

September 23, 2022

Proceeding strategically to choose what to read; turn other abusees into informants; and inform and outrage the most resourceful and the strongest: the media and the national public[‡]

A. Choosing what to read based on the publisher's commercial and reputational risk and potential gains

1. I thank the Advocates of Honest Judiciaries who shared with me the article on judges that subject clerks to outbursts of insults and threats of termination. It was published by *The Washington Post*. Similar reputable media outlets lose substantial advertisement dollars and public esteem when they publish unverified and exaggerated news. So, they adhere to professional standards of responsible journalism. That is why I read the articles that you send me and appreciate your sending them.
2. By contrast, when the publishers are Joe Schmock and Jane Widget, who are mostly people with no training in journalism, and have nothing and, thus, nothing to lose, their articles are to be treated with great caution. Frequently, they resort to hyperbole and sensationalism to attract the attention of uncritical and uneducated readers. Investing effort and time reading them is not warranted.
3. Other people send me materials and requests that concern only their local, personal cases. However, your articles can be used for the benefit of the national public. Indeed, they already caught the attention of reputable journalists and media outlets. We need to join forces with them as they have what we lack but desperately need: the means of distributing articles nationwide. They will only use those means to advance their own commercial and professional interests, not ours. So, when we approach them, we must persuade them by arguing what they, not we, can lose or gain.

B. Judges protect each other, not their employees

4. Tenth Circuit Chief Judge Timothy Tymkovich dare take action against Ms. Garza because she was not a member of the class of real judges with a life-appointment, bound by a complicit mutual assistance agreement. She was only an employee under contract to work as a magistrate for an eight-year term. It was easy for him and his peers not to reappoint her due to her misconduct.
5. But C.J. Tymkovich did not dare take action against Then-Judge Brett Kavanaugh, though he was the subject of 83 complaints. Instead, he dismissed all of them. They included mine, no. 18-90089, against not only Judge Kavanaugh, but also against Then-Chief Judge Merrick Garland of the Court of Appeals for the District of Columbia District (now Attorney General).[\(OL2:748\)](#) My complaint was for abusively holding themselves unaccountable by dismissing 100% of complaints filed against them and their peers and colleagues in their court and the rest of their circuit.
6. Since C.J. Garland had to recuse himself from handling my complaint, it was referred to Chief Justice John G. Roberts, Jr., who in turn referred it to Judge Tymkovich.[\(OL2:792\)](#) Their handling of my complaint and those of the other complainants was an exercise in public deception because it was a foregone conclusion that the complaints would be dismissed to protect fellow judges.[\(Id.\)](#)
7. Magistrate Garza was investigated and the findings of facts were made public. That must have infuriated her. This allows the application of the strategic thinking principle, "The enemy of my enemy is my friend". She now has a motive to invoke equal protection of the law arguments to expose abuse of power by judges of which she or others were victim; and any abuse that judges committed for their gain and convenience: e.g., **a.** information received under seal or in chambers on which they bought or sold shares or real estate; **b.** their failure to report their participation in conferences, known as judicial junkets, to which third parties, who litigate in their courts, invited

them and paid their expenses; **c.** banks that bribed them by writing off their credit card debts.

8. In the same vein, the clerks victimized by not only other magistrates, but also by judges, must now feel encouraged to file their complaints. To that end, they can apply the employee dispute resolution rules of their court, circuit, or the Federal Judiciary. Additionally, they can publish their complaints as an exercise of their 1st Amendment right to “freedom of speech, of the press, the right of the people peaceably to assemble [by email and on social media too], and to petition the Government [of which judges are the third branch] for a redress of grievances [including their payment of compensation]”. Even if clerks are afraid of the risk involved in publishing their complaints, they can be encouraged to share their contents with us as confidential informants.(OL2:468)
9. Here is where you all come in. You can methodically search for the email addresses and telephone numbers of Magistrate Garza, her peers, clerks, and their associations to share with them my articles. We need their interest in being vindicated and compensated to cause them to participate in turning the issue of judicial abuse of power into a key issue of the midterm elections and of the national political debate thereafter. Please, share with me the contact information that you find.

C. Even if you are not a lawyer, you must be fair, realistic, and think strategically

10. If you are not a lawyer, you will be hard put to write a knowledgeable and coherent brief based on the legal points in my [article](#) on moving for the recusal of one judge or [all the judges](#) of a court.
11. You may feel that the judges in your case abused their power by denying you due process and equal protection of the law or other constitutional and statutory rights. But that does not mean that, in light of the facts and the law of your case, they actually did so. A judge that denies you a right that given your limited knowledge of the law you imagine that you have but that you do not is not abusing you: He or she is only applying the law. Your opposing party is entitled to be treated "according to law". The judge is not there to protect you, regardless of the other party's rights.
12. Even if you were abused, that does not qualify you to write a competent brief that follows the rules of procedure, e.g., Federal Rules of Civil and Appellate Procedure and the Rules of Evidence in the [Appendix of 28 U.S.C.](#) These rules have been adopted practically word for word by the states.
13. Do not waste your effort, time, and sanity in a hopeless effort to improvise yourself as a lawyer. Instead, either retain an attorney and pay his/her fees or do the following: Dress up to look professional and be taken seriously -appearance counts, for it gives the first impression of you-; go to your local law school and to the office of the dean of students; and ask the dean to put you in touch with an appropriate clinic: the students taking a course where under the supervision of a professor clients with real cases are served. You may be asked to pay a modest fee, but the advice and assistance that you will receive will be invaluable: Those students need to prove to themselves and their peers how good they are. Also, they are working for academic credit and must prove to the supervising professor that they deserve the highest grade possible. They work for themselves and you.
14. You may go to your local bar association and ask to be put in touch with a pro bono attorney, to wit, a lawyer who will at least hear you out, review some documents, and give you free advice.
15. Doing that shows strategic thinking. You can also proceed strategically by distributing my articles: Simply open one email at a time and click “Reply All” and “Send”. Although several emails may bear the same subject in the Re: box, each has a different set of email addresses in its respective To: box. Doing that takes less than eight seconds per email. Yet, that is how you can advance your own local, personal case as well as your own interest in informing the national public about judges' abuse of power, for only an outraged public is strong enough to force politicians to hold judges accountable for their performance and liable to compensate the victims of their abuse.

Dare trigger history!, and you may enter it.