

## Summary of the Self-Incriminating Material Information That Judge Sotomayor Has Withheld From The Senate and the American Public

The evidence, with its sources cited in the linked documents noted below, shows that Judge Sotomayor has compromised her integrity and impartiality because she:

1. withheld information “itemiz[ing] in detail all assets and all liabilities” that she was required to disclose by the Judiciary Committee as well as by the Ethics in Government Act of 1978, under which she had to file a “full and complete” annual financial disclosure report, so that her failure to disclose began years before she was nominated, just as were nominated for high office Tim Geithner, Tom Daschle, and Nancy Killefer, subsequently exposed as tax-evaders.

In short, she earned \$3,773,824 since 1988 + received \$381,775 in loans = \$4,155,599 + her 1976-1987 earnings, yet disclosed assets worth only \$543,903, thus leaving unaccounted for in her answers to the Committee at least \$3,611,696 - taxes and the cost of her reportedly modest living.

[http://Judicial-Discipline-Reform.org/SCT\\_nominee/JSotomayor\\_integrity/12table\\_JSotomayor-financials.pdf](http://Judicial-Discipline-Reform.org/SCT_nominee/JSotomayor_integrity/12table_JSotomayor-financials.pdf)

2. likewise, withheld from the Senate Judiciary Committee the incriminating *DeLano* case, 06-4780-bk-CA2, which reveals her participation in a cover-up of concealment of assets. This involves at least \$673,657 of a 39-year veteran banker and bankruptcy officer preparing his debt-free retirement, who pretended to go ‘bankrupt’, but similarly did not disclose required financial information.

*DeLano* is one of the 3,907 *open* cases that the same bankruptcy trustee had before the same U.S. bankruptcy judge. It forms part of a bankruptcy fraud scheme run by bankruptcy system insiders and bankruptcy and district judges. The latter are Judge Sotomayor’s peers, whom she protected by upholding their denial and denying herself *every single document* in all creditor-requests. By so doing, she:

- a) denied the creditor all discovery rights,
- b) denied herself the facts to which to apply the law, and thus
- c) denied the fundamental Constitutional guarantee of due process of law.

She thus favored her peers by preventing the production of evidence incriminating them in bankruptcy fraud and enabling their continued running of the scheme, while aggravating the misery of countless debtors, creditors, and the public, who must bear their pass-along losses; and [http://Judicial-Discipline-Reform.org/SCT\\_nominee/JSotomayor\\_integrity/11DrCordero-SenJudCom.pdf](http://Judicial-Discipline-Reform.org/SCT_nominee/JSotomayor_integrity/11DrCordero-SenJudCom.pdf)

3. thereby acted in keeping with her long-term pattern of gross partiality toward the close-knit class of judges. She established that pattern by:
  - a) condoning her colleagues’ systematic dismissal without any investigation of misconduct complaints against their peers under the 1980 Judicial Conduct and Disability Act; and
  - b) participating, as a member of the Second Circuit Judicial Council, in the latter’s denial of 100% of petitions to review complaint dismissals during the 1oct96-30sep08 12-year reported period, whereby she too in effect abrogated that Act of Congress.

By exonerating her peers from any complaint charges, including bribery, corruption, bias, and

conflict of interests, Judge Sotomayor injured all the complainants, litigants, and the public at large, whom she left at the mercy of those peers, prone to retaliate with assurance of impunity. [http://Judicial-Discipline-Reform.org/JNinfo/25Committee/2DrCordero-petition\\_25feb9.pdf](http://Judicial-Discipline-Reform.org/JNinfo/25Committee/2DrCordero-petition_25feb9.pdf)  
>N:51¶¶1-4 & N:39

### **The withheld information is material because of its nature and consequences**

The information that she withheld is material because it impeaches her integrity and impartiality. Those are two qualifications that everybody, regardless of party affiliation or stance on matter-of-opinion issues, agrees are indispensable for being a judge, let alone for becoming a justice. The information is also material because of its likely consequences: If she had disclosed it to the senators, they could reasonably have found disqualifying fault with her. Even the Democrats would have condemned her conduct, for the information would have dispelled their inhibiting fear of a backlash from their Latino constituents, who the senators can safely assume demand like any other constituents that judges and justices have integrity and be impartial.

### **You can help give effect to the principle of Equal Justice Under Law**

To begin with, you can review the evidence and exercise your own judgment without preconceptions in order to come to your own conclusion. You may challenge the evidence on its soundness and sufficiency, but you cannot ignore it simply because Judge Sotomayor is a woman or is Latina. She is nominated to a justiceship for the rest of her life, a position from which for she must administer justice “without respect to persons, and do equal right to the poor and the rich, to ‘men and non-Latinos’”.

### **How to contact the senators to bring the evidence to their attention**

After analyzing the evidence, you can contact the senators to bring it to their attention. Do not even consider mailing anything given that up to three weeks may go by from the moment your correspondence is delivered to the Senate mail security facility to the time it actually reaches your addressee. Instead, fax your letter and call them up using the contact information at: [http://Judicial-Discipline-Reform.org/SCt\\_nominee/Senate/9SenJudCom\\_contact\\_info.pdf](http://Judicial-Discipline-Reform.org/SCt_nominee/Senate/9SenJudCom_contact_info.pdf)

Try to talk to the senators’ chief counsel for judiciary matters, who is the staff member that deals with the matter in question. You may ask for his or her name and fax number so that you may fax them your statement or any of mine. You should also leave a terse, well-rehearsed voice mail that goes to the point. For the sake of professionalism, leave your phone number, but do not even dream that they will call you back. Anyway, every call does make an impression by letting the senators know how the public feels about the issue.

If the receptionist tells you that you should call your senator instead of the one you are calling, you can tell him or her that you are not approaching that senator to ask for a passport, schedule a visit to Washington, or request a recommendation to the military academy.

Rather, the senator is acting on an issue that literally affects every person in the country. Hence, you are exercising your First Amendment right to petition a member of government to act in your and the public’s interest. Then you can ask: When a big company with a deep pocket ready to disburse a campaign contribution approaches the senator to lobby him on an issue, is it your response that it should go away and approach the senator from its state?

## **Ask that the senators handle the evidence in the open**

Ask that the Senate not censure the information that it receives about Judge Sotomayor by posting on its website in practice only letters in favor of her confirmation. Thereby it gives the misleading impression that everybody supports her despite the fact reported by the media that a large segment of the public opposes her becoming a justice.

Cf. <http://judiciary.senate.gov/nominations/SupremeCourt/Sotomayor/SoniaSotomayor-Letters.cfm>

If the Senate does not ascertain the veracity of the praise bestowed upon Judge Sotomayor before posting letters supporting her confirmation, then it must not pretend to have reviewed the evidence impeaching her integrity and impartiality and found it without merits while posting neither supplementary questions to her based on that evidence nor any of her answers to them. By so doing, it treats discriminatorily letters submitted to it by suppressing those with evidence contrary to its agenda of confirming her and fails to provide any proof that it ever reviewed any impeaching evidence, let alone that it had any reasons for alleging that it was meritless.

Consequently, ask that the Senate provide a truthful representation of public opinion by posting on its website the evidence that Judge Sotomayor withheld from both the Senate and the public self-incriminating information about:

- a) her financial affairs;
- b) her participation in the cover-up of concealment of assets in the *DeLano* case as part of a bankruptcy fraud scheme; and
- c) her partiality toward her peers by holding 100% of them unaccountable and above discipline.

## **Ask the media & bloggers to lead their own *Follow the money!* investigation**

To cause the Senate to handle such evidence in the open and make it possible for the public to form its own opinion, contact also local and national media as well as bloggers and talk show hosts to share with them the summarizing numbered paragraphs above and their links to the evidence documents. Ask that they conduct their own *Follow the money!* investigation.

Make journalists aware that by pursuing that evidence so as to protect the integrity and impartiality of our judiciary, they can become the Bob Woodward/Carl Bernstein of Watergate fame for exposing wrongdoing by President Richard Nixon, who had to resign, and his top White House aides, practically all of whom ended up in jail.

Journalists can also cast themselves in the role of Senator Sam Ervin, who chaired the Senate Watergate Committee and made famous two questions that he doggedly asked of witnesses, which can be updated thus:

What did the senators know about Judge Sotomayor's withholding from them self-incriminating information and when did they know it...and why did they withhold it from the public?

By holding Judge Sotomayor up to public scrutiny you can contribute to ensuring that neither she nor her fellow judges arrogate to themselves a status that no person in our country is entitled to have: UnEqual Before Justice: Above Law.

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# MANDATE

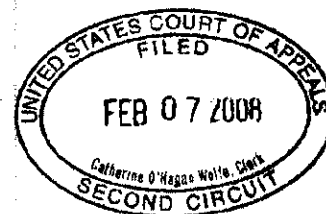
W.D.N.Y.  
0: cv-6190  
Larimer, J.

## United States Court of Appeals FOR THE SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 7<sup>th</sup> day of February, two thousand eight.

Present:

Hon. Sonia Sotomayor,  
Hon. Debra Ann Livingston,  
*Circuit Judges,*  
Hon. Gregory W. Carman,  
*Judge, U.S. Court of International Trade.*



Dr. Richard Cordero,

*Creditor-Appellant,*

v.

06-4780-bk

David DeLano, Mary Ann DeLano,

*Debtors-Appellees.*

George M. Reiber, as Bankruptcy Trustee, moves to dismiss the appeal as moot. Although Appellant's argument that the Trustee's motion is deficient may be correct, any such deficiencies are minor and, in any event, the appeal is subject to dismissal under this Court's *sua sponte* authority. Upon due consideration, it is hereby ORDERED that the appeal is DISMISSED as equitably moot. *See In re Metromedia Fiber Network, Inc.*, 416 F.3d 136, 144 (2d Cir. 2005); *In re Chateaugay Corp.*, 988 F.2d 322, 326 (2d Cir. 1993).

FOR THE COURT:

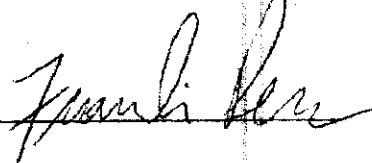
Catherine O'Hagan Wolfe, Clerk

A TRUE COPY  
Catherine O'Hagan Wolfe, Clerk

by

  
DEPUTY CLERK

By:



The Honorable Gregory W. Carman, of the United States Court of International Trade,  
sitting by designation.

SAO-LB

ISSUED AS MANDATE: 5/16/08