verizon.net between March 19 and April 5, 2019	
2.	GONZALEZ, ERIC (GONZALEE@BrooklynDA.org)	Sent: Wednesday, March 29, 2017 3:10:02 PM (UTC-05:00) Eastern Time (US & Canada)	Tue, Mar 19, 2019 8:42 pm

3.

The screenshot shows the AOL Mail interface. The email header indicates it is 'Not read' and from GONZALEZ, ERIC (GONZALEE@BrooklynDA.org) sent on Tuesday, Mar 19, 2019 8:42 pm. The subject line is 'How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them and dispose of 93% of appeals...'. The body of the email states: 'Your message To: GONZALEZ, ERIC Subject: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them and dispose of 93% of appeals with reasonless decisions; the need for We the People to demand that Congress hold public hearings on our experience at the mercy of unaccount... Sent: Wednesday, March 29, 2017 3:10:02 PM (UTC-05:00) Eastern Time (US & Canada) was deleted without being read on Tuesday, March 19, 2019 8:34:26 PM (UTC-05:00) Eastern Time (US & Canada). This email communication and any files transmitted with it contain privileged and confidential information from the Kings County District Attorney's Office and are intended solely for the use of the individuals or entity to whom it has been addressed. If you are not the intended recipient, you are hereby notified that any dissemination or copying of this email is strictly prohibited. If you have received this email in error, please delete it and notify the sender by return email.'

* http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf >all prefixes:# up to OL:393 OL2:886a

	Email addresses of the apparent senders	Date when Dr. Cordero sent the email; comments; and conclusion.	Date of the “Read” or “Not read” notice
4.	Davis, Jason (Jason.Davis@wptv.com)	This email and all those below are qualitatively different in that they do not state when the “Not read” email was sent.	Sat, Mar 30, 2019 6:11 am
5.			
6.	Tintner, Jennifer (Jennifer.Tintner@wptv.com)		Sat, Mar 30, 2019 6:42 am
7.	Weiss, Eric (Eric.Weiss@wptv.com)		Sat, Mar 30, 2019 7:34 am
8.	Sparks Jr, John (JSparksJr@wptv.com)		Sat, Mar 30, 2019 11:47 am
9.	Pettaway, Jasmin (Jasmin.Pettaway@WEWS.COM)		Sat, Mar 30, 2019 11:17 pm
10.	Sat, Mar 30, 2019 11:17 pm Pettaway, Jasmin (Jasmin.Pettaway@WEWS.COM)		Sun, Mar 31, 2019 12:17 am
11.	Green, Brittany (Brittany.Green@WXYZ.COM)		Sun, Mar 31, 2019 4:42 am
12.	Madden, Justin (Justin.Madden@WEWS.COM)		Sun, Mar 31, 2019 8:42 am

	Email addresses of the apparent senders	Date when Dr. Cordero sent the email; comments; and conclusion.	Date of the “Read” or “Not read” notice
13.	Rehagen, Jon (jon.rehagen@kshb.com)		Sun, Mar 31, 2019 10:39 pm
14.	Day, Ashton (Ashton.Day@KSHB.com)		Sun, Mar 31, 2019 11:48 pm
15.	Ducey, Joe (JDucey@abc15.com)		Mon, Apr 1, 2019 5:22 am
16.	Carr, Stephanie (stephanie.carr@newschannel5.com)		Mon, Apr 1, 2019 5:29 am
17.	Plake, Sarah (Sarah.Plake@KSHB.com)		Mon, Apr 1, 2019 7:15 am
18.	Phillips, Nicole (nicole.phillips@kshb.com)		Mon, Apr 1, 2019 7:27 am
19.	Yawson, Devona (devona.moore@kshb.com)		Mon, Apr 1, 2019 8:48 am
20.	Shaw, Taylor (Taylor.Shaw@KSHB.com)		Mon, Apr 1, 2019 9:13 am
21.	Shively, Lindsay (Lindsay.Shively@kshb.com)		Mon, Apr 1, 2019 9:38 am
22.	SHARP, RICHARD (richard.sharp@kshb.com)		Mon, Apr 1, 2019 3:26 pm
23.	Boutwell, Kathleen (Kathleen.Boutwell@KSHB.com)		Mon, Apr 1, 2019 4:11 pm
24.	Strickland, Megan (Megan.Strickland@KSHB.com)		Mon, Apr 1, 2019 5:33 pm
25.	Benson, Lisa (Lisa.Benson@kshb.com)		Mon, Apr 1, 2019 6:35 pm
26.	Beiler, Lauren (lauren.beiler@kshb.com)		Mon, Apr 1, 2019 9:44 pm
27.	Assad, Samah (samah.assad@wews.com)		Thu, Apr 4, 2019 6:44 am
28.	Pettaway, Jasmin (Jasmin.Pettaway@WEWS.COM)		Thu, Apr 4, 2019 1:21 pm
29.	Davis, Jason (Jason.Davis@wptv.com)		Thu, Apr 4, 2019 2:23 pm
30.	Tintner, Jennifer (Jennifer.Tintner@wptv.com)		Thu, Apr 4, 2019 4:55 pm
31.	Sparks Jr, John (JSparksJr@wptv.com)		Thu, Apr 4, 2019 7:15 pm
32.	Weiss, Eric (Eric.Weiss@wptv.com)		Thu, Apr 4, 2019 8:02 pm
33.	SHARP, RICHARD (richard.sharp@kshb.com)		Thu, Apr 4, 2019 8:40 pm
34.	Green, Brittany (Brittany.Green@WXYZ.COM)		Thu, Apr 4, 2019 9:07 pm

	Email addresses of the apparent senders	Date when Dr. Cordero sent the email; comments; and conclusion.	Date of the “Read” or “Not read” notice
35.	Madden, Justin (Justin.Madden@WEWS.COM)		Thu, Apr 4, 2019 9:51 pm
36.	Benson, Lisa (Lisa.Benson@kshb.com)		Thu, Apr 4, 2019 11:18 pm
37.	Boutwell, Kathleen (Kathleen.Boutwell@KSHB.com)		Thu, Apr 4, 2019 11:22 pm
38.	Strickland, Megan (Megan.Strickland@KSHB.com)		Fri, Apr 5, 2019 2:38 am
39.	Beiler, Lauren (lauren.beiler@kshb.com)		Fri, Apr 5, 2019 5:12 am
40.	Rehagen, Jon (jon.rehagen@kshb.com)		Fri, Apr 5, 2019 8:33 am
41.	Day, Ashton (Ashton.Day@KSHB.com)		Fri, Apr 5, 2019 1:03 pm
42.	Phillips, Nicole (nicole.phillips@kshb.com)		Fri, Apr 5, 2019 2:04 pm
43.	Shaw, Taylor (Taylor.Shaw@KSHB.com)		Fri, Apr 5, 2019 2:41 pm
44.	Carr, Stephanie (stephanie.carr@newschannel5.com)		Fri, Apr 5, 2019 4:28 pm
45.	Shively, Lindsay (Lindsay.Shively@kshb.com)		Fri, Apr 5, 2019 4:28 pm

	Email addresses of the apparent senders	Date when Dr. Cordero sent the email; comments; and conclusion.	Date of the “Read” or “Not read” notice
46.		This is what the notices received look like concerning a similar email sent by Dr. Cordero under the subject line “Trump nominee J. Kavanaugh, Obama nominee C.J. Garland, & peers received 478 complaints against judges and exonerated 100%: their bias, abuse of power, and your demand for compensation”. Not only do most notices are “Read:...”, but also there are “Auto-reply” and replies in other languages.	

47.

The screenshot shows an AOL Mail interface with a list of 180 messages. The visible messages include:

- Subject: Auto-reply - Thank You for your submission - Thank you for thinking of The Seattle Times as a... From: OpFd Date: 9/4/2018
- Subject: Risposta automatica, fuori sede - Automatic response, out of office Re: Trump nominee J. ... From: antonio rossi Date: 9/5/2018
- Subject: Re: Trump nomine J. Kavanaugh, Obama nomine C.J. Garland, & peers received 487 c... From: G Wood Date: 9/5/2018
- Subject: Read: Trump nominee J. Kavanaugh, Obama nominee C.J. Garland, & peers recei... From: Katie Hughes Date: 9/5/2018
- Subject: Read: [SPAM] Trump nominee J. Kavanaugh, Obama nominee C.J. Garland, & pee... From: Jorge Mestre Date: 9/5/2018
- Subject: Read: Trump nominee J. Kavanaugh, Obama nominee C.J. Garland, & peers recei... From: Tays, Chelsea Date: 9/6/2018
- Subject: Read: Trump nominee J. Kavanaugh, Obama nominee C.J. Garland, & peers recei... From: Ortego, Joseph J. Date: 9/5/2018
- Subject: Read: Trump nominee J. Kavanaugh, Obama nominee C.J. Garland, & peers recel... From: Humphrey, Kathryn Date: 9/5/2018

* http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf >all prefixes:# up to OL:393 OL2:886e

	Email addresses of the apparent senders	Date when Dr. Cordero sent the email; comments; and conclusion.	Date of the “Read” or “Not read” notice
48.		“Read” and “Not read” notices received in the Roundcube email account DrRCordero@Judicial-Discipline-Reform.org between March 30, 2017 and April 5, 2019	
49.	Alan Dershowitz <dersh@law.harvard.edu>	Sent: Thursday, March 30, 2017 1:38:16 PM (UTC-05:00) Eastern Time (US & Canada) was read on Thursday, March 30, 2017 1:39:40 PM (UTC-05:00) Eastern Time (US & Canada)	
50.	Nina Totenberg <NTotenberg@npr.org>	Sent: Sunday, April 02, 2017 11:33:56 AM (UTC-05:00) Eastern Time (US & Canada) was read on Sunday, April 02, 2017 12:12:18 PM (UTC-05:00) Eastern Time (US & Canada).	
51.	Kernen, Joe (NBCUniversal) <joe.kernen@nbcuni.com>	Sent: Sunday, April 02, 2017 7:19:45 PM (UTC-05:00) Eastern Time (US & Canada) was read on Sunday, April 02, 2017 8:27:59 PM (UTC-05:00) Eastern Time (US & Canada).	
52.	Bohorquez Jr., Fernando <FBohorquez@bakerlaw.com>	[This “Read” notice has a different format.] From Bohorquez Jr., Fernando <FBohorquez@bakerlaw.com> To drrcordero@judicial-discipline-reform.org < drrcordero@judicial-discipline-reform.org > Date 2017-04-03 12:32 am	
53.	Alan Dershowitz <dersh@law.harvard.edu>	Sent: Sunday, April 02, 2017 3:07:27 PM (UTC-05:00) Eastern Time (US & Canada) was read on Sunday, April 02, 2017 10:14:07 PM (UTC-05:00) Eastern Time (US & Canada)	
54.	Kernen, Joe (NBCUniversal) <joe.kernen@nbcuni.com>	Sent: Monday, April 03, 2017 5:20:46 PM (UTC-05:00) Eastern Time (US & Canada) was read on Monday, April 03, 2017 5:22:17 PM (UTC-05:00) Eastern Time (US & Canada).	
55.	J. Stewart Moore <jsmoore@jmooreesq.com>	Sent: Sunday, April 02, 2017 11:04:22 PM (UTC-08:00) Pacific Time (US & Canada) was read on Tuesday, March 20, 2018 8:54:59 AM (UTC-08:00) Pacific Time (US & Canada).	
56.	Richards, Leah Ruth <Richards@wews.com>		2018-10-09 8:29 pm
57.		<p>Whereas in the previous two years, only eight notices, all of them “Read” ones, had arrived in the Roundcube email account DrRCordero@Judicial-Discipline-Reform.org, in the seven days between March 30 and April 5, 2019, 29 notices arrived and all were “Not read” ones.</p> <p>Those 29 notices began to arrive precisely on the day when the first “Not read” notice arrived in the AOL email account Dr.Richard.Cordero_Esq@verizon.net. No “Read” or “Not read” notice has been received in either account since, each of which is held by a different Internet Service Provider.</p> <p>It follows that the March 30-April 5, 2019 notices were not sent independently and coincidentally by their apparent senders. Rather, they were sent intentionally by one single sender who had intercepted Dr. Cordero’s and his addressees’ communications and could send the notices whenever it wanted to convey either a warning or a whistleblowing message.</p> <p>There are other features on and behind these emails that reveal the intentional character of their sending by only one sender. These features will be disclosed to, or detected by, journalists and Information Technology</p>	

	Email addresses of the apparent senders	Date when Dr. Cordero sent the email; comments; and conclusion.	Date of the “Read” or “Not read” notice
		experts investigating judges’ interception of their critics’ communications. Their intentionality calls to mind the way astronomers give notice of their existence to other intelligent beings in the universe by sending repeatedly a series of sets of beeps in the consecutive order of prime numbers: 1 >3 >5 >7 >9 >11>...1 >3....	
58.	Davis, Jason <Jason.Davis@wptv.com>	Not read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them and dispose of 93% of appeals with reasonless decisions; the need for We the People to demand that Congress hold public hearings on our experience at the mercy of.	2019-03-30 9:47 am
59.	Tintner, Jennifer <Jennifer.Tintner@wptv.com>		2019-03-30 10:22 am
60.	Weiss, Eric <Eric.Weiss@wptv.com>		2019-03-30 11:33 am
61.	Sparks Jr, John <JSparksJr@wptv.com>		2019-03-30 3:47 pm
62.	Pettaway, Jasmin <Jasmin.Pettaway@WEWS.COM>		2019-03-31 3:17 am
63.	Assad, Samah <samah.assad@wews.com>		2019-03-31 4:16 am
64.	Green, Brittany <Brittany.Green@WXYZ.COM>		2019-03-31 8:25 am
65.	Madden, Justin <Justin.Madden@WEWS.COM>		2019-03-31 12:34 pm
66.	Ducey, Joe <JDucey@abc15.com>		2019-04-01 9:10 am
67.	Assad, Samah <samah.assad@wews.com>		2019-04-04 10:29 am
68.	Pettaway, Jasmin <Jasmin.Pettaway@WEWS.COM>		2019-04-04 5:05 pm
69.	Davis, Jason <Jason.Davis@wptv.com>		2019-04-04 6:16 pm
70.	Tintner, Jennifer <Jennifer.Tintner@wptv.com>		2019-04-04 8:54 pm
71.	Sparks Jr, John <JSparksJr@wptv.com>		2019-04-04 11:14 pm
72.	Weiss, Eric <Eric.Weiss@wptv.com>		2019-04-05 12:02 am
73.	SHARP, RICHARD <richard.sharp@kshb.com>		2019-04-05 12:39 am
74.	Green, Brittany <Brittany.Green@WXYZ.COM>		2019-04-05 1:06 am
75.	Madden, Justin <Justin.Madden@WEWS.COM>		2019-04-05 1:36 am

	Email address of the apparent sender	Date when Dr. Cordero sent the email; comments; and conclusion	Date of the “Read” or “Not read” notice
76.	Benson, Lisa <Lisa.Benson@kshb.com>		2019-04-05 2:31 am
77.	Strickland, Megan <Megan.Strickland@KSHB.com>		2019-04-05 2:54 am
78.	Boutwell, Kathleen <Kathleen.Boutwell@KSHB.com>		2019-04-05 3:17 am
79.	Beiler, Lauren <lauren.beiler@kshb.com>		2019-04-05 6:37 am
80.	Rehagen, Jon <jon.rehagen@kshb.com>		2019-04-05 8:51 am
81.	Day, Ashton <Ashton.Day@KSHB.com>		2019-04-05 12:32 pm
82.	Phillips, Nicole <nicole.phillips@kshb.com>		2019-04-05 1:50 pm
83.	Plake, Sarah <Sarah.Plake@KSHB.com>		2019-04-05 4:41 pm
84.	Shaw, Taylor <Taylor.Shaw@KSHB.com>		2019-04-05 5:32 pm
85.	Carr, Stephanie <stephanie.carr@newschannel5.com>		2019-04-05 6:32 pm
86.	Shively, Lindsay <Lindsay.Shively@kshb.com>		2019-04-05 8:28 pm

Webmail interface showing an email list. The interface includes a navigation bar with 'roundcube' and 'hostmonster' logos, and a search bar. The email list is as follows:

From	Subject	Date	Size
Alan Dershowitz	Read: To Professor Dershowitz: How Judge Neil Gorsuch and his peers dismiss 99.83% of comp...	2017-03-30 5:39 pm	4 KB
Richards, Leah Ruth	Read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them and d...	2018-10-09 8:29 pm	33 KB
J. Stewart Moore	Read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them and d...	2018-03-20 3:55 pm	5 KB
Kernon, Joe (NBCUniversal)	Read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them and d...	2017-04-03 9:22 pm	6 KB
Alan Dershowitz	Read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them and dispose of ...	2017-04-03 2:14 am	4 KB
Bohorquez Jr., Fernando	Read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them and dispose of ...	2017-04-03 12:33 am	17 KB
Kernon, Joe (NBCUniversal)	Read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them and dispose of ...	2017-04-03 12:27 am	6 KB
Nina Totenberg	Read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them and d...	2017-04-02 4:12 pm	14 KB
Shively, Lindsay	Not read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them a...	2019-04-05 8:28 pm	24 KB
Shaw, Taylor	Not read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them a...	2019-04-05 5:32 pm	24 KB
Carr, Stephanie	Not read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them a...	2019-04-05 6:32 pm	23 KB
Plake, Sarah	Not read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them a...	2019-04-05 4:41 pm	23 KB
SHARP, RICHARD	Not read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them a...	2019-04-05 12:39 am	25 KB
Strickland, Megan	Not read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them a...	2019-04-05 2:54 am	23 KB
Weiss, Eric	Not read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them a...	2019-04-05 12:02 am	24 KB
Tintner, Jennifer	Not read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them a...	2019-04-04 8:54 pm	23 KB
Sparks Jr, John	Not read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them a...	2019-04-04 11:14 pm	23 KB
Rehagen, Jon	Not read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them a...	2019-04-05 8:51 am	26 KB
Phillips, Nicole	Not read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them a...	2019-04-05 1:50 pm	24 KB
Pettaway, Jasmin	Not read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them and dispose...	2019-04-04 5:05 pm	26 KB
Madden, Justin	Not read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them a...	2019-04-05 1:36 am	22 KB

The screenshot shows a webmail interface with a sidebar on the left containing a list of folders and their message counts. The main area displays an email with the following details:

- Read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them and dispose of ...** (Message 5 of 37)
- From:** Alan Dershowitz <dersh@law.harvard.edu>
- To:** drcordero@judicial-discipline-reform.org <drcordero@judicial-discipline-reform.org>
- Date:** 2017-04-03 2:14 AM

Your message

To: Alan Dershowitz
 Subject: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them and dispose of 93% of appeals with reasonless decisions; the need for We the People to demand that Congress hold public hearings on our experience at the mercy of unaccount...
 Sent: Sunday, April 02, 2017 3:07:27 PM (UTC-05:00) Eastern Time (US & Canada)

was read on Sunday, April 02, 2017 10:14:07 PM (UTC-05:00) Eastern Time (US & Canada).

Final-recipient: RFC822; dersh@law.harvard.edu
 Disposition: automatic-action/HTML-ent-automatically; displayed
 X-MSExchange-Correlation-Key: c1/1v10vX22V2aEKmgfIA=>
 Original-Message-ID: <ce6b8098541dde699122d8c01273bb78@judicial-discipline-reform.org>
 X-Display-Name: Alan Dershowitz

Roundcube webmail interface showing an email from Jason Davis to drrcordero@judicial-discipline-reform.org. The email subject is "Not read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them and dispose...". The email body contains a disclaimer from Scripps Media, Inc. and a subject line: "Not read: How Judge Neil Gorsuch and his peers dismiss 99.83% of complaints against them and dispose of 93% of appeals with unreasonable decisions; the need for We the People to demand that Congress hold public hearings on our experience at the mercy of...". A file named "winmail.dat (+7 KB)" is attached.

87.		
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* http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf >all prefixes:# up to OL:393 OL2:886k

October 7, 2018

The confirmation of Judge Kavanaugh elevates to the Supreme Court a judge who has participated in dismissing 100% of the 478 complaints about him and his peers, and will exhibit and cover up as a justice his and his peers' partiality, unfairness, and disregard for the law; which warrants Congress, the media, and students and professors joining forces to expose his and their abuse of power

Dear NLJ/ALM Reporter Karen Sloan and Harvard The Crimson Staff Writer Aidan F. Ryan,

I read with interest your articles and those written by others at Yale concerning J. Kavanaugh and the power of law students to force their deans to take a position against his confirmation or his teaching, as well as the articles on positions harmonious therewith taken by more than 2,000 mothers in the legal profession, 1,600 men, and over 2,400 law professors.

This is a proposal for you, your and other media outlets, and law students and professors to join forces to insert into the national debate, especially now that he will have the power of a justice, a novel approach to the evaluation of judges' integrity and the review of their exercise of their enormous power over people's property, liberty and all the rights and duties that frame their lives.

Indeed, Judge Kavanaugh has participated in dismissing 100% of the 478 complaints about him and his peers lodged with the District of Columbia Circuit and reported to Congress and the public under 28 U.S.C. §604(h)(2)([*>jur:26fn23a](#)) in the annual official statistics for the 1oct06-30sep17 11-year period([infra §G](#)). Thereby he has shown his partiality to himself and his peers; his unfairness to complainants and the rest of the public, whom he has left at the mercy of complained-about judges and their covering-up peers; and his disregard for his duties under the law.

As opposed to personal allegations and partisan opinions, the official statistics of the courts provide a non-partisan, objective, and verifiable basis for evaluating judges' integrity on the strength of the "math of abuse" of power. Your reporting on my article below and your publication of it can set in motion a generalized media investigation into judges' abuse of power akin to the one into sexual abuse sparked by the publication by *The New York Times* and *The New Yorker* of their Harvey Weinstein exposés. It will be traced back to your and your media outlets concern for integrity in the federal and state judiciaries and the welfare of a national public.

By your making an Emile Zola's *I accuse!*-like([*>jur:98§2](#)) denunciation of judges' abuse and causing members of Congress, the media, and law schools to make their own, we can start a process leading up to what has never occurred in history: a national movement where *We the People*, the masters of all public servants, hold also our judicial servants accountable for their performance and liable to compensate the victims of their abuse. This is a reasonable expectation in the era of the *MeToo!* public with its intolerance of any form of abuse and vocal self-assertion; and the fact that judges, who hold lawyers, doctors, police officers, priests, and everybody else accountable and liable, have no right to abuse their power to secure for themselves 'unequal protection *from* the laws'.

To take advantage of the ongoing national debate on J. Kavanaugh, in particular, and judicial conduct, in general; and be able to insert the issue of unaccountable judges' abuse of power in the mid-term elections, time is of the essence. Therefore, I respectfully encourage you to read the article below and contact me at your earliest convenience to discuss joining forces. Accordingly, I offer to make a presentation to you, your editors, and fellow students and professors on short notice. It will be based on the below article and its solid foundation: this study*[†] of judges and their judiciaries.

Dare trigger history!([*>jur:7§5](#))...and you may enter it Sincerely, s/Dr. Richard Cordero, Esq.

United States Court of Appeals

Eleventh Circuit
56 Forsyth Street, N.W.
Atlanta, Georgia 30303
404-335-6100

David J. Smith
Clerk of Court

www.ca11.uscourts.gov

Amy C. Nerenberg
Chief Deputy Clerk

May 6, 2019

CONFIDENTIAL

Dr. Richard Cordero, Esq.
2165 Bruckner Blvd.
Bronx, NY 10472-6506

Re: Judicial Complaint Nos. 11-19-90053 and 11-19-90054
In the Matter of a Complaint Filed by Dr. Richard Cordero, Esq.

Dear Dr. Cordero:

Enclosed is an order of Chief United States Circuit Judge Ed Carnes that has been filed in this office and is effective as of the date filed. This order determines the complaint of judicial misconduct or disability earlier filed by you pursuant to Title 28 U.S.C. §§ 351-364 and the Rules for Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States. A redacted version of the order also is enclosed.

You and the subject judges have the right to petition the Eleventh Circuit Judicial Council for review of the disposition, as provided in Rule 18 of the Rules for Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States and the accompanying Eleventh Circuit Judicial Conduct and Disability Rules.

Sincerely,



David J. Smith
Clerk of Court

Enclosure

FILED
U.S. COURT OF APPEALS
ELEVENTH CIRCUIT

MAY 06 2019

David J. Smith
Clerk

CONFIDENTIAL

**BEFORE THE CHIEF JUDGE
OF THE ELEVENTH JUDICIAL CIRCUIT**

Judicial Complaint Nos. 11-19-90053 and 11-19-90054

**IN THE MATTER OF A COMPLAINT FILED BY
DR. RICHARD CORDERO, ESQ.**

IN RE: The Complaint of Dr. Richard Cordero, Esq. against Chief Judge Merrick Garland, U.S. Circuit Judge for the D.C. Circuit, and Justice Brett Kavanaugh, former U.S. Circuit Judge for the D.C. Circuit, under the Judicial Conduct and Disability Act of 1980, Chapter 16 of Title 28 U.S.C. §§ 351-364.

ORDER

Dr. Richard Cordero, Esq. has filed this Complaint of Judicial Misconduct or Disability against United States Circuit Judge Merrick Garland and United States Supreme Court Justice Brett Kavanaugh, who is a former United States Circuit Judge for the District of Columbia Circuit (the two Subject Judges). It was filed pursuant to Title 28, Chapter 16, § 351(a) of the U.S. Code and the Rules for Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States (JCDR).

Background

Dr. Cordero filed this Complaint with the Judicial Council of the District of Columbia Circuit. At the time it was filed, Justice Kavanaugh was no longer a Judge of the D.C. Circuit, having already been confirmed to the United States Supreme Court. In addition to the two Subject Judges, Dr. Cordero also complains generally about “their peers and colleagues in DCC,” although he does not specifically name any of them. He alleges that all of them “dismissed 100% of the 478 complaints about them, and denied 100% of the petitions for review of such dismissals, filed during at least the 1oct06-30nov17 11-year period.”

The Judicial Council of the District of Columbia Circuit issued an order on February 21, 2019, referring the matter involving the Complaint “to the Chief Justice to consider transferring it to another circuit’s judicial council pursuant to Rule 26 of the Rules for Judicial-Conduct and Judicial-Disability Proceedings.” See JCDR 26 (“In exceptional circumstances, a chief judge or a judicial council may ask the Chief Justice to transfer a proceeding based on a complaint identified under Rule 5 or filed under Rule 6 to the judicial council of another circuit.”). The Chief Justice transferred the proceeding to the Judicial Council of the Eleventh Circuit for it “to exercise the powers of a judicial

council with respect to the identified complaint and any pending or new complaints relating to the same subject matter.”

The commentary to Rule 26 provides that “[u]pon receipt of a transferred proceeding, the transferee judicial council shall determine the proper stage at which to begin consideration of the complaint — for example, reference to the transferee chief judge, appointment of a special committee, etc.” JCDR 26 cmt. After the Eleventh Circuit Judicial Council received Dr. Cordero’s transferred proceeding, it determined that the proper stage to begin consideration of the Complaint was before the chief judge of the circuit, and the Council referred it to me. See id.

Complaint

Dr. Cordero’s central allegation is that the Subject Judges “and their peers and colleagues in DCC” dismissed all of the judicial misconduct or disability complaints filed against them, a total of 478, and denied all of the petitions for review of those dismissals during an eleven-year period ending in November of 2017. Those facts, he asserts, are “established by the statistics that they were required under 28 U.S.C. § 604(h)(2) to submit and did submit to Congress and the public.” (Footnote and citations omitted). He contends that in acting as they did the Subject Judges and their peers and colleagues “arrogated to themselves the power to abrogate in effect” 28 U.S.C. §351, and “abused the self-disciplining power entrusted to them under the [Judicial Conduct and Disability] Act by exonerating themselves from all complaints so as to evade any disciplinary action, thereby resolving in their favor the conflict of interests arising from being the target and the judges of the complaints.”

Dr. Cordero also alleges that the Subject Judges and their peers and colleagues breached their oaths of office, administered “unequal protection *from* the law,” and were “100% partial toward their peers, colleagues, and friends when they became the target of complaints, all of which they dismissed.” He complains that the Subject Judges and their peers and colleagues violated Canon 1 of the Code of Conduct for United States Judges and, more specifically, that their decisions have depended “upon whether the person whose conduct they are judging is their peer, colleague, or friend” because they rely on them “for cover-up of their misconduct and disability.” He alleges that the Subject Judges and their peers and colleagues have thereby “prejudiced through interdependent partiality ‘the integrity of the judiciary.’” He claims that the conduct of the Subject Judges and their peers and colleagues violates Article III, Section 1 of the Constitution, their oaths of office, and the commentary to Canon 1 that requires them to comply with the law. He also charges a violation of Canon 2 based on his argument that “it is ‘beyond reasonable doubt’ impossible for all the judges to independently deem that 100% of the 478 complaints about them filed over 11 years were properly dismissible but for a complicit reciprocal complaint dismissal agreement.”

As a result, Dr. Cordero says, the Subject Judges and their peers and colleagues have “denied complainants the benefit intended for them under the Act” and have “deprived complainants and the rest of the public of the working mechanism” of the Act’s protection from judges’ alleged misconduct and disability. He asserts that they “showed reckless disregard for 100% of the nature, extent, frequency, and gravity of the misconduct and disability complained about in the 478 complaints” and “systematic[ally]” failed to appoint special committees to investigate the complaints. He contends that they have shown “reckless indifference” to complainants and the public “by leaving them exposed to 100% of the prejudice caused by the misconduct and disability complained about,” “additional prejudice at the hands of the exonerated judges, who were left free of any deterrent to further committing misconduct and indulging in disability,” and “additional prejudice . . . at the hands of other judges who, realizing that misconduct and disability had no adverse consequences for judges, committed misconduct and indulged in disability.”

Dr. Cordero claims there have been violations of Canon 3, pointing to the “number of extra-judicial activities highlighted on [the Subject Judges’ and their peers’ and colleagues’] individual page[s] on the DCC website,” which he alleges show that a “lack of time accounts for 93% of appeals being disposed of through the clerk-filled out, reasonless, arbitrary, fiat-like dumping forms of summary orders.” (Citations omitted). He goes on to theorize that:

By dismissing 100% of the complaints and denying 100% of review petitions, the judges rendered their misconduct and disability riskless, which enabled their further prejudicial misconduct and disability. Worse yet, they emboldened themselves and others to commit misconduct and indulge in disability of ever more diverse nature, to a greater extent, more frequently, and of higher gravity. While dismissing and denying for over a decade, they saw their foreseeable prejudice become a fact, whose continued occurrence they intended.

Finally, Dr. Cordero asserts that the Subject Judges and their peers and colleagues “deceived potential and actual complainants by pretending that their complaints would be fairly and impartially processed although the judges intended to dismiss 100% of them,” making the Act’s complaint mechanism “a sham that works fraud.”

Dr. Cordero requests various forms of “action,” including the following: make public his Complaint and the process of considering it; make public judges’ “answers” to his Complaint and afford him an opportunity to reply; make public the 478 complaints, dismissal orders, review petitions, and denials complained about and transfer them to be considered by special committees outside the D.C. Circuit comprised of non-judges and non-lawyers; hold fact-finding public hearings and let “independent fact-finders, i.e., news anchors and editors, investigative reporters, and journalism professors” conduct the

hearings to determine if the judiciary, through its dismissal of complaints, has an “institutionalized policy of misconduct as its modus operandi”; and also have “independent IT, mail, and phone forensic experts investigate the Judiciary’s interception of its critics’ communications” and make the findings public. The Complaint goes on to cite links to a website.

After Dr. Cordero submitted his Complaint, he received a letter from the Deputy Circuit Executive for the United States Courts of the District of Columbia Circuit, informing him that if he wanted his allegations to be considered as a complaint under Rule 6, he would need to provide the required verification. The letter also stated that because Justice Kavanaugh is no longer a judge of the D.C. Circuit, no action can be taken under the rules regarding Dr. Cordero’s allegations against him.

In response to that letter, Dr. Cordero provided verification for his Complaint, declaring that the statements he had made in it were true and correct to the best of his knowledge. He also made additional allegations in his response to the D.C. Deputy Circuit Executive’s letter. Dr. Cordero’s response will be permitted and treated as a supplement to his Complaint. See 11th Cir. JCDR 6.7.

In his response, Dr. Cordero emphasizes that he is complaining not just about Chief Judge Garland but also about then-Judge Kavanaugh “and their peers and colleagues.” He also complains about the Catholic Church and certain actions it allegedly took involving priests. He complains about “institutionally coordinated exoneration.” Dr. Cordero contends that not allowing his Complaint to proceed against Justice Kavanaugh would limit the time for filing a complaint and thereby violate the Judicial Conduct and Disability Act. He reiterates that Justice Kavanaugh engaged in the alleged dismissal of complaints and denial of review petitions while he was a judge on the U.S. Court of Appeals for the District of Columbia Circuit.

Dr. Cordero states that he intentionally refrained from naming the judges who are the Subject Judges’ “peers and colleagues,” but he insists that he is complaining about all of them and that a special committee should be able to identify them after an independent investigation. He claims that those peers and colleagues of the Subject Judges “have entered a complicit reciprocal complaint dismissal agreement,” which enables them to “evade discipline, make themselves unaccountable, and go on risklessly committing misconduct and indulging in disability.”

Dr. Cordero also sent to the Circuit Executive of this circuit a letter dated April 20, 2019. To the extent that the letter makes additional allegations about the conduct of the judges of the D.C. Circuit, the filing of it is permitted, and the letter will be treated as a second supplement to his Complaint. See 11th Cir. JCDR 6.7. In his letter, Dr. Cordero contends that he is not required to name the Subject Judges about whom he is complaining. Instead, he asserts that D.C. Circuit records will show, or a special

committee can determine, who served as chief judge and as judicial council members during the time period at issue.

Dr. Cordero reiterates in his April 20, 2019 letter that he is complaining about Justice Kavanaugh and his alleged participation in decisions dismissing complaints or denying petitions for review during the time that he served as judge on the D.C. Circuit. He argues that all of the judges who participated in those decisions are liable for breach of contract and that their decisions on judicial complaints should be vacated and reconsidered. He also argues that it does not matter that Justice Kavanaugh is now serving on the Supreme Court because all of the judges he is complaining about engaged in “bad Behaviour,” which means that they are not really “hold[ing] Office” under Article III. Pointing to complaint statistics, he also complains about the way that judicial conduct and disability complaints are handled in the Eleventh Circuit and in every other circuit.

Dr. Cordero reiterates in his April 20, 2019 letter his request for various actions, including the appointment of a special committee assisted by staff with the credentials he specifies, and so forth.

Discussion

Chief judges have four basic options when reviewing a complaint. Rule 11 of the Rules for Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States provides:

After reviewing a complaint, the chief judge must determine whether it should be:

- (1) dismissed;
- (2) concluded on the ground that voluntary corrective action has been taken;
- (3) concluded because intervening events have made action on the complaint no longer necessary; or
- (4) referred to a special committee.

JCDR 11(a).

The rules neither require nor permit the procedures that Dr. Cordero requests. The closest thing that is permitted would be referral to a special committee, which “must consist of the chief judge and equal numbers of circuit and district judges.” JCDR 12(a). A special committee investigates a complaint (including, if necessary, by holding fact-finding hearings) and files a report and recommendation with the judicial council. See JCDR 12–14, 17. A special committee is permitted to use the assistance of staff if it

deems that necessary. See JCDR 13(c); JCDR 23(b)(10). But a matter involving a misconduct or disability complaint is referred to a special committee only when the chief judge of the circuit determines that the complaint is not due to be dismissed or concluded without referral. See JCDR 11(a)(4). That is not the case here.

Petitions for review of a chief judge's disposition of a complaint are filed with circuit judicial councils, which have four options when considering them. Rule 19 provides:

After considering a petition for review and the materials before it, the judicial council may:

- (1) affirm the chief judge's disposition by denying the petition;
- (2) return the matter to the chief judge with directions to conduct a further inquiry under Rule 11(b) or to identify a complaint under Rule 5;
- (3) return the matter to the chief judge with directions to appoint a special committee under Rule 11(f); or
- (4) in exceptional circumstances, take other appropriate action.

JCDR 19(b). Dr. Cordero criticizes the denial of all the petitions for review by the D.C. Circuit's Judicial Council. Of the actions that the judicial councils could have taken instead of affirming the disposition, the authorized one closest to what Dr. Cordero would prefer is returning the matter to the chief judge with directions to appoint a special committee.

Stripped to their essence, Dr. Cordero's allegations are that during an eleven-year period the Chief Judge of the D.C. Circuit Court of Appeals erroneously decided all 478 judicial misconduct and disability complaints that were filed in that circuit, and the judges of that circuit's Judicial Council erroneously decided all of the petitions for review related to those complaints. Because the circuit chief judge has the authority to dismiss or conclude complaints, the allegations of Dr. Cordero's Complaint against Chief Judge Garland may be considered. See 28 U.S.C. § 351; JCDR 11.

The same is not true about Justice Kavanaugh, who was confirmed as a justice of the Supreme Court before Dr. Cordero filed this Complaint. A complaint cannot proceed against a judge who no longer serves on the court and is not otherwise covered by the Judicial Conduct and Disability Act or the rules implementing the Act. See 28 U.S.C. § 352(b)(2) (stating that a chief judge "may conclude the proceeding if the chief judge finds . . . that action on the complaint is no longer necessary because of intervening events"); JCDR 11(e) (stating that the chief judge "may conclude a complaint proceeding in whole or in part upon determining that intervening events render some or all of the allegations moot or make remedial action impossible as to the subject judge"); JCDR 11 cmt. ("Rule 11(e) implements Section 352(b)(2) of the Act, which permits the chief judge

to ‘conclude the proceeding,’ if ‘action on the complaint is no longer necessary because of intervening events,’ such as a resignation from judicial office.”); see also 28 U.S.C. § 351(d)(1) (providing that under the Act “the term ‘judge’ means a circuit judge, district judge, bankruptcy judge, or magistrate judge”); JCDR 1(b) (listing judges covered by the Act and the rules, which do not include Justices of the United States Supreme Court). For this reason, the part of Dr. Cordero’s Complaint alleging that then-Judge Kavanaugh engaged in any misconduct is **CONCLUDED**.

The conclusion of this part of this proceeding on this basis in no way suggests any wrongdoing by then-Judge Kavanaugh. And, as we will explain later in this order, there is an independently adequate alternative reason that dictates the dismissal of the Complaint against the Subject Judges, including Justice Kavanaugh even if he were still a court of appeals judge.

As for Dr. Cordero’s allegations against the “peers and colleagues” of the Subject Judges, and his claims about the denial of petitions for review, the judges who serve as members of the circuit Judicial Council do have the authority to rule on those petitions. See JCDR 19. As a general rule, however, a complaint cannot proceed against unnamed judges based on the vague assertion that they are “peers and colleagues” of a Subject Judge. See generally 28 U.S.C. § 352(a)–(b) (outlining the steps that a chief judge may take in reviewing and resolving a complaint, which require knowledge of the Subject Judge’s identity); JCDR 11(e) & cmt. (explaining that unless remedial action is possible as to a particular judge, a complaint generally cannot proceed). That is a sufficient reason by itself to dismiss the parts of the Complaint against unnamed “peers and colleagues” of the Subject Judges.

Not only that, but the allegations of the Complaint challenge the merits of judicial decisions and are unsupported by any evidence of misconduct or disability, the Complaint is due to be dismissed in its entirety, which is an independently adequate alternative reason for dismissing the Complaint in its entirety. See 28 U.S.C. § 352(b)(1)(A)(ii), (iii); JCDR 11(c)(1)(B), (D).

Rule 4(b)(1), “Allegations Related to the Merits of a Decision or Procedural Ruling,” provides in part that “[c]ognizable misconduct does not include an allegation that calls into question the correctness of a judge’s ruling, including a failure to recuse.” JCDR 4(b)(1). The “Commentary on Rule 4” states in part: “Rule 4(b)(1) tracks the Act, 28 U.S.C. § 352(b)(1)(A)(ii), in excluding from the definition of misconduct allegations that are ‘[d]irectly related to the merits of a decision or procedural ruling.’” JCDR 4 cmt.

The commentary to the rule explains:

This exclusion preserves the independence of judges in the exercise of judicial authority by ensuring that the complaint procedure is not used to

collaterally call into question the substance of a judge's decision or procedural ruling. Any allegation that calls into question the correctness of an official decision or procedural ruling of a judge — without more — is merits-related. **The phrase “decision or procedural ruling” is not limited to rulings issued in deciding Article III cases or controversies. Thus, a complaint challenging the correctness of a chief judge's determination to dismiss a prior misconduct complaint would be properly dismissed as merits-related — in other words, as challenging the substance of the judge's administrative determination to dismiss the complaint — even though it does not concern the judge's rulings in Article III litigation.**

Id. (emphasis added); see also JCDR 5 cmt. (“A chief judge's decision not to identify a complaint under Rule 5 is not appealable and is subject to Rule 4(b)(1), which excludes merits-related complaints from the definition of misconduct.”).

A misconduct complaint based on the number or percentage of dismissals, without more, “is directly related to the merits of a decision or procedural ruling,” JCDR 11(c)(1)(B), and “is based on allegations lacking sufficient evidence to raise an inference that misconduct has occurred or that a disability exists,” JCDR 11(c)(1)(D). Dr. Cordero is merely speculating that the complaint review procedure in the D.C. Circuit must be flawed because if it were not, the results would be different.

In 2004, Chief Justice William Rehnquist appointed a committee to assess the way that the Judicial Conduct and Disability Act of 1980 was being implemented. See Breyer Committee Report, 239 F.R.D. 116, 119 (2006). The Breyer Committee later issued a report, explaining its task this way: “The basic question presented is whether the judiciary, in implementing the Act, has failed to apply the Act strictly as Congress intended, thereby engaging in institutional favoritism. This question is important not only to Congress and the public, but to the judiciary itself.” Id. To answer that question, the Breyer Committee conducted a careful review of complaints about alleged judicial misconduct and disability. See id. at 120–22; see also JCDR 1 cmt. (discussing the “interpretive standards” developed by the Breyer Committee). The Committee found “no serious problem with the judiciary's handling of the vast bulk of complaints under the Act.” 239 F.R.D. at 122. In its study of complaints filed during 2001 to 2005, the Committee found that “[a]lmost all complaints are dismissed by the chief judge; 88% of the reasons given for dismissal are that the complaint relates to the merits of a proceeding or is unsubstantiated.” Id. at 123 (emphasis added).

The Breyer Committee Report suggested, among other things, that courts should include an explanation on their websites to help people understand in plain language the rules that govern the consideration of complaints about judicial misconduct or disability. Id. at 218–19. It suggested this explanation: “Almost all complaints in recent years have been dismissed because they do not follow the law about such complaints. The law

says that complaints about judges' decisions and complaints with no evidence to support them must be dismissed." *Id.* at 219 (emphasis added). Most circuits, including the D.C. Circuit, have followed the Breyer Committee's recommendation by including that statement on their websites.¹

The fact that most complaints are properly dismissed is well-known and is publicly posted on courts' websites. The fact that most complaints challenge judicial decisions and are unsupported by evidence of misconduct or disability is also well-known and is publicly posted on courts' websites. A bare allegation about the number or percentage of complaints that have been dismissed and petitions for review that have been denied, coupled with nothing more than speculation or conclusory accusations about the correctness of the decision or the complaint review process in general, in no way evidences judicial misconduct or disability. *See* JCDR 25 cmt. (observing that "multiple-judge complaints are virtually always meritless").

Dr. Cordero's Complaint not only takes issue with the merits of judicial decisions resulting in the dismissal of complaints and the denial of petitions for review but also with the statutory process itself and the implementing rules that govern the consideration of judicial conduct complaints. *See generally* 28 U.S.C. §§ 351–364; JCDR 1–29. Following statutes and rules relating to judicial conduct and disability proceedings does not amount to judicial misconduct. The Complaint is devoid of any evidence to support any allegations of misconduct.

In his April 20, 2019 letter, Dr. Cordero also criticizes the way that judicial conduct and disability complaints are handled in the Eleventh Circuit and in all other circuits. He contends that the judges of the Eleventh Circuit Judicial Council have "a disqualifying conflict of interests." As support for that assertion, he states that 212 pending and new complaints were "handled" in this circuit between October 1, 2017 and September 30, 2018, and no complaints were referred to a special committee or returned to the chief judge upon a petition for review, nor were any judges censured, reprimanded, or had their assignments suspended. He contends that shows the judges of this circuit are "running the Act's complaint mechanism as a sham that works fraud on *We the People*." He argues: "No reasonable person informed of the facts and to be informed by Dr. Cordero from now on can have probable cause to believe that the 11th Circuit Judicial Council will handle his complaint in a way diametrically opposed to its own and its 14

¹ *See, e.g.,*

<https://www.cadc.uscourts.gov/internet/home.nsf/Content/Judicial+Misconduct>;
<https://www.ca1.uscourts.gov/judicial-conduct-disability>;
http://www.ca2.uscourts.gov/judges/judicial_conduct.html;
<http://www.ca4.uscourts.gov/rules-and-procedures/judicial-conduct-disability>;
<http://www.ca5.uscourts.gov/rules-procedures/rules/judicial-misconduct-and-disability-rules>;
<http://www.ca7.uscourts.gov/judicial-conduct/judicial-conduct.htm>;
<http://www.ca11.uscourts.gov/judicial-conduct-disability>.

circuits and national courts' statistical record in order to meet the standard of Commentary on Rule 4 of 'protecting the fairness and thoroughness of the process by which a complaint is filed or initiated, investigated (in specific circumstances), and ultimately resolved.'"

Although he has not filed a separate complaint against any Eleventh Circuit judge, Dr. Cordero's April 20, 2019 letter does assert that unnamed judges of this circuit have engaged in misconduct by participating in a "complicit reciprocal complaint dismissal agreement," which, according to Dr. Cordero, is the same kind of scheme that the judges of D.C. Circuit (and "the other 14 circuits and national courts subject to the Act") participate in as evidenced by their statistical records. Dr. Cordero's assertions are essentially a complaint against every chief circuit judge and every circuit judicial council in the country. He is in effect alleging that all judges in all circuits who are involved in any part of the judicial conduct and disability process have been derelict in their duties and implicitly that they are all disqualified from considering any complaints of judicial misconduct or disability.

To the extent Dr. Cordero criticizes the way that judicial conduct and disability complaints are handled in this circuit, a question arises as to whether, even though he has not filed a complaint against any judge of this Court and has not named any Eleventh Circuit judges as Subject Judges, he is implicitly complaining about the chief judge of this circuit and all the judges on the circuit judicial council.

As a general rule Subject Judges are disqualified from considering complaints that have been filed against them. See JCDR 25(b). The rule of necessity, however, carves out an exception when a complainant asserts blanket claims against a large group of judges. See JCDR 25 cmt.; see also United States v. Will, 449 U.S. 200, 212-13, 101 S. Ct. 471, 479-80 (1980). As the commentary to the Rule 25 explains:

Sometimes a single complaint is filed against a large group of judges. If the normal disqualification rules are observed in such a case, no court of appeals judge can serve as acting chief judge of the circuit, and the judicial council will be without appellate members. Where the complaint is against all circuit and district judges, under normal rules no member of the judicial council can perform the duties assigned to the council under the statute.

JCDR 25 cmt. That is close enough to the situation here. Based on the numbers of complaints that are dismissed and the petitions for review that are denied, Dr. Cordero is challenging the merits of judicial decisions and complaining about all the judges who have participated in making those decisions, including the judges who are now in a position to do so.

The rules do authorize a Judicial Council to invoke the rule of necessity in this situation. See id. As the commentary explains:

In recognition that these multiple-judge complaints are virtually always meritless, the judicial council is given discretion to determine: (1) whether it is necessary, appropriate, and in the interest of sound judicial administration to permit the chief judge to dispose of a complaint where it would otherwise be impossible for any active circuit judge in the circuit to act, and (2) whether it is necessary, appropriate, and in the interest of sound judicial administration, after appropriate findings as to need and justification are made, to permit subject judges of the judicial council to participate in the disposition of a petition for review where it would otherwise be impossible to obtain a quorum.

Applying a rule of necessity in these situations is consistent with the appearance of justice. See, e.g., In re Complaint of Doe, 2 F.3d 308 (8th Cir. Jud. Council 1993) (invoking the rule of necessity); In re Complaint of Judicial Misconduct, No. 91-80464 (9th Cir. Jud. Council 1992) (same). There is no unfairness in permitting the chief judge to dispose of a patently insubstantial complaint that names all active circuit judges in the circuit.

Similarly, there is no unfairness in permitting subject judges, in these circumstances, to participate in the review of the chief judge's dismissal of an insubstantial complaint. The remaining option is to assign the matter to another body. Among other alternatives, the judicial council may request a transfer of the petition under Rule 26. Given the administrative inconvenience and delay involved in these alternatives, it is desirable to request a transfer only if the judicial council determines that the petition for review is substantial enough to warrant such action.

Id. The option of transferring the matter to another body is unavailable here because Dr. Cordero is complaining that every chief circuit judge and all judicial councils are guilty of the dereliction of duty he asserts.

As mentioned before, a complaint generally cannot proceed against unnamed judges. See generally 28 U.S.C. § 352(a)–(b); JCDR 11(e) & cmt. Even so, to the extent that Dr. Cordero is complaining about the chief judge of this circuit and the other judges on the Eleventh Circuit Court of Appeals, the Eleventh Circuit Judicial Council has considered Dr. Cordero's April 20, 2019 letter in order to determine "whether it is necessary, appropriate, and in the interest of sound judicial administration to permit the chief judge to dispose of [the] complaint where it would otherwise be impossible for any active circuit judge in the circuit to act." JCDR 25 cmt. The Council determined that it is.

To the extent that Dr. Cordero is also complaining about the judges who serve on the Eleventh Circuit Judicial Council, the Council has also determined that the insubstantial allegations of the Complaint do not warrant a transfer to another circuit under Rule 26, especially given that the Complaint asserts that statistics show that all circuits are complicit in the conduct that Dr. Cordero complains about. If Dr. Cordero's Complaint is to be considered, some circuit must consider it, and the rule of necessity and the Chief Justice's transfer decision dictate that this circuit should do so.

In light of the Council's rule of necessity determination, I have determined that Dr. Cordero's allegations against the judges of this and every other circuit who are or have been involved in the judicial conduct and disability process do not merit the identification of a complaint against any judge in this circuit or any other circuit. See JCDR 5(a); see also JCDR 3 cmt.

The allegations of Dr. Cordero's Complaint are "directly related to the merits of . . . decision[s] or procedural ruling[s]," JCDR 11(c)(1)(B), and the Complaint "is based on allegations lacking sufficient evidence to raise an inference that misconduct has occurred or that a disability exists," JCDR 11(c)(1)(D). For those reasons, pursuant to 28 U.S.C. § 352(b)(1)(A)(ii) and (iii), and Rule 11(c)(1)(B) and (D) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States, the Complaint is **DISMISSED**.



Chief Judge

June 10, 2019

Circuit Executive James Gerstenlauer[†]

Office of the Circuit Executive <http://www.ca11.uscourts.gov/circuit-executive-office>

U.S. Court of Appeals for the 11th Circuit tel. (404) 335-6535

56 Forsyth Street, N.W., Atlanta, GA 30303-2218 <http://www.ca11.uscourts.gov/>

Re: Misconduct Petition 19-90053 & 11-19-90054

From referred complaint DC-18-90089

Dear Mr. Gerstenlauer,

I, Dr. Richard Cordero, Esq., (hereinafter Dr. Cordero), hereby petition the Judicial Council of the 11th Circuit for review of the dismissal by Chief Judge Ed Carnes of the above-captioned judicial misconduct complaints, which originated in a referral from Chief Justice John Roberts, Jr.

I declare under penalty of perjury that the statements that I have made in this review petition are true and correct to the best of my knowledge.

A. The original complaint and the judges' Abuse of Complaint Procedure through Abusive Orchestrated reciprocal exoneration

1. Dr. Cordero publicly filed the original complaint under the Judicial Conduct and Disability Act of 1980 (the Act), 28 U.S.C. §§351-364(*>[jur:24^{18a}](#)) against Chief Judge Merrick Garland, Judge Brett Kavanaugh, and their circuit peers and district colleagues in the U.S. District of Columbia Circuit (DCC) for dismissing 100% of the 478 complaints about them filed under the Act in DCC, and denying 100% of the petitions for review of such dismissals during at least the 1oct06-30sep17 11-year period([†]>[OL2:748](#)).
2. The factual basis for the above statement is provided by the statistics([complaint [†]>OL2:795§C](#)) that judges were required under 28 U.S.C. §604(h)(2) (*>[jur:26^{23a}](#)) to submit and did submit to Congress and the public. Through their 100% complaint dismissal and petition denial, the DCC judges committed "Abuse of Complaint Procedure" through "Abusive Orchestrated" self-interested reciprocal exoneration (cf. Rule 10 of the Rules for Judicial-Conduct and Judicial-Disability Proceedings (the Rules)).

B. The granting of impunity to Then-Judge Kavanaugh

3. At the outset, 11th Circuit Chief Judge Ed Carnes (C.J. Carnes) excluded Judge Kavanaugh from the complaint by alleging that he was no longer a member of the DCC, but rather a justice of the Supreme Court, whose members are not covered by the Act. With the stroke of a pen, C.J. Carnes granted impunity to a member of the class of judges. He did so by disregarding the secular principle "the offense travels with the offender".
4. That principle provides that a person is not absolved from responsibility for his acts simply because at the time of reviewing a complaint against him he no longer holds the same office that he did at the time of committing the alleged offense. The jurisdiction of the court that could have determined the complaint if it had been filed while the person was holding an office covered under the law or rule that he allegedly violated is predicated on his having committed the alleged offense, not on his continued holding of the same office. By disregarding this principle, C.J. Carnes pretended that the new office conferred impunity on Now-Justice Kavanaugh. Thereby, C.J. Carnes also deprived Dr. Cordero and every other person harmed by Then-Judge Kavanaugh of any remedy.
5. C.J. Carnes' gross violation of that secular principle can be illustrated by arguing the extreme:

Hitler's officers argued that the International Tribunal at Nuremberg did not have jurisdiction to judge them for the crimes that they had allegedly committed as officers of the Third Reich because that Reich had ceased to exist, and consequently, they were no longer officers of it, but rather simple citizens. The Nuremberg Tribunal rejected that defense because "the offense travels with the offender". To rule otherwise would have been an outrage. It would have deprived the rules of war and conventions against war crimes of any sense. It would have made a mockery of the principle that 'murder –and all the more so crimes against humanity- never prescribes'. This explains why after well half a century since the end of the Third Reich the U.S. and the rest of the international community still chase after Hitler's officers, bring them to justice, and convict them...and even if delayed, some measure of justice is given to their victims and their relatives. Mutatis mutandis, C.J. Carnes got Now-Justice Kavanaugh scot-free and made the harm to his victims irreparable.

6. Arguing comparables, "the offense travels with the offender" has been applied by federal and state judges in cases involving pedophilic priests and the Catholic Church: Most charges against them concern offenses that they committed while the priests served at dioceses other than the current ones to which the Church transferred them while they were priests, which they may not be anymore. Neither the priests' current service elsewhere nor non-priest status exempts the priests or the Church from liability regardless of whether the Church, the principal, was ignorant of the reason for the transfer of the priests, its agents, or effected it in an institutional cover-up of their crimes. (Cf. A company does not escape its debt by being bought by another, for 'a debt travels with the debtor'.)
7. But Judges Above the Law do not apply to themselves the principles that they apply to others. C.J. Carnes pretends that the transfer of J. Kavanaugh to the Supreme Court immunizes him from responsibility for his abusive exoneration of himself and others from 100% of complaints(*>jur:88§§ a-c) and petitions, no matter how much such exoneration imputes his commitment "to maintain[ing] public confidence in the judiciary's ability to redress misconduct or disability"(Rule 23(b)(1)).
8. Dr. Cordero could have engaged in expensive and time-consuming law research to provide citations to the above statements. But it would have wasteful: Neither C.J. Carnes nor his DCC peers and colleagues ever considered subjecting themselves to the Act or any other legal principle or precedent when they "Orchestrated" (cf. Rule 10(b)) their reciprocal complaint exoneration. So, it would have been naïve and presumptuous of Dr. Cordero to wishfully think that if he only argued the law competently with an abundance of citations, the judges who held a 100% self-interested exoneration record would have had no choice but to rescind their complicit institutionalized agreement through which they ensured the risklessness of their misconduct in order to start incriminating themselves and holding each other accountable and even liable to compensate their victims.

C. The exoneration of "peers and colleagues" nominally and not nominally identified was contrary to the facts and the Rules

9. Dr. Cordero filed his complaint against DCC C.J. Garland, Judge Kavanaugh, and their "peers and colleagues" who participated in the dismissal of 100% of the 478 complaints against them and the denial of 100% of review petition filed during the 1oct06-30sep17 11-year period.
10. It is counterfactual for C.J. Carnes to state that Dr. Cordero did not identify those "peers and colleagues". In his letter of April 19, 2019, which C.J. Carnes admitted as "a second supplement", Dr. Cordero identified the current judges of DCC as well as the current members of its Judicial Council as among those "peers and colleagues". He even provided the official list of their names that DCC itself had posted on its website and that he downloaded, printed, and attached to his April 19 letter. Chief Judge Carnes knew the names of those "peers and colleagues". There was as a

matter of fact no justification for dismissing Dr. Cordero's complaint against them on the pretense that he had not identified them by name. Dr. Cordero did identify them by name.

11. As to the "peers and colleagues" not nominally identified, C.J. Carnes could have identified them by conducting in good faith, impartially, and with due diligence a Rule 11(b) "limited inquiry [to] communicate orally or in writing with the complainant, the subject judge [nominally identified, such as C.J. Garland], and any others who may have knowledge of the matter [such as Justice Kavanaugh], and may obtain and review transcripts and other relevant documents" in the possession or under the control of, e.g., any DCC judge or its Circuit Executive, the Administrative Office of the U.S. Courts, or the Federal Judicial Center(jur:21^{10,11}). Rule 11(c) does not authorize a chief judge to exonerate a subject judge if the latter is not identified by name. A subject judge may be identified by any other reasonable means, such as the time and place of their service, and acts, e.g., 'the judges serving on the DCC during at least the 1oct06-30sep17 period and participating in such 100% complaint dismissal and petition denial'. Do judges reject a complaint against John and Jane Doe? Of course not, unless the judges are the putative defendants. Judges Above the Law.
12. To exonerate his "peers and colleagues" in DCC from Dr. Cordero's R. 6 complaint, and himself and those in the 11th Circuit from the complaint that he identified under R. 5(a), C.J. Carnes arrogated to himself the power to insert in the Rules an exclusionary provision: If a complainant does not state the name of a subject judge, that judge is exonerated even if his name can be ascertained through "a limited inquiry". By so doing, he offended against Rule 5(b), which provides as follows:

5(b) Submission Not Fully Complying with Rule 6. A legible submission in substantial but not full compliance with Rule 6 **must** be considered as possible grounds for the identification of a complaint under Rule 5(a). (emphasis added)
13. Rule 6 does not require that a subject judge be identified nominally. For its part, Dr. Cordero's complaint provides 'grounds for the identification of a complainant'. This statement is supported by:

Commentary on Rule 5...when a chief judge becomes aware of information constituting reasonable grounds to inquire into possible misconduct or disability on the part of a covered judge, and no formal complaint has been filed, the chief judge has the power in his or her discretion to begin an appropriate inquiry.
14. All C.J. Carnes needed was "information", not names...not even a complainant with a complaint! Once he had such "information", he could "inquire", whether by himself, a designee, or by appointing a special committee to investigate not "misconduct", but merely "possible misconduct". Just as he need not be sure that any misconduct had been committed in order to set in motion an inquiry, he need not be sure of the identity, never mind the name, of the possibly misconducting judge.

D. 100% self-exoneration is 'beyond a reasonable doubt' inherently suspicious and called for the appointment of a Rule 11(f) special committee

15. C.J. Carnes offended against Rule 11(b), which provides in pertinent part thus:

Rule 11(b). ...In conducting the inquiry, the chief judge must not determine any reasonably disputed issue. Any such determination must be left to a special committee ...and to the judicial council that considers the committee's report.
16. Disregarding that injunction, C.J. Carnes did "determine the reasonably disputed issue" that the judges' 100% complaint dismissal and 100% petition denial constituted misconduct through "orchestrated" abuse of their self-disciplining power in the self-interest of securing 100% exoneration. Self-endowed with impunity, unaccountable judges will escape any adverse consequence for their past misconduct and be emboldened to continue and expand their misconduct, harming "the

effective and expeditious administration of justice”, Dr. Cordero, similarly situated complainants, and the rest of the public left exposed to the same and new forms of their riskless misconduct.

17. To determine the reasonableness of that issue, this petition applies the highest standard of proof, i.e., beyond a reasonable doubt. Applicable only in criminal cases, that standard is applied by the trier of facts to sentence a man or woman to capital punishment or to life imprisonment or to spend 10, 20, 30 years in prison. ‘Circumstantial evidence from which reasonable inferences can be raised may be sufficient’(R.11(c)(1)(D)). If that standard can be satisfied by the instant complaint, then its result is reasonable in light of the legal maxim “he who can do the most can do the lesser”.
18. It is beyond a reasonable doubt that 100% of the 478 complaints filed against DCC judges during an 11-year period could not have been so undoubtedly defective that they warranted dismissal and denial of 100% of review petitions without even the appointment of a special committee to investigate them. This could not happen but for the judges-cum-accused interpreting the Act self-servingly to frustrate its intent of providing for “effective justice” by means of disciplining judges.
19. It is beyond a reasonable doubt that the two or more DCC chief judges during 11 years could not have held the same views of the law and the facts so that upon applying them to the different sets of complaints that they handled during their respective tenure they reached the same conclusion in 100% of complaints: dismissal. In fact, their views of the law and the facts of all non-complaint filings at times coincided and at times diverged to the point of their writing a dissent opinion.
20. The above analysis is only more patently beyond a reasonable doubt as to the 100% of the review petitions that the DCC Judicial Council denied during those 11 years: It is composed of 9 members at any point in time to whom must be added the number of their replacements during that time. Their unanimous denial of 100% of petitions did not come from shared views of the law and their merits:
21. In any judicial council, there are members with different backgrounds, attitudes, and loyalties. Some were nominated and confirmed by one party while others by the other party. Some were circuit judges while others were district judges. Actually, some were never district judges, who are in much closer contact with the parties, witnesses, experts, police officers, prosecutors, jurors, etc., than the circuit judges, who sit in the ivory tower of a court of appeal and are not exposed to the same set of human contact and circumstances that generate real or imagined misconduct opportunities. Some circuit judges even overturned the decisions of district judges or their friends.
22. Yet, none of the 478 complaints gave rise to “*Payday!*” vengeful gloating. Despite their substantial differences, the tens of DCC Judicial Council members agreed unanimously and without exception during those 11 years: 100% of the dismissals by whoever was the chief judge at the time were right and 100% of the petitions for review were so meritless that not even one member dissented, whereby no appointment of a special committee was triggered. When have you seen even only two married people, brought together by love rather than assignment, agree on everything for 11 years?
23. It is beyond a reasonable doubt that those judges could not have reached those 100% records by shared views; they did it by self-interest ‘orchestration’. They were confronted with a conflict of interests between dealing with the complaints and petitions fairly and impartially, and exonerating without even appointing any committee their “peers and colleagues”, who might have become their friends after working together for years or decades; with whom they were ‘stuck’ for their rest of their life-appointment; and from whom they could fear retaliation if not exonerated. So they resolved the conflict in their personal and class interest: They committed “Abuse of Complaint Procedure” through “Abusive orchestrated” exoneration of each other (cf. Rule 10 and ¶(a)).

1. The inherently suspicious 100% orchestrated self-exoneration

24. It is beyond a reasonable doubt that their 100% self-interested exoneration from 478 complaints and 100% of review petitions filed during 11 years is inherently suspicious. *Res ipsa loquitur*: “the complaint and review procedure in the D.C. Circuit must be flawed because if it were not, the results would be different”; cf. order, p.8. Those results would not have obtained but for a *complicit reciprocal complaint dismissal agreement* that replaced the fair and impartial determination of each complaint and each petition with a rubberstamp: ‘Today I exonerate you and tomorrow you exonerate me or my friends’. The judges “orchestrated”(Rule 10(b)) their predetermined exoneration.
25. While “*Res ipsa loquitur*” is a legal maxim, the concept of ‘inherently suspicious’ derives from the common sense that “a reasonable person” and lay people are supposed to have and apply as jurors. To something ‘inherently suspicious’, their common sense reaction would be to look into it. A fortiori, C.J. Carnes, duty-bound to ensure “the effective and expeditious administration of justice” based on facts and the law, was required to appoint a R. 11 special committee. Its duty is to investigate “reasonably disputed issues” thus:
- Commentary on Rule 14. ...The special-committee’s duty — and that of their staff — is at all times to be impartial seekers of the truth. Rule 14(b) contemplates that material evidence will be obtained by the committee...Staff or others who are [obtaining it] should regard it as their role to present evidence representing the entire picture.
26. But neither C.J. Carnes nor his DCC peers and colleagues appointed any special committee. After all, he would have appointed his own peers and colleagues in the 11th Circuit and even himself. All of them would have ended up doing exactly the same: protecting their personal and class interests by exonerating their DCC “peers and colleagues”. C.J. Carnes spared himself and them that farce and reached the predetermined result required to maintain a record of 100% complaint dismissal and 100% review petition denial: C.J. Carnes dismissed Dr. Cordero’s complaint.
27. By disregarding the inherent suspiciousness of 100% orchestrated self-exoneration by those with the greatest interest therein, the accused themselves, C.J. Carnes offended against a tenet of justice: “Justice should not only be done, but should manifestly and undoubtedly be seen to be done”; *Ex parte McCarthy*, [1924] 1 K. B. 256, 259 (1923). Cf. “Justice must satisfy the appearance of justice”; *Aetna Life Ins. v. Lavoie et al.*, 475 U.S. 813; 106 S. Ct. 1580; 89 L. Ed. 2d 823 (1986).

E. C.J. Carnes’ disingenuous allegation that Dr. Cordero’s complaint is dismissible as merit-related

28. J.C. Carnes has allowed the appearance of his disregard for the inherent suspiciousness of the subject judges’ 100% self-exoneration from complaints and review petitions in order to cover up its abusive orchestrated nature. This inherent suspiciousness constitutes a “reasonably disputed issue” involving ‘a genuine issue of material fact’. Under Rule 11(b) (*supra* ¶15) and its Commentary, C.J. Carnes was prohibited from determining the issue and dismissing the complaint:

Commentary on Rule 11: ...Essentially, the standard articulated in subsection (b) is that used to decide motions for summary judgment pursuant to FRCP 56. Genuine issues of material fact are not resolved at the summary judgment stage. A material fact is one that “might affect the outcome of the suit under the governing law,” and a dispute is “genuine” if “the evidence is such that a reasonable jury could return a verdict for the nonmoving party.”...Similarly, the chief judge may not resolve a genuine issue concerning a material fact or the existence of misconduct or a disability when conducting a limited inquiry pursuant to subsection (b).

29. To disregard those injunctions and run his cover-up, C.J. Carnes disingenuously states on page 7 of his Order: “the allegations of the Complaint challenge the merits of judicial decisions...which

is an independently adequate alternative reason for dismissing the Complaint in its entirety”.

30. That statement is factually wrong because Dr. Cordero never challenged the merits of any of the 478 complaints dismissed or any of the petitions denied. He could not have done so because complaints and petition are kept secret. On the contrary, he requested that they be disclosed so that the merits of the dismissals and denials may be determined fairly, impartially, and publicly. Their examination can detect misconduct patterns, trends, and schemes. Thereby they can expose the DCC judges' institutionalized policy of misconduct as their orchestrated modus operandi. His complaint is predicated, not on merits, but on it being beyond a reasonable doubt inherently suspicious for 100% of complaints and petitions to be dismissed and denied by the very ones complained against. That inherent suspiciousness presents the “reasonably disputed issue” that prevents dismissal.

F. A call on judges to become Deep Throats and Champions of Justice

31. The disposition of this complaint and petition by the judges of the 11th Circuit and, for that matter, of DCC or any other circuit or court, has nothing to do with what the Act or the Rules provide. It has to do only with safeguarding crass personal and judicial class interests: avoidance of retaliation by the judges that one fails to exonerate and their friends; insurance of reciprocal exoneration when one becomes the complained-against judge; and preservation of the pretense that the judicial class is composed of people who command respect for their superior integrity and are immune to the insidious effect of their unaccountable, ‘absolute power, which corrupts absolutely’(*>jur:27²⁸).
32. You, the reading Judge, can advance a noble interest that can make you “Honorable”: You can courageously buck the class, whether discreetly, as Deep Throat of Watergate fame did(jur:106§c), or openly, as did the Silence Breakers on the cover of Time magazine's 2017 *Person of the Year* issue. They spoke up and contributed to transforming society by launching the *MeToo!* movement. You can denounce judicial abuse at a press conference or in an Emile Zola's *I accuse!*-like(jur:98§2) article, or help me publish mine(OL2:760, 781, 901) -just as Ronan Farrow exposed Harvey Weinstein's sexual abuse in *The New Yorker*- and have a transformative impact on justice here and abroad. You can reasonably expect to set in motion for the first time in history a movement for *We the People*, the masters, to hold all our judicial public servants accountable for their performance and liable to their victims. Unlike all other whistleblowers, you have life-tenure and your “Compensation shall not be diminished”(jur:22¹²). For your “good Behaviour”(id.) to ensure “the effective administration of justice”, you will step out of your anonymity as one of 2,255 federal judicial officers (as of 30sep18) and become nationally recognized as the *People's* Champion of Justice.
33. This is the most opportune time to share your inside information with each and all of the 25 presidential candidates, each of whom is desperate to become the standard-bearer of an issue that causes public outrage and earns him or her national media and public attention, campaign volunteers, and indispensable donations: At least 65,000 donors from at least 20 states are required to qualify to appear on the nationally televised presidential debates that begin on June 26. Failure to qualify will toll the death knell for the non-appearing candidates. Hence, the candidates want to hear from you. The winning one may reward you with a nomination to a new Supreme Court of honorables.

G. Action requested

34. Dr. Cordero respectfully requests that the Council vacate the dismissal order; appoint a special committee to work through Rule 13(a) “experts and professionals” who are neither judges nor lawyers and are journalists to investigate whether the judges have committed misconduct, e.g., abusive orchestrated self-exoneration; and take the other requested actions(OL2:794§B; 884§D).

Dare trigger history!(*>jur:7§5)...and you may enter it. Sincerely, Dr. Richard Cordero, Esq.

* http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf >all prefixes:# up to OL:393 OL2:923

September 2, 2018

The official statistics¹ of the U.S. District of Columbia Circuit show that Judge Brett Kavanaugh², Chief Judge Merrick Garland, and their peers recieved 478 complaints³ against judges in their Circuit during the 1oct06/30sep17 11-year period, but systematically abused their disciplinary power to exonerate 100% of them. They have impugned their impartiality by covering up for abusive judges while leaving parties at their mercy.

The Senate hearings should be on whether unaccountable federal judges have turned abuse into their modus operandi.

Line	All current and some old tabulating entries, mostly in their current order ⁴	'07 ⁵	'08A ⁶	'08B ⁷	'09A ⁸	'09B	'10 ⁹	'11 ¹⁰	'12 ¹¹	'13 ¹²	'14 ¹³	'15 ¹⁴	'16 ¹⁵	'17 ¹⁶	totals
1.	Complaints Pending on Sep. 30 of preceding year *	6	12	-17	0	2	5	21	7	4	6	15	27	3	
2.	Complaints Concluded	21	14	0	0	35	75	73	48	36	24	34	77	21	
3.	Complaints Filed ¹⁸	30	17	20	19	48	93	56	43	42	35	46	61	38	
4.	Complaint Type/Sources of Complaints														
5.	Written/Filed by Complainants	30	17	20		48	93	56	43	42	35	46	61	38	
5a	On Order of/Identified by Circuit Chief Judges	0	0	0		0	0	0	0	0	0	0	0	0	
6.	Complainants**	-	-												
7.	Prison inmates	-	-	4		9	25	4	1	0	0	0	1	0	
8.	Litigants	-	-	14		38	66	51	42	35	32	47	41	37	
9.	Attorneys	-	-	1		1	1	1	0	2	10	0	18	2	
10.	Public Officials	-	-	0		0	0	0	0	0		0	1	0	
11.	Other	-	-	1		0	1	0	0	17	2	0	9	0	
12.	Judges Complained About **														
13.	Circuit Judges	14	4	5		10	43	22	10	6	5	12	38	17	
14.	District Judges	22	12	14		34	48	32	29	33	27	34	23	20	
15.	Court of International Trade Judges	0	0	0		0	0	0	0	0	0	0	0	0	
16.	Court of Federal Claims Judges	0	0	0		0	0	0	0	0	0	0	0	0	
17.	Bankruptcy Judges	1	0	0		1	1	1	0	0	2	0	0	1	
18.	Magistrate Judges	2	1	1		3	1	1	4	3	1	0	0	0	
19.	Tax Court Judges	-	-	-		-	-	-	-	-	-	-	-	0	
20.	Nature of Allegations														
21.	Erroneous Decision	-	-	13		18	57	24	15	21	11	19	36	12	
22.	Delayed Decision/Undue Decisional Delay	2	-	1		6	5	0	4	6	0	10	2	4	
23.	Failure to Give Reasons for Decision	-	-	0		0	0	0	0	0	0	0	0	0	
24.	Incompetence/Neglect	0	2	-											
25.	Improper Discussions With Party or Counsel	-	-	1		2	11	1	1	1	2	5	4	0	
26.	Hostility Toward Litigant or Attorney	-	-	1		3	11	4	2	4	2	3	4	2	
27.	Prejudice/Bias	13	2	-	-	-	-	-	-	-	-	-	-	-	
28.	Racial, Religious, or Ethnic Bias	-	-	4		1	1	2	1	1	0	12	3	0	
29.	Personal Bias Against Litigant or Attorney	-	-	5		6	8	4	3	0	2	4	5	7	
30.	Conflict of Interest (Including Refusal to Recuse)	0	0	3		2	1	1	0	1	5	3	1	8	
31.	Failure to Meet Financial Disclosure Requirements	-	-	0		0	0	0	0	0	0	0	0	0	
32.	Improper Outside Income	-	-	0		0	0	0	0	0	0	0	0	0	
33.	Partisan Political Activity or Statement	-	-	3		0	0	0	0	0	0	0	1	1	
34.	Acceptance of a Bribe	-	-	0		1	2	0	0	0	2	0	0	0	
35.	Bribery/Corruption	1	0	-											

36.	Data of the Judicial Council, _____ Cir., filed with AO	'07	'08 A	'08 B	'09 A	'09 B	'10	'11	'12	'13	'14	'15	'16	'17	totals
37.	Effort to Obtain Favor for Friend or Relative	-	-	0	-	1	8	1	0	2	1	2	0	0	
38.	Solicitation of Funds for Organization	-	-	0	-	0	0	0	0	0	0	0	0	0	
39.	Retaliation Against Complainant, Witness, or Others Involved in the Process	-	-	-	-	-	-	-	-	-	-	-	-	1	
40.	Violation of Other Standards	-	-	1	-	-	-	0	0	0	-	1	0	0	
41.	Other/Other Misconduct	0		1		27	43	36	24	17	22	19	44	18	
42.	Demeanor	0	0	-	-	-	-	-	-	-	-	-	-	-	
43.	Abuse of Judicial Power	9	11	-	-	-	-	-	-	-	-	-	-	-	
44.	Disability			0		0	0	0	1	0	1	1	0	1	
45.	Mental	0	0	-	-	-	-	-	-	-	-	-	-	-	
46.	Physical	0	0	-	-	-	-	-	-	-	-	-	-	-	
47.	ACTIONS REGARDING THE COMPLAINTS														
48.	Concluded/Terminated by Complainant or Subject Judge/Withdrawn	21	-	1	-	0	0	0	0	0	0	0	0	0	
49.	Complaint Withdrawn with Consent of Chief Circuit Judge	0	0	1	0	0	0	0	0	0	0	0	0	0	
50.	Withdrawal of Petition for Review	0	0	0	0	0	0	0	0	0	0	0	0	0	
51.	Actions by Chief Circuit Judge														
52.	Matters Returned from Judicial Council/or Judicial Conference Committee	-	-	0	-	0	0	0	0	0	0	0	0	0	
53.	Complaint Dismissed♦ in Whole or in Part³	18 ²⁰	3	13	0	48	67	75	40	39	34	24	82	35	478
54.	Not in Conformity With Statute/Not Misconduct or Disability	0	0	0	0	0	3	0	0	1	1	4	0	0	
55.	Directly Related to Decision or Procedural Ruling/ Merits Related	12	3	10	0	22	45	46	25	25	25	15	39	15	
56.	Frivolous	4	0	0	0	0	0	1	0	0	0	0	0	1	
57.	Lacked Factual Foundation/Allegations Lack Sufficient Evidence	-	0	5	0	37	42	47	30	35	28	16	68	33	
58.	Allegations Incapable of Being Established	-	-	0		0	0	0	0	0	0	0	0	0	
59.	Filed in Wrong Circuit	-	-	0		0	0	0	0	0	0	0	0	0	
60.	Otherwise Not Appropriate	-	-	1		2	2	2	0	0	0	0	0	0	
61.	Complaints Concluded in Whole or in Part			0		0	6	0	0	0	0	0	5	2	
62.	Informal Resolution Before Complaint Filed	-	-	0	-	0	0	0	0	0	0	0	0	0	
63.	Voluntary Corrective Action Taken	-	-	0	-	0	0	0	0	0	0	0	0	0	
64.	Action No Longer Necessary Because of Intervening Event	2	0	0	0	0	6	0	0	0	0	0	5	2	
65.	Appropriate Action Already Taken	0	0	0	0	-	-	-	-	-	-	-	-	-	
66.	Complaint Withdrawn	0	0	-	0	-	-	-	-	-	-	-	-	-	
67.	Subtotal														
68.	Special Investigative Committee Appointed/Complaint Referred to Special Committee	0	0	0	0	0	0	0		1		0	0	0	
69.	Actions by Special Committees												0	0	
70.	Matter Returned from Judicial Council	--		0		0	0	0	0	0	0	0	0	0	
71.	New Matter Referred to Chief Judge	-		0		0	0	0	0	0	0	0	0	0	
72.	Action by Judicial Council/Jud. Council Proceedings	-													
73.	Matter Returned from Judicial Conference	-		0		0	0	0	0	0	0	0	0	0	

74.	Data of the Judicial Council, 10th Cir., filed with AO	'07	'08 A	'08 B	'09 A	'09 B	'10	'11	'12	'13	'14	'15	'16	'17	totals
75.	Complaint Transferred to/from Another Circuit	-	-	0		0	0	0	0	0	0	0	0	0	
76.	Special Committee Reports Submitted to Judicial Council	-	-	0		0	0	0	0	0	1	0	0		
77.	Received Petition for Review ²¹	-	-	0		8	17	36	18	15	18	18	28	12-	
78.	Withdrawn	0	0	-	-	-	-	-	-	-	-	-	-	-	
79.	Action on Petition for Review														
80.	Dismissed Complaint ²² /Petition Denied	3	11	8	0	8	18	37	17	16	13	24	28	8	
81.	Matter Returned to Chief Circuit Judge	-	-	0		0	0	0	0	0	0	0	0	0	
82.	Matter Returned to Chief Circuit Judge for Appointment of Special Committee	-	-	0		0	0	0	0	0	0	0	0		
83.	Ordered Other Appropriate Action /Other	0	0	0	0	0	0	0	0	0	0	0	0	0	
84.	Received Special Committee Report/Special Committee Reports Submitted to Judicial Council	-	-	0		0	0	0	0	0	1	0	0	0	
85.	Withdrawn	-	-												
86.	Remedial Action Taken/Action on Special Committee Report	-	-	0								0	0	0	
87.	Complaint Dismissed	-	-	0	0	0	0	0	0	0	1	0	0	0	
88.	Not Misconduct or Disability			0		0	0	0	0	0	1	0	0	0	
89.	Merits Related			0		0	0	0	0	0	0	0	0	0	
90.	Allegations Lack Sufficient Evidence	-	-	0		0	0	0	0	0	0	0	0	0	
91.	Otherwise Not Appropriate	-	-	0		0	0	0	0	0	0	0	0	0	
92.	Corrective Action Taken or Intervening Events	-	-	0		0	0	0	0	0	0	0	0	0	
93.	Referred Complaint to Judicial Conference	0	0	0	0	0	0	0	0	0	0	0	0	0	
94.	Remedial Action Taken	-	-	0		0									
95.	Privately Censured	0	0	-	0	-	-	-	-	-	-	-	-	-	0
96.	Publicly Censured	0	0	-	0	-	-	-	-	-	-	-	-	-	0
97.	Censure or Reprimand	-	-	0	-	0	0	0	0	0	0	0	0	0	0
98.	Suspension of Case Assignments	0	0	0	0	0	0	0	0	0	0	0	0	0	0
99.	Directed Chief District J. to Take Action (Magistrates only)/Action Against Magistrate Judge	0	0	0	0	0	0	0	0	0	0	0	0	0	0
100.	Removal of Bankruptcy Judge	-	-	0	0	0	0	0	0	0	0	0	0	0	0
101.	Request of Voluntary Retirement	0	0	0	0	0	0	0	0	0	0	0	0	0	0
102.	Certification of Disability of Circuit or District Judge	0	0	0	0	0	0	0	0	0	0	0	0	0	0
103.	Additional Investigation Warranted	-	-	-	-	0									0
104.	Returned to Special Committee	-	-	-	-	0	0	0	0	0	0	0	0	0	
105.	Retained by Judicial Council	-	-	-	-	0	0	0	0	0	0	0	0	0	
106.	Actions by Chief Justice	-	-	-	-		0	0	0	0	0	0	-	-	
107.	Transferred to Judicial Council	-	-	-	-	0	0	0	0	1	-	0	0	-	
108.	Received from Judicial Council			-	-	0	0	0	0		-	0	1	0	
109.	Complaints Concluded/Terminated by Final Action														
110.	During 12-month Period Ending Sep. 30 of reported year	21	14	-	0	35	75	73	48	36	24	34	77	21	
111.	Complaints Pending on Sep. 30 [end of reported year]	15	15	6	0	15	23	4	2	10	17	27	11	20	
	Data of the Judicial Council, _____ Cir., filed with AO	'07	'08 A	'08 B	'09 A	'09 B	'10	'11	'12	'13	'14	'15	'16	'17	totals

[The following notes are in the official statistical Table S-22; see infra, endnote 1.]

- ◆ Each complaint may involve multiple allegations. Each complaint may have multiple reasons for dismissal.
- ◆◆ Number of complainants may not equal total number of filings because each complaint may have multiple complainants.

◆‡² Revised

Note: Excludes complaints not accepted by the circuits because they duplicated previous filings or were otherwise invalid filings.

* Each complaint may involve multiple allegations against numerous judicial officers. Nature of allegations is counted when a complaint is concluded.

Endnotes by Dr. Cordero

‡ See the equivalent table of complaints concerning Then-Judge Sonia Sotomayor of the 2nd Circuit(*>jur:11); Then-Judge Neil Gorsuch of the 10th Circuit([†]>OL2:548); and all circuits (jur:10 12-14; 21§a).09BJ0

These table are supported by Dr. Cordero’s study of judges and their judiciaries, titled and downloadable thus:

Exposing Judges’ Unaccountability and Consequent Riskless Wrongdoing:
Pioneering the news and publishing field of judicial unaccountability reporting* †

Visit the website at, and subscribe to its series of articles thus:
www.Judicial-Discipline-Reform.org > + New or Users >Add New

¹ a. This table is based on Table S-22 in the Annual Report, 28 U.S.C. §604(a)(3), submitted to Congress as a public document by the Director of the Administrative Office of the U.S. Courts (AO), §§601-613. The Report must include the statistics on complaints filed against judges and action taken; §604(h)(2). On AO, see also http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf >jur:21fn10.

b. Each of the District of Columbia and the 11 numbered regional federal judicial circuits and the two national courts, i.e., the Court for International Trade and the Federal Claims Court, must file its statistics on complaints against its judges with AO for inclusion in the statistical tables of its Annual Report. The tables for the fiscal years 1oct96-30sep17 have been collected in the file at http://Judicial-Discipline-Reform.org/retrieve/DrRCordero_tables_complaints_v_judges.pdf. So, readers can conveniently download that file and prepare similar tables for each of the other circuits and any period of years. To that end, that file contains a table template that readers can fill out.

c. The above table for the District of Columbia Circuit is representative of the other circuits’ systematic dismissal of complaints against their respective judges and their judicial councils’ systematic denial of petitions for review of those dismissals. That constitutes the foundation for the assertion that the judges have proceeded to abuse the self-discipline power granted to them under the Judicial Conduct and Disability Act(28usc351-364 at *>jur:24§b) to exempt themselves from discipline, placing themselves beyond investigation and above any liability. They hold themselves unaccountable by arrogating to themselves the power to abrogate in practice that Act of Congress. By so doing, they harm the complainants, who are left with no relief from the harmful conduct of the complained-about judge and exposed to his or her retaliation. Likewise, they harm the rest of the public, who is left with judges who know that as a matter of fact they can rely on the protection of their peers to abuse their power and disregard due process and the equal protection of the law, for they are in effect Judges Above the Law.

² On judicial councils see [jur:57fn96](#) and [id.>28usc§332\(g\)](#).

³ a. Any person, whether a party to a case or a non-party, even a judge, can file a complaint against the conduct or disability of a federal judge under the provisions of the Judicial Conduct and Disability Act of 1980, 28 U.S.C. §§351-364; †http://Judicial-Discipline-Reform.org/docs/28usc_Judicial_Code.pdf. The complaint is not a means of avoiding an appeal on the merits from a judge's decision. In fact, the complaint need not be related to any lawsuit at all; e.g., it may concern the attendance of a judge at a seminar where she became drunk and disorderly or at a fund raising meeting in favor of a political candidate or against a given issue where the judge appeared to breach her impartiality or place the prestige of judicial office in favor or against thereof. But it is obvious that the most frequent occasion where a person comes in contact with a judge and for complaints against her to arise is a lawsuit, whether at the trial or the appeal level.

b. In any event, the complaint must be filed with the chief circuit judge of the circuit where the complained-about judge sits. The chief and the complained-about judge may have been colleagues, peers, and friends for 1, 5, 10, 15, 20, 25 years or more. If they hold life-appointments, as circuit and district judges do, they are stuck with each other for the rest of their professional lives. If she is a bankruptcy judge, she was appointed for a renewable term of 14 years by the respective circuit judges under 28 U.S.C. §152. If she is a magistrate judge, the respective district judges appointed her for a renewable term of 8 years under 28 U.S.C. §631(a) and (e).

c. The very last thing that they want is a peer holding professional and personal grudges against them for their rest of their lives or even for a term of years for failure to dismiss the complaint and insulate her from any discipline. Actually, appointing-judges who hold an appointee of theirs liable for misconduct or incompetence indict their own good judgment and the quality and impartiality of their vetting procedure. Think of all the criticism that has been heaped on President Trump for having appointed General Michael Flynn his National Security Advisor allegedly without having found out during the vetting of him that he had had meetings with the Russian ambassador; and for demonstrating a dishonest character when he lied thereabout to the Vice President. The President fired him less than a month after appointing him.

d. Worse yet, finding that a judge behaved dishonestly or incompetently casts doubt on her character and professional capacity. This provides grounds for every party that has appeared before her to file a motion in his own case for recusal or disqualification, to quash her decision, to reverse and remand for a new trial, for leave to appeal...*'Why bother!'*, shout the judges handling the complaint. 'It suffices for me as chief circuit judge to dismiss the complaint by signing a decision with boilerplate text alleging that it relates to the merits of the case or lacks any evidence; or by us in the judicial council having an unsigned 5¢ form issued that disposed of the petition for review of such dismissal with one single operative word: Denied. That's how we avoid all the hassle and the bad blood that comes with it.'

e. And then there is the self-serving consideration of reciprocally ensured survival: 'Today I dismiss this complaint against you, and tomorrow, when I am or one of my friends is the target of one of these pesky complaints, you in turn dismiss it'. By so doing, the judges assure each other that no matter the wrongdoing they engage in, their "brothers and sisters of the robe" will exempt them from any discipline and let them go on to do ever graver wrongs. (* >[jur:68§§a-c](#))

The result is the same: Complainants are left to bear the dire consequences of the misconduct and wrongdoing of judges, and the rest of the public is left at the mercy of a judicial class with ever less integrity and regard for the strictures of due process and equal protection of the law, for the class is composed of Judges Above the Law.

-
- ⁴ The left column of tabulating entries has evolved over the years, with some entries being added, eliminated, or changed in their wording and order. This table's left column contains all current entries in their current order. To enable distribution of all historical data in an effort to achieve completeness of data, accurate tabulation, and comparability of comparable entries, some old entries have been added to their corresponding new ones in the same cells and others are found in their own cells. Old entries appear after the newly added ones and in their appropriate position in the complaint-filing-to-decision process of the authority in question; e.g., if "Withdrawal" referred to the withdrawal of a petition to the judicial council for review of a dismissal by the chief circuit judge, it appears near the bottom of "Judicial Council Proceedings". In case of doubt, simply go to the corresponding year in the row of years at the top of the table, click on the endnote symbol, and click on the corresponding link to download the official statistics for the year in question..or download the file that collects all the 1oct6-30sep17 complaint statistics(supra [OL2:751 endn.1b](#)).
- ⁵ <http://www.uscourts.gov/statistics-reports/judicial-business-2007>
- ⁶ <http://www.uscourts.gov/statistics-reports/judicial-business-2008>
- ⁷ The adoption on March 11, 2008, of new rules for filing and processing complaints against judges caused the complaints filed from 1oct07 through 10may08 under the old rules to be reported in Table S-22A in the 2008 Judicial Business Report; and those filed under the new rules from 11may-30sep08 to be reported in that year's Table S-22B. The same applies to the corresponding 2009 tables.
- ⁸ <http://www.uscourts.gov/statistics-reports/judicial-business-2009>. While the 2009 Judicial Business Report covers only the fiscal year that started on October 1, 2008, its table on complaints against judges includes the complaints filed under the new rules during May 11 through September 30, 2008. This period alone is reported in Table S-22B of 2008.
- ⁹ <http://www.uscourts.gov/statistics-reports/judicial-business-2010>
- ¹⁰ <http://www.uscourts.gov/statistics-reports/judicial-business-2011>
- ¹¹ <http://www.uscourts.gov/statistics-reports/judicial-business-2012> >Complaints against judges, Table 10 Judicial Complaints Commenced, Terminated, and Pending Fiscal Years 2010-2012 >Table S-22, <http://www.uscourts.gov/statistics/table/s-22/judicial-business/2012/09/30>
- ¹² <http://www.uscourts.gov/statistics-reports/judicial-business-2013> >Complaints against judges, <http://www.uscourts.gov/statistics-reports/complaints-against-judges-judicial-business-2013> >Table 10 Judicial Complaints Commenced, Terminated, and Pending Fiscal Years 2011-2013 >Table S-22, <http://www.uscourts.gov/statistics/table/s-22/judicial-business/2013/09/30>
- ¹³ <http://www.uscourts.gov/statistics-reports/judicial-business-2014> >Complaints against judges, <http://www.uscourts.gov/statistics-reports/complaints-against-judges-judicial-business-2014> >Table 10 Judicial Complaints Commenced, Terminated, and Pending Fiscal Years 2012-2014 >Table S-22, <http://www.uscourts.gov/statistics/table/s-22/judicial-business/2014/09/30>
- ¹⁴ <http://www.uscourts.gov/statistics-reports/judicial-business-2015> >Complaints against judges, <http://www.uscourts.gov/statistics-reports/complaints-against-judges-judicial-business-2015> >Table 10 Judicial Complaints Commenced, Terminated, and Pending Fiscal Years 2013-2015 >Table S-22, <http://www.uscourts.gov/statistics/table/s-22/judicial-business/2015/09/30>
- ¹⁵ <http://www.uscourts.gov/statistics-reports/judicial-business-2016> >Complaints against judges, * http://Judicial-Discipline-Reform.org/OL/DrRCordero-Honest_Jud_Advocates.pdf >all prefixes:# up to OL:393 OL2:753

<http://www.uscourts.gov/statistics-reports/complaints-against-judges-judicial-business-2016>
>Table 10 Judicial Complaints Commenced, Terminated, and Pending Fiscal Years 2015-2016
>Table S-22, <http://www.uscourts.gov/statistics/table/s-22/judicial-business/2016/09/30>

¹⁶ <http://www.uscourts.gov/statistics/table/s-22/judicial-business/2017/09/30>

¹⁷ An entry no present in an early version of the table or deleted from a subsequent one is represented with a -. The data for an entry that has changed position may be repeated; e.g.; Line 2 &109.

¹⁸ Over the years, the judges have added some headings and removed others to and from the table for reporting the statistics on complaints against judges. This explains why some cells have no values, which is indicated by an unobtrusive hyphen - so that it may not be misinterpreted as a failure to include the corresponding value. In the same vein, this is a composite table that aggregates all headings and entries and place them in the most logical position in the series of headings and entries. The most significant addition and removal came when the new rules for processing these complaints were adopted in 2008. The use of the new rules became mandatory on May 11, 2008. Since then a new reporting table with more numerous and detailed headings and entries has been used to report the statistics on complaints filed under the new rules.

Although the new rules for filing complaints against federal judges showed more complaint categories, the systematic dismissal of them and denial of petitions for review of such dismissals by judges protecting their own as well as themselves has continued unabated: ‘I protect you today, and if tomorrow I’m or any of my friends is the one complained against, you protect me or them. The new rules was a ruse by the judges to dissade Congress from taking action to correct the fact that the judges had applied for over 20 years the Judicial Conduct and Disability Act of 1980 in such a way as to render it useless so that judicial discipline was as inexistence as it had been since the creation of the Federal Judiciary in 1789, a period during which there was no formal mechanism for complaining against judges; see the history of, and a comment on, the new rules at http://Judicial-Discipline-Reform.org/judicial_complaints/8-4-3DrRCordero_new_rules_no_change.pdf.

¹⁹ Table S-22A(stat:28) for the fiscal year 1oct08-30sep09 deals only with the action taken on the complaints filed under the old rules up to and including May 10, 2008. By definition, none of those complaints could have been filed during that fiscal year. Consequently, that table does not report any complaint filed.

²⁰ http://Judicial-Discipline-Reform.org/statistics&tables/statistical_tables_complaints_v_judges.pdf >stat:24:

²¹ The table(cf. stat:24) used to report complaints about judges filed under the old rules did not report the number of complainants’ petitions to the judicial circuit to review the unfavorable disposition of their complaints, which consisted in their systematic dismissal without any investigation. Accordingly, it did not report on the disposition by judicial councils of such petitions. The table(cf. stat:26) used for reporting under the new rules began reporting both the number of petitions for review and their disposition. This explains why the number of “Received Petitions for Review” is 176(L65), yet the number of “Petitions Denied” is 242(L68). This illustrates that the circuit and district judges on the judicial council of the respective circuit overwhelmingly disposed of those petitions through their systematic denial. Thereby they attained the same objective: their self-exemption from discipline to ensure their unaccountability as Judges Above the Law.

²² Cf. stat:28. The entry “Action on Petition for Review: Petition Denied” under the heading Judicial Council Proceedings” first appear in Table S-22B of 2009(stat:30).

UNITED STATES COURT OF APPEALS
ELEVENTH JUDICIAL CIRCUIT

JAMES P. GERSTENLAUER
CIRCUIT EXECUTIVE

TEL. 404/335-6535
56 FORSYTH STREET, NW
ATLANTA, GEORGIA 30303

21 June 2019

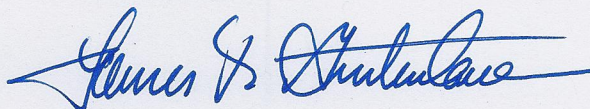
Dr. Richard Cordero, Esq.
2165 Bruckner Blvd.
Bronx, NY 10472

Dear Dr. Cordero:

We have received your petition for review, dated 10 June 2019, of the order dismissing miscellaneous case numbers 11-19-90053 and 11-19-90054.

Pursuant to Rule 18(b) of Addendum 3 to the 11th Circuit Rules, a petition for review must be filed with the office of the circuit clerk. Therefore, we have forwarded your petition for review to the Clerk of the Court of Appeals for appropriate action.

Sincerely,



Circuit Executive

c: David J. Smith

United States Court of Appeals

Eleventh Circuit
56 Forsyth Street, N.W.
Atlanta, Georgia 30303
404-335-6100

David J. Smith
Clerk of Court

www.ca11.uscourts.gov

Amy C. Nerenberg
Chief Deputy Clerk

June 24, 2019

CONFIDENTIAL

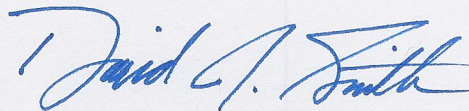
Dr. Richard Cordero, Esq.
2165 Bruckner Blvd.
Bronx, NY 10472-6506

Re: Judicial Complaint Nos. 11-19-90053 and 11-19-90054
In the Matter of a Complaint Filed by Dr. Richard Cordero, Esq.

Dear Dr. Cordero:

On June 17, 2019, this office received your petition seeking review of the order Chief United States Circuit Judge Ed Carnes issued in the above-referenced matter. Your petition will be processed as a timely petition for review of Complaint Nos. 11-19-90053 and 11-19-90054 as provided for by Title 28 U.S.C. §§ 351-364 and the Rules for Judicial-Conduct and Judicial-Disability Proceedings of the Judicial Conference of the United States. You will be notified of the decision concerning your petition for review.

Sincerely,



David J. Smith
Clerk of Court

**JUDICIAL COUNCIL
OF
THE UNITED STATES ELEVENTH JUDICIAL CIRCUIT**

JAMES P. GERSTENLAUER
CIRCUIT EXECUTIVE

TEL. 404/335-6535
56 FORSYTH STREET, NW
ATLANTA, GEORGIA 30303

23 July 2019

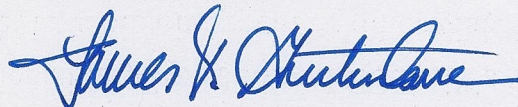
Dr. Richard Cordero, Esq.
2165 Bruckner Blvd.
Bronx, NY 10472

Dear Dr. Cordero:

Re: Miscellaneous Case No. 11-19-90053

Enclosed is an Order of the Judicial Council concerning your 17 June 2019 petition for review of the order filed 6 May 2019, making disposition of the judicial complaint filed by you on 27 November 2018, with the Judicial Council of the Eleventh Circuit. Please note this decision of the Judicial Council is “final and conclusive and shall not be judicially reviewable on appeal or otherwise.” See 28 U.S.C. § 352(c).

Sincerely,



Secretary to the Judicial Council

Enclosure

c: Members of the Judicial Council
Mr. David J. Smith

OL2:923j

JUL 23 2019

CIRCUIT EXECUTIVE

FOR THE JUDICIAL COUNCIL
OF THE ELEVENTH CIRCUIT

11-19-90053

IN RE: COMPLAINT OF JUDICIAL
MISCONDUCT OR DISABILITY

FILED BY DR. RICHARD CORDERO, ESQ., PETITIONER
CONCERNING THE HONORABLE MERRICK GARLAND

UNDER COURT SEAL

ON PETITION FOR REVIEW*

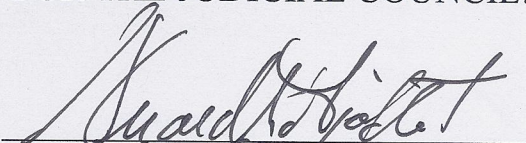
Before: TJOFLAT, MARCUS, WILSON, WILLIAM PRYOR, MARTIN, JORDÁN, ROSENBAUM, JILL PRYOR, and NEWSOM, Circuit Judges; MOORE, MERRYDAY, THRASH, BOWDRE, LAND, DuBOSE, HALL, WALKER, and MARKS,** Chief District Judges.

Upon consideration of the petitioner's complaint by a review panel consisting of Judges Tjoflat, Wilson, William Pryor, Land, and Walker, the order of Chief Judge Ed Carnes, filed on 6 May 2019, and of the petition for review filed by the complainant on 17 June 2019, with no non-disqualified judge on the Judicial Council Review Panel having requested that this matter be placed on the agenda of a meeting of the Judicial Council,

The Judicial Council Review Panel hereby determines that the disposition of this matter was proper and said disposition is hereby AFFIRMED.

The foregoing actions are APPROVED.

FOR THE JUDICIAL COUNCIL:


United States Circuit Judge

* Chief Circuit Judge Ed Carnes did not take part in the review of this petition.

** Judge Emily Marks is Acting Chief Judge.

**JUDICIAL COUNCIL
OF
THE UNITED STATES ELEVENTH JUDICIAL CIRCUIT**

JAMES P. GERSTENLAUER
CIRCUIT EXECUTIVE

TEL. 404/335-6535
56 FORSYTH STREET, NW
ATLANTA, GEORGIA 30303

23 July 2019

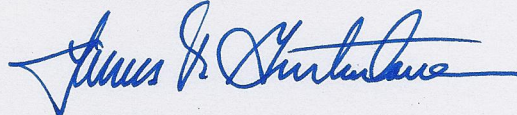
Dr. Richard Cordero, Esq.
2165 Bruckner Blvd.
Bronx, NY 10472

Dear Dr. Cordero:

Re: Miscellaneous Case No. 11-19-90054

Enclosed is an Order of the Judicial Council concerning your 17 June 2019 petition for review of the order filed 6 May 2019, making disposition of the judicial complaint filed by you on 27 November 2018, with the Judicial Council of the Eleventh Circuit. Please note this decision of the Judicial Council is “final and conclusive and shall not be judicially reviewable on appeal or otherwise.” See 28 U.S.C. § 352(c).

Sincerely,



Secretary to the Judicial Council

Enclosure

c: Members of the Judicial Council
Mr. David J. Smith

OL2:923L

JUL 23 2019

CIRCUIT EXECUTIVE

FOR THE JUDICIAL COUNCIL
OF THE ELEVENTH CIRCUIT

11-19-90054

IN RE: COMPLAINT OF JUDICIAL
MISCONDUCT OR DISABILITY

FILED BY DR. RICHARD CORDERO, ESQ., PETITIONER
CONCERNING THE HONORABLE BRETT KAVANAUGH

UNDER COURT SEAL

ON PETITION FOR REVIEW*

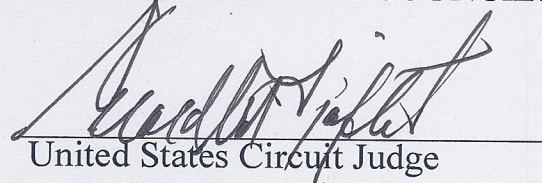
Before: TJOFLAT, MARCUS, WILSON, WILLIAM PRYOR, MARTIN, JORDÁN, ROSENBAUM, JILL PRYOR, and NEWSOM, Circuit Judges; MOORE, MERRYDAY, THRASH, BOWDRE, LAND, DuBOSE, HALL, WALKER, and MARKS,** Chief District Judges.

Upon consideration of the petitioner's complaint by a review panel consisting of Judges Tjoflat, Wilson, William Pryor, Land, and Walker, the order of Chief Judge Ed Carnes, filed on 6 May 2019, and of the petition for review filed by the complainant on 17 June 2019, with no non-disqualified judge on the Judicial Council Review Panel having requested that this matter be placed on the agenda of a meeting of the Judicial Council,

The Judicial Council Review Panel hereby determines that the disposition of this matter was proper and said disposition is hereby AFFIRMED.

The foregoing actions are APPROVED.

FOR THE JUDICIAL COUNCIL:



United States Circuit Judge

- * Chief Circuit Judge Ed Carnes did not take part in the review of this petition.
** Judge Emily Marks is Acting Chief Judge.

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