

**DRE CONGRESSIONAL RECORD DOCUMENT NUMBER 79 AND SDNY NO. 202
JAMES C. DUFF AND JEFFERY P. MINEAR**

Institute of Judicial Conduct, Inc.
641 Lexington Avenue, Suite 1533
New York, NY 10022

DELIVERED VIA FEDEX AND REGISTERED US MAIL

VERIFIED on December 12, 2020

James C. Duff, Director and Secretariat, Judicial Conference US
Jeffrey P. Minear, Counselor to Chief Justice John G. Roberts, Jr.
Administrative Office of the United States Courts
One Columbus Circle NE
Washington, DC 20544

**SECOND NOTICE: THE CONSIDERATION OF WIDESPREAD CORRUPTION IN
THE US FEDERAL JUDICIARY EVIDENCED IN THE MATTER OF THE
CONSTITUTIONALITY OF THE 2020 PRESIDENTIAL ELECTION**

Dear Misters Duff and Minear:

As I have repeatedly notified, the DRE¹ Consideration is being deliberately and maliciously mishandled at the US Judicial Conference (Conference). The DRE Consideration includes matters beyond the judicial conduct issues in the DRE case. The DRE Consideration covers the Hon. John G. Roberts, Jr.'s (Roberts) use of the statutorily-created executive position of presiding officer of the Conference to engage in prejudicial and unauthorized policy making and enforcement, and Roberts's agreements and understandings with the US Attorneys Generals, the Hon. William P. Barr (Barr), under which Barr has consented to Roberts's misconduct.

This Second Notice concerns the unreasoned and unauthorized order titled "Order in Pending Case" dated Friday, December 11, 2020, numbered 155, ORIG. in the Texas v. Pennsylvania, et al. case. See Exhibit 2. This order contains no consideration of the dispute or the matters at issue, the facts, factors, or circumstances, or any fact finding, review, or any other form of authorized legal processing, legal authority, or legitimate judicial decision making at all. Nonetheless, neither the American people nor the nation's media can distinguish between a legitimate legal decision and order by the US Supreme Court, and this fabricated prejudicial and unauthorized dismissal of

1. The DRE is an abbreviation that represents a fabrication called the "*domestic relations [and domestic violence] exception to federal subject matter jurisdiction*." The federal judges wrongfully asserted that the DRE is "*a legitimate judicial doctrine of deference to federalism in family law*." DRE is a lawless fabrication in US courts; it is enforced through federal judicial corruption as if it were law. No such policy or legislation could be considered much less passed by the US legislative branch and signed into law by the president. The DRE is a nationwide judicial fraud that violates the canons of truth and reason, and is diametrically opposed to any notion of democracy, the rule of law, or constitutional thought, including federalism. Whether the federal judges call the DRE a judicial doctrine, policy or a ruling, it is still fraud on the Constitution against the American people. See Exhibit 1.

the Texas v. Pennsylvania, et al. litigation. This order is by axiom an unauthorized administrative act of enforcement of illegitimate undisclosed prejudicial policies, and undisclosed decision making.

The DRE Consideration is centered on Roberts's misconduct as the presiding officer of the Conference. This position is provided to Roberts under the Judicial Conduct Act.² The position provides Roberts with the opportunity to fabricate and promulgate prejudicial policies without notice or authority, such as Roberts has done with the DRE. Thereafter, the position provides Roberts and the federal judges with the opportunity to enforce lawlessly fabricated policies through deliberate and fraudulent conduct in US District and US Appeal Courts, including the US Supreme Court.

It is undeniable that Roberts's fabrication of prejudicial unauthorized policies and lawless enforcement of these policies have had a material and adverse effect on the Office of the American Presidency, President Donald J. Trump's ability to govern, and the American people and the nation's media political sentiments. As a result, the faithfulness of the 2020 American Presidential Election to the Constitution has been harmed and damaged by federal judicial misconduct. This is easily proven beyond a reasonable doubt by Roberts's deliberate mishandling of the federal judicial misconduct cases filed under the Act in the DRE; the Devon Archer and Jason Sugarman trial³ and appeal⁴ conduct cases; the 2020 Census Citizenship Question and Public Charge immigration cases; the 50 or so injunctions against the Office of American Presidency's executive authority over the nation's immigration laws; and now by the unauthorized fabricated and prejudicial dismissal of the Texas v. Pennsylvania, et al. litigation.

The prejudicial unauthorized dismissal of the Texas v. Pennsylvania, et al. litigation lies squarely under the jurisdiction of the Act in the DRE Consideration, and President Trump's constitutional executive power. It is President Trump's executive duty to "faithfully execute the office of President of the United States," by using his executive power "to the best of [his] Ability" to "preserve, protect and defend the Constitution of the United States," and to "take Care that the Laws be faithfully executed." The impact of Roberts's unauthorized use of his office to provide the federal judges with the ability to infringe on President Trump's constitutional, statutory and political power is central to a review of the 2020 Presidential Election's faithfulness to the Constitution.

2. Public Law 96-458 (S 1873), October 15, 1980, 94 Stat 2035, 18 USC. The Judicial Council Reform and Judicial Conduct and Disability Act of 1980 (US Code, Title 28 Judiciary and Judicial Procedure, Part I: Organization of Courts, Chapter 16, titled "Complaints against Judges and Judicial Discipline" [§§ 351-364]). The Conferences and Councils of Judges Law and the 21st Century Department of Justice Appropriations Authorization Act, enacted under Pub. L. 107-273 and incorporates the Judicial Improvements Act of 2002, which enacts USC Title 28 Chapter 16 and amends §§ 331, 332, 372, 375, and 604. For the legislative history, see H.R. Rep. 107-459 (2002).

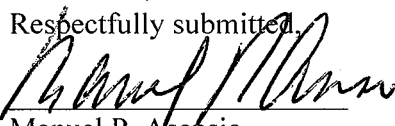
3. United States of America v. John Galanis, Bevan Cooney, and Devon Archer, 366 f. supp. 3d 477 (2018).

4. United States v. Archer, Docket No. 18-3727, (2d Cir. Oct. 7, 2020), Judge Richard J. Sullivan, Circuit Judge, and Judge Alison Nathan of the United States District Court for the Southern District of New York sitting by designation.

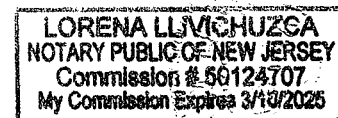
Thus, the unauthorized administrative dismissal of the Texas v. Pennsylvania, et al. litigation and all 126 Amici Curiae motions and briefs entered by U.S. Representative Mike Johnson, 125 other Members of the U.S. House of Representatives, and President Donald J. Trump, and 4 judiciary policy organizations, constitutes a deliberate and malicious act executed outside of law, and in clear absence of the jurisdiction of the 8 individual judges responsible for the deed and thus is subject to investigation and review under the Act, and by the President. Furthermore, Barr's two major policy speeches⁵ provide prima facie evidence of Barr's knowledge and consent to Roberts's unauthorized infringement on President Trump's executive power.

I hereby once again respectfully request a written verification that you have distributed all of the documents in the DRE record to the members of the Conference, a full accounting of the pertinent facts being considered by the Conference, and the proceedings that have occurred in the DRE Consideration to date.

I swear that all the factual statements contained above are true and correct to the best of my knowledge, and I swear that I have truthfully and reasonably considered all of the facts, factors, and circumstances that are relevant and known to me in making any statements based on information and belief.

Respectfully submitted,

Manuel P. Asensio
Founder and Director
Institute of Judicial Conduct

Sworn to and subscribed
before me this
12 day of Dec., 2020



Cc: President Donald J. Trump
The Hon. Mark Meadows, Chief of Staff, and Pat A. Cipollone, White House Counsel

1. John C. Eastman
Counsel of Record
Party: Office of the American Presidency, President Donald J. Trump
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2. Ken Paxton
Counsel of Record
Party: State of Texas
Attorney General of Texas
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5. Barr's speeches were presented at University of Notre Dame Law School's Nicola Center for Ethics and Culture, and the 19th Annual Barbara K. Olson Memorial Lecture at the Federalist Society's 2019 National Lawyers Convention.

3. William Jeffrey Olson

Counsel of Record

Party name: Citizens United, Citizens United Foundation, and The Presidential Coalition, LLC

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4. Phillip L. Jauregui Jr.

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5. Dennis Grossman

Counsel of Record

Party: Christian Family Coalition

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**LIST OF US OFFICIALS AND OTHER PARTIES SERVED AND JOINED IN
THE DRE CONGRESSIONAL RECORD AND DRE CONSIDERATION RECORD**

The following is a list of the individual US officials joined in the DRE Congressional Record and DRE Consideration at the US Judicial Conference proceedings at the White House, Congress, the Judicial Conference, and the Supreme Court as well as leading private sector presidential judicial policy advisors:

THE PRESIDENT OF THE UNITED STATES DONALD J. TRUMP

The Office of the American Presidency:

The Hon. Donald J. Trump, President
The Hon. Mark Meadows, White House Chief of Staff
Pat A. Cipollone, White House Counsel

The Executive Branch:

The Hon. Chad F. Wolf, Acting Secretary of Homeland Security
The Hon. William P. Barr, US Attorney General
Will Levi, Chief of Staff and Senior Counselor to US Attorney General William P. Barr
Christopher Asher Wray, Director of the Federal Bureau of Investigation
The Hon. Donald W. Washington, Director of the United States Marshals Service
William F. Sweeney, Jr., Assistant Director in Charge of the FBI's New York Field Office
Ralph Sozio, US Marshal for SDNY
Jeff Ragsdale, Director and Chief Counsel for the Office of Professional Responsibility
Steven A. Engel, Assistant Attorney General, Office of Legal Counsel
Stephen E. Boyd, Assistant Attorney General, Office of Legislative Affairs
Brian A. Benczkowski, Assistant Attorney General, Criminal Division
Eric S. Dreiband, Assistant Attorney General, Civil Rights Division

US Congress:

US Senator Mitch McConnell
US Senator Ted Cruz
US Senator Charles E. Schumer
US Representative Nancy Pelosi
US Representative Alexandria Ocasio-Cortez
US Representative Kevin McCarthy
US Representative James Jordan
US Representative Louie Gohmert
US Representative Andy Biggs

The Federal Judiciary Branch:

The Hon. John J. Roberts, Jr., Presiding Officer of the Judicial Conference and Chief Justice
Jeffery P. Minear, Counselor to Chief Justice John G. Roberts, Jr.
James C. Duff, Director and Secretariat, Judicial Conference US

Judge Robert Allen Katzmann, Member of Judicial Conference, its Executive Committee, and
Chair of its Judiciary Committee
Judge Anthony Scirica, Chair of the Conference Committee on Judicial Conduct
Scott Sessions Harris, Clerk of the Supreme Court of the US
The Members of the Judicial Conference of the US
The Associate Justices of the Supreme Court of the US

Private Sector Presidential Judicial Policy Advisors:

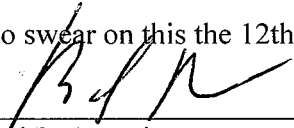
Leonard A. Leo and Steven G. Calabresi of the Federalist Society for Law and Public Policy
Studies, Co-Chairs, and Co-Founders
Ed Whelan President of the Ethics and Public Policy Center

VERIFICATION

I solemnly swear that I am Manuel P. Asensio, founder of the Institute of Judicial Conduct, and that I have personal knowledge of the DRE proceedings in Congress and the White House, the special administrative proceedings at the Supreme Court of the US, and the proceedings at the US Judicial Conference under the Judicial Conduct Act of 1980 under docket numbers 02-19-90052-jm and 02-19-90053-jm, and at the Department of Justice (DOJ) ID numbers 4381283 and 4381289 concerning the DRE and the DRE criminal indifference to the constitutional and constitutional rights cases. See Exhibit 1. I am also the reporter and witness on these matters to the members of the US Congress listed above.

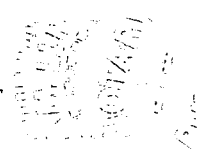
I swear that all the factual statements contained above are true and correct to the best of my knowledge, and I swear that I have truthfully and reasonably considered all of the facts, factors, and circumstances that are relevant and known to me in making any statements based on information and belief.

I do so swear on this the 12th day of December 2020.



Manuel P. Asensio

Sworn to and subscribed
before me this
12 day of Dec, 20 20



LORENA LLVICHUZCA
NOTARY PUBLIC OF NEW JERSEY
Commission # 50124707
My Commission Expires 3/10/2025

EXHIBIT 1

The DRE Consideration under President Donald J. Trump's duty to faithfully resolve originates with the judicial conduct case against **Ronnie Abrams** at the US Judicial Conference (the Conference) and at the Judicial Council of the Second Circuit under the Judicial Conduct Act (DRE Consideration). It is buttressed by her well-publicized fraudulent conduct in both the DRE case and the Devon Archer criminal case titled *United States of America v. John Galanis, Bevan Cooney, and Devon Archer*, Jason Sugarman's

Manuel P. Asensio and his daughter, Eva Asensio, are the complainants in proceedings at the Conference under the Judicial Conduct Act of 1980 docket numbers 02-19-90052-jm and 02-19-90053-jm and at the Department of Justice (DOJ) ID numbers 4381283 and 4381289. The respondents are the **Hon. John G. Roberts, Jr.**, Chief Justice of the United States and Presiding Justice of the Judicial Conference of the United States; the **Hon. Anthony J. Scirica**, a senior United States Circuit Judge of the United States Court of Appeals for the Third Circuit and chair of the Conference Committee on Judicial Conduct; the **Hon. Robert A. Katzmann**, the chief judge of the United States Court of Appeals for the Second Circuit and the Judicial Council for the Second Circuit, and a member of the Conference's Executive Committee and chair of the Judiciary Committee; the Hon. Colleen McMahon, chief judge of the US District Court for the Southern District of New York (SDNY), and the **Hon. Ronnie Abrams** and **Katherine Polk Failla**, SDNY judges in the DRE constitutional rights cases entitled *Asensio et al. v. DiFiore et al.*, 18 CV-10933 (Ronnie Abrams), and *Asensio et al. v. Roberts et al.*, 19 CV-03384 (Katherine Polk Failla). The first case is referred to as the NY State DRE Case, and the second as the US DRE Case.

The parties in the US DRE Case are Manuel P. Asensio, individually and as the parent of Eva Asensio, a minor child, plaintiffs, against the **Hon. John G. Roberts, Jr.**, Chief Justice of the United States and Presiding Justice of the Judicial Conference of the United States; the **Hon. Robert A. Katzmann**, the chief judge of the United States Court of Appeals for the Second Circuit; and the **Hon. Ronnie Abrams**, a judge of the US District Court for the Southern District of New York, defendants.

The parties in the NY State DRE Case are Manuel P. Asensio, individually and as the parent of Eva Asensio, a minor child, plaintiffs, against **Janet DiFiore**, chief judge of New York State; **Barbara Underwood [now Letitia James]**, Attorney General of New York State; **Andrew M. Cuomo**, Governor of New York State; **Adetokunbo O. Fasanya**, New York County Family Court Magistrate; and **Emilie Marie Bosak**, individually, defendants.

(ORDER LIST: 592 U.S.)

FRIDAY, DECEMBER 11, 2020

ORDER IN PENDING CASE

155, ORIG. TEXAS V. PENNSYLVANIA, ET AL.

The State of Texas's motion for leave to file a bill of complaint is denied for lack of standing under Article III of the Constitution. Texas has not demonstrated a judicially cognizable interest in the manner in which another State conducts its elections. All other pending motions are dismissed as moot.

Statement of Justice Alito, with whom Justice Thomas joins: In my view, we do not have discretion to deny the filing of a bill of complaint in a case that falls within our original jurisdiction. See *Arizona v. California*, 589 U. S. ____ (Feb. 24, 2020) (Thomas, J., dissenting). I would therefore grant the motion to file the bill of complaint but would not grant other relief, and I express no view on any other issue.

CERTIORARI GRANTED

20-222 GOLDMAN SACHS GROUP, ET AL. V. AR TEACHER RETIREMENT, ET AL.

The petition for a writ of certiorari is granted.