

LINDSEY GRAHAM

UNITED STATES SENATOR, SOUTH CAROLINA



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Dear Senator Graham,

As I mentioned last week your office is ideally suited to addressing my concerns (notwithstanding your letter dated 2-9-15).

Again, please aid me in getting a special prosecutor appointed to address attacks on citizens of your state via a corrupt N.C. judiciary with subsequent failures and criminal obstruction within the U.S. Supreme Court.

There needs to be accountability within the Justice System (for judges, prosecutors, police, et cetera).

As I have previously mentioned, I have spent over two and a half years giving courts an ability to correct their own errors and the abuses of lower court judges to no avail (with approximately 100-300 accumulated violations directly related to three members of the judiciary and substantially more violations likely provable with adequate investigations on additional members of the judiciary).

Currently no real process exists without public and/or political pressure.

Thank you for your time.

Sincerely,

Joey Berry

P.S. In an earlier contact, I was attempting to outline two examples of the lack of accountability and lack of process related to prosecution of the judiciary. Unfortunately after beginning some fact checking and research, I forgot to revise and complete that section.

The two examples I wanted to use were Judge Nixon and Judge Kent.

Samuel Kent – Southern District of Texas:

The case of Judge Samuel Kent clearly shows the lack of process and accountability related to the Judiciary. The initial investigation and censure by the Judicial Council of the Fifth Circuit was a four month paid vacation and a reprimand [<http://www.ca5.uscourts.gov/docs/default-source/judicial-council-orders/fifth-circuit-judicial-council-order-07-05-351-0086-first-order.pdf>].

Having dealt harshly by telling him he was a naughty judge (and giving him four months of paid time out), the standard council of accountability was apparently done until further action by victim(s); apparently the council denied any further sanctions against the judge in December 2007 (as requested by a victim: McBroom).

Eventually, in spite of a lack of process, the victim(s) [apparently using the press and political pressure including pressure from the National Organization for Women (NOW) to obtain some further investigation

and eventual impeachment].

Kent later pleaded guilty to lying to federal investigators. Although the sex charges were dropped, he admitted that he had engaged in nonconsensual sexual conduct. Kent received a 33-month prison sentence on May 11, 2009; he was also fined \$1,000 and ordered to pay \$6,550 in restitution to his victims. See: United States v. Kent, U.S.D.C. (S.D. Tex.), Case No. 4:08-cr-0596-RV. He was given the opportunity to further reduce that sentence by one year if he sought treatment for alcoholism while in prison.

[from: <https://www.prisonlegalnews.org/news/2009/aug/15/judge-not-judges-benched-for-personal-misconduct/>]

Even though Judge Kent is only serving time for lying, the underlying sexual assaults that he admitted as part of the plea deal are important (especially to understand what a judge almost got away with excepting the reprimand and paid vacation):

Kent's case manager, Cathy McBroom, accused the judge of touching her in a lewd manner without her permission on several occasions. "The abuse began after Judge Kent returned to work intoxicated. He attacked me in a small room not 10 feet from the command center where the court security officers worked," McBroom stated. "He tried to undress me and force himself upon me, while I begged him to stop. He told me he didn't care if the officers could hear him because he knew everyone was afraid of him."

[This is just one instance recounted on the www.prisonlegalnews.org article cited above.]

Another employee alleged years of abuses including oral and digit based sexual activity.

[Wilkerson's statement to Congress: http://judiciary.house.gov/_files/hearings/pdf/Wilkerson090603.pdf]

From a CNN article:

Wilkerson told the committee that Kent often referred to himself as an all-powerful figure, calling himself the emperor of Galveston, the Lion King and the man wearing the horned hat. Both women quoted Kent as frequently saying: "I am the government."

[<http://www.cnn.com/2009/POLITICS/06/03/judge.impeachment/index.html>]

Ultimately, the violations by Judge Kent are a corruption of power but they system is only prepared to counter corruption in terms of bribery. The corruption of power makes judges believe that they can do anything without consequence including manipulate the law and people before their courts (even more strongly that employees of the court). Think about what that means to justice. The arbitrary whims of judges are virtually without recourse and the corruption of the judiciary is blatant from the U.S. Supreme Court down to the lowest state court and the officers of the court (i.e. attorneys, bailiffs, et cetera) and office of the justice system including police.

Walter L. Nixon, Jr. - Southern District of Mississippi

My initial understanding was that Judge Nixon appealed his impeachment and the district court reversed the impeachment (whether via injunction or final order was unclear); I haven't been able to locate a source to support that as a fact (except an uncited Wikipedia entry).

Ultimately, the appeal of an impeachment was reviewed at the district, court of appeals, and Supreme Court level where the Supreme Court rightly found no authority to review his impeachment BUT disturbingly indicated that judicial review of impeachments could be valid (which would negate virtually the only check on the judicial branch).

Hopefully you can see why I turn to a Senator on the Judiciary Committee as the reasonable and legitimate authority to address corruption in the judiciary; just because the Congress has largely abrogated its authority in checking the power and abuses of the judiciary does not mean that power is lacking or unneeded.

[also please review a breakdown of the complete failure of the judiciary to police itself @ <http://www.judgwatch.org/web-pages/judicial-discipline/federal/fed-judiciarys-own-incriminating-evidence.htm> -- note how virtually zero complaints against judges are ever considered or result in any reprimand of any sort.]

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