

# RICHARD P. LEBEL

9/18/07

Senator Patrick Leahy  
433 Russell Senate Office Building  
United States Senate  
Washington, DC 20510

**1. The Deprivation of a Jury Trial  
Via Corrupt Decisions in Federal Court**  
**2. Request for an Investigation, Remedy,  
and Reparations**

Dear Senator Leahy,

The real crisis in this country is the evisceration of the rule of law caused by the misconduct and pernicious actions of a certain "breed" of Federal Judges. They are not monitored or reviewed, consequently never held accountable for their wrongdoing. Federal Judges consciously operate as their own "sovereign" with absolute impunity.

I've enclosed for your consideration/review a most egregious and reprehensible case involving intentional civil rights violations, unconstitutional taking of real property, attempted extortion by government, and the intentional deprivation of the right to a jury trial.

This case is arguably unprecedented in terms of the overwhelming evidence of culpability: eg. audio tapes of public officials' telephone conversations and their "secret" meetings (which evidence is rarely ever available for a victim to present in Court).

This civil case was proven on the pleadings and evidence beyond any doubt, yet four Federal Judges usurped my right to a jury trial. They are Judge John Bissell (District Judge, NJ), Judges Stapleton, Rendell and Cowen (Appeals Judges, Third Circuit).

These four judges knowingly and wrongfully "adopted" a bogus defense motion 5 years into the proceedings as a basis for summary judgment to dispose of my case in its entirety, unlawfully denying me (plaintiff/victim) a jury trial. These judges consciously and purposefully distorted the facts to create a specious application of the law (in their rulings). Facts that a jury should have heard and decided.

The Defendants Township of Mahwah, NJ and its public officials were probably astounded at their good fortune. It was clear they perceived my case against them as formidable/indefensible, as from the outset Defendants made numerous offers to settle (over a 4 year period). The Defendants never moved to seek a dismissal until 4 years into the proceedings, and then it was only in response to my motion for summary judgment did defendants assert a motion to dismiss. A most unusual record and set of circumstances.

In addition to the patently corrupt decisions by the four judges in my case, I was subjected to other highly prejudicial treatment by the Court. e.g. Magistrate Haneke would advise my attorney

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that my case would be heard as soon as the District Judge was ready. However, when I inquired of District Judge John Bissell as to when his office would be ready, his clerk would inform me that my case would proceed when the Magistrate was ready. Was I being put in a Catch-22 by the Magistrate and the District Judge for the purpose of intentionally delaying and frustrating my proceeding?

Further, Magistrate Haneke denied my only application to amend the Complaint. Highly unusual, as under Fed. Rules of Civil Procedure, amendments are to be freely allowed.

A most glaring and telling example of extreme prejudice and corruption visited upon me in this matter was the Third Circuit's Dicta on a fact sensitive (jury) issue that was not before the court. This Dicta was in total contravention of all U.S. Supreme Court "takings" cases and was maliciously calculated to taint my inverse condemnation claim (in any further proceedings in state court).

Incredibly, my attorneys advised me they had been informed by former Third Circuit Chief Judge John Gibbons that if Judge Bissell did not dismiss my case, the Third Circuit would "find a way" to dispose of it. Judge Gibbons explained that the Third Circuit does not "like" constitutional land use cases and is hostile towards these lawsuits. This was shocking, disturbing, revolting and truly unfathomable to me. Unfortunately, Judge Gibbons was prescient as to the Third Circuit's predisposition.

This entire process in Federal Court was in fact a sham perpetrated to deprive the victim of his day in court, and to protect culpable public officials/public entity from liability.

Please consider this case for investigation and redress, as I was subjected to and sustained the following egregious harm and draconian consequences:

- a) victim of fraud, extortion, unconstitutional taking, and tortious interference;  
(committed by the governing bodies of the Township of Mahwah, New Jersey)
- b) bankrupted by this municipality
- c) lost my home, all credit, my business and my livelihood
- d) unlawfully denied a jury trial by four Federal Judges (Third Circuit)
- e) ruined for life

As only recently were all the proceedings concluded surrounding this matter, it would have been imprudent to write to you any earlier while I was in the NJ "system".

I have enclosed the relevant pleadings, Docket, briefs and rulings which I believe glaringly illustrate the corruption that was visited upon me in Federal Court.

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Certain Federal Judges are using fallacious defense summary judgment motions to dismiss meritorious cases that belong to a jury, thereby wrongfully denying victims their day in court (the most crucial and fundamental right in this country). As 99.9% of the cases decided in Federal Court are not reported anywhere, Federal Judges are keenly aware that they will never be reviewed or checked as to the legitimacy or correctness of their decisions (which carry enormous and incalculable consequences to an aggrieved victim).

After a trial/motion judge dismisses your case wrongfully, you certainly can appeal (if you can afford to). However, the problem with certain appeals is that the appellate panel simply affirms the "bad" decision (below), and you have no further recourse or redress, as the Supreme Court will not be hearing your case.

All judges must be monitored and all their decisions should be published, including plaintiff's "filed" version of the facts, not merely the judge's version (especially those rulings that are dispositive of a plaintiff's/victim's case).

Monthly polygraph exams are perhaps the only viable/practical means of reasonably ensuring that a judge is at least operating on his own good conscience and with integrity.

Many government officials/employees in less sensitive positions are subject to random polygraph exams. Why not Federal Judges? What could be a more sensitive position in the public domain? A miscreant judge can knowingly and illegally destroy lives with a mere signature or stamp, which is exactly what occurred in my case.

I don't believe the problem is with the system per se, as there are many good judges that would have forwarded this case to a jury. The judges who operate nefariously, knowing that they are never checked, reviewed, monitored or held accountable are the cause of this dangerous but remediable problem in our justice system.

There certainly has to be a way to address this colossal problem which concerns every citizen in this country, as without the rule of law we will devolve into dystopia.

Consciously denying a victim their day in court (to which they are entitled) is probably the most pernicious act a judge can perpetrate, short of murder.

Everyone in Congress should ponder seriously -- would I countenance this corruption if it were visited upon me or members of my family, friends?

I've also enclosed a recent article in the New York Times which is truly on point and corroborates this crisis in the courts (caused by certain Federal Judges).

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I beseech you to look at my case, as it is representative of the method certain judges use to wrongfully dispose of legitimate claims in Federal Court, which truly concerns every U.S. citizen.

I thank you for considering this matter, and would appreciate hearing from you.

In any event, best wishes to you in all your endeavors, public and private.



Richard P. Lebel

P.S. I will be happy to take a polygraph exam as to any aspect of this letter/my case.

Encl: Index  
Exhibits  
N.Y.T. article (4/30/07)

## Index of Exhibits

LEBEL REALTY, INC. et al. v. TWSP. OF MAHWAH, et al.

1. CIVIL DOCKET Case #: 2-92-cv-04809-JWB U.S. District Court – District of N.J. (Newark)
2. PLAINTIFF'S FEDERAL COMPLAINT (NJ DISTRICT) (1992)
3. PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT (as to liability) (1996)
4. PLAINTIFF'S FILED CERTIFICATION (as to facts and evidence) (1996)
5. JUDGE JOHN BISSELL'S DECISION (August 1997) (please see pages 14-21 of the decision on “continuing violation”)
6. PLAINTIFF'S APPEAL BRIEF TO THE THIRD CIRCUIT (1998)
7. PLAINTIFF'S REPLY BRIEF TO THE THIRD CIRCUIT (1998)
8. DECISION OF THE THIRD CIRCUIT (1998) (Judges: Stapleton, Cowen and Rendell)

# RICHARD P. LEBEL

11/21/07

John G. Roberts, Jr.  
Chief Justice  
The Supreme Court of the United States  
One First Street, NE  
Washington, DC 20543

1. **The Deprivation of a Jury Trial via Corrupt Decisions in Federal Court**
2. **Request for an Investigation, Remedy, and Reparations**

Dear Chief Justice Roberts:

The real crisis in this country is the evisceration of the rule of law caused by the misconduct and pernicious actions of a certain "breed" of Federal Judges. They are not monitored or reviewed, consequently never held accountable for their wrongdoing. Federal Judges consciously operate as their own "sovereign" with absolute impunity.

I've enclosed for your consideration/review a most egregious and reprehensible case involving intentional civil rights violations, unconstitutional taking of real property, attempted extortion by government and the ultimate atrocity – the intentional, unlawful, deprivation of the right to a jury trial. (To demonstrate my veracity and sincerity, I will be happy to take a polygraph exam as to any aspect of this matter)

The heinously corrupt rulings by the Federal Judges in this case will shock the conscience of even the most hardened in the legal profession.

This case is arguably unprecedented in terms of the overwhelming evidence of culpability: eg. audio tapes of public officials' telephone conversations and their "secret" meetings (which evidence is rarely ever available for a victim to present in Court).

This civil case was proven on the pleadings and evidence beyond any doubt, yet four Federal Judges corruptly usurped my (plaintiff's) right to a jury trial. They are Judge John Bissell (District Judge, NJ), Judges Stapleton, Rendell and Cowen (Appeals Judges - Third Circuit).

These four judges knowingly and wrongfully "adopted" a bogus defense motion 5 years into the proceedings as a basis for summary judgment to dispose of my case in its entirety, unlawfully denying me (plaintiff/victim) a jury trial. These judges consciously and purposefully distorted the facts and intentionally misapplied the law. Facts that a jury should have heard and decided.

A quick read of Judge Bissell's Decision (31 pgs), the Third Circuit Decision (3 pgs), along with the Appeal Brief will make clear the corruption committed by these Judges was beyond the pale. (These documents should be at Mr. William K. Suter's office)

The Defendants Township of Mahwah, NJ and its public officials were probably astounded at their good fortune. It was clear they perceived my case against them as formidable/undefensible, as from the outset Defendants made numerous offers to settle (over a 4 year period). The Defendants never moved to seek a dismissal until 4 years into the proceedings, and then it was only in response to my motion for summary judgment did defendants assert a motion to dismiss. A most unusual record and set of circumstances.

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Chief Justice Roberts

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In addition to the patently corrupt decisions by the four judges in my case, I was subjected to other highly prejudicial treatment by the Court. e.g. Magistrate Haneke would advise my attorney that my case would be heard as soon as the District Judge was ready. However, when I inquired of District Judge John Bissell as to when his office would be ready, his clerk would inform me that my case would proceed when the Magistrate was ready. Judge Bissell's clerk also refused to disclose the Court's calendar. Was I being put in a Catch-22 by the Magistrate and the District Judge for the purpose of intentionally delaying and frustrating my proceeding?

Further, Magistrate Haneke denied my only application to amend the Complaint. Highly unusual, as under Fed. Rules of Civil Procedure, amendments are to be freely allowed.

A most glaring and telling example of extreme prejudice and corruption visited upon me in this matter was the Third Circuit's Dicta on a fact sensitive (jury) issue that was not before the court. This Dicta was in total contravention of all U.S. Supreme Court "takings" cases and was maliciously calculated to taint my inverse condemnation claim (in any further proceedings in state court).

Incredibly, my attorneys advised me they had been informed by former Third Circuit Chief Judge John Gibbons that if Judge Bissell did not dismiss my case, the Third Circuit would "find a way" to dispose of it. Judge Gibbons explained that the Third Circuit does not "like" constitutional land use cases and is hostile towards these lawsuits. This was shocking, disturbing, revolting and truly unfathomable to me. Unfortunately, Judge Gibbons was prescient as to the Third Circuit's predisposition.

This entire process in Federal Court was in fact a sham perpetrated to deprive the victim of his day in court, and to protect culpable public officials/public entity from liability.

If decisions were routinely rendered such as this, no one would or could live in the U.S.

Please consider this case for investigation and redress, as I was subjected to and sustained the following egregious harm and draconian consequences:

- a) victim of fraud, extortion, unconstitutional taking, and tortious interference;  
(committed by the governing bodies of the Township of Mahwah, New Jersey)
- b) bankrupted by this municipality
- c) lost my home, all credit, my business and my livelihood
- d) UNLAWFULLY DENIED A JURY TRIAL BY FOUR FEDERAL JUDGES (3rd Cir.)
- e) ruined for life

The pernicious corruption I was a victim of for years in NJ culminated with the Federal Courts' shocking decisions, which have sucked the life out of me.

As only recently were all the proceedings concluded surrounding this matter, it would have been imprudent to write to you any earlier while I was in the NJ "system".

## RICHARD P. LEBEL

Chief Justice Roberts

11/21/07

I have sent/provided to Mr. William K. Suter's office the pertinent pleadings, Docket, briefs and rulings which I believe glaringly illustrate the overt corruption that was visited upon me in Federal Court.

Certain Federal Judges are using fallacious defense summary judgment motions to dismiss meritorious cases that belong to a jury, thereby wrongfully denying victims their day in court (the most crucial and fundamental right in this country). As 99.9% of the cases decided in Federal Court are not reported anywhere, Federal Judges are keenly aware that they will never be reviewed or checked as to the legitimacy or correctness of their decisions (which carry enormous and incalculable consequences to an aggrieved victim).

After a trial/motion judge dismisses your case wrongfully, you certainly can appeal (if you can afford to). However the problem with certain appeals is that the appellate panel simply affirms the "bad" decision (below), and you have no further recourse or redress, as the Supreme Court will not be hearing your case.

All judges must be monitored and all their decisions should be published, including plaintiff's "filed" version of the facts, not merely the judge's version (especially those rulings that are dispositive of a plaintiff's/victim's case).

Monthly polygraph exams are perhaps the only viable/practical means of reasonably ensuring that a judge is at least operating on his own good conscience and with integrity.

Many government officials/employees in less sensitive positions are subject to random polygraph exams. Why not Federal Judges? What could be a more sensitive position in the public domain? A miscreant judge can knowingly and illegally destroy lives with a mere signature or stamp, which is exactly what occurred in my case.

I don't believe the problem is with the system per se, as there are many good judges that would have forwarded this case to a jury. The judges who operate nefariously, knowing that they are never checked, reviewed, monitored or held accountable are the cause of this dangerous but remediable problem in our justice system.

There certainly has to be a way to address this colossal problem which concerns every citizen in this country, as without the rule of law we will devolve into dystopia.

Shouldn't Government take responsibility and be liable for the misconduct of its judges? This certainly could be accomplished without impinging on absolute judicial immunity.

Consciously denying a victim their day in court (to which they are entitled) is probably the most pernicious act a judge can perpetrate, short of murder.

Everyone in the Judiciary should ponder seriously -- would I countenance this corruption if it were visited upon me or members of my family, friends?

I've also enclosed a recent article in the New York Times which is truly on point and corroborates

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this crisis in the courts (caused by certain Federal Judges).

I beseech you to look at my case, as it is representative of the method certain judges use to wrongfully dispose of legitimate claims in Federal Court, which truly concerns every U.S. citizen.

I thank you for considering this matter, and would appreciate hearing from you.

In any event, best wishes to you in all your endeavors, public and private.



Richard P. Lebel

Attached: Index  
N.Y.T. article (4/30/07)

Exhibits: sent to the Clerk's office (Mr. William K. Suter)

**RICHARD P. LEBEL**

10/17/07

Christopher J. Christie  
Newark U.S. Attorney's Office  
970 Broad Street, 7th Floor  
Newark, NJ 07102.

1. **The Deprivation of a Jury Trial via a Corrupt Decision in State Court**
2. **Request for an Investigation, Remedy, and Reparations**

Dear Mr. Christie:

The real crisis in New Jersey is the evisceration of the rule of law caused by the misconduct and pernicious actions of a certain "breed" of State Court Judges. They are not monitored or reviewed, consequently never held accountable for their wrongdoing. Judges consciously operate as their own "sovereign" with absolute impunity.

I've enclosed for your consideration/review a most egregious and reprehensible case involving intentional civil rights violations, unconstitutional taking of real property, attempted extortion by NJ public officials and the intentional, unlawful, deprivation of the right to a jury trial. (To demonstrate my veracity and sincerity, I will be happy to take a polygraph exam as to any aspect of this matter)

The heinously corrupt ruling by the Judge in this case will shock the conscience of even the most hardened in the legal profession.

This case is arguably unprecedented in terms of the overwhelming evidence of culpability: eg. audio tapes of public officials' telephone conversations and their "secret" meetings (which evidence is rarely ever available for a victim to present in Court).

This civil case was proven on the pleadings and evidence beyond any doubt, yet Superior Court Judge Jonathan Harris (Bergen County) corruptly usurped my (plaintiff's) right to a jury trial.

Judge Harris's summary judgment decision articulated the egregiousness of the defendants' conduct, alluded to the powerful evidence of extortion and obstruction, and concluded that this matter "is on the razor's edge" (as to warranting a jury trial). Incredulously, after opining that the evidence "strongly suggests" wrongdoing by the defendants, Judge Harris then rules that no rational jury could find for the plaintiff/victim.

Moreover, Judge Harris ruled the defendants (public officials) are immune from suit – even for acts of misconduct. Judge Harris certainly knows the law is clear and unequivocal that a public official is liable for intentional wrongdoing.

A quick read of the 5 pages attached to this letter (pgs. 124-128 of the Court's decision) along with the Complaint and Appeal Brief (enclosed) will make clear the corruption committed by Judge Harris was beyond the pale.

## RICHARD P. LEBEL

Christopher J. Christie

10/17/07

Further, Judge Harris's outrageous decision on a separate inverse condemnation claim totally contravenes NJ and Federal "takings" law. Moreover, these fact sensitive issues were clearly for a jury. (Please see our Appeal Brief.)

Judge Harris knowingly and wrongfully "adopted" a bogus defense motion as a basis for summary judgment to dispose of my case in its entirety, unlawfully denying me (plaintiff/victim) a jury trial. This Judge consciously and purposefully distorted the facts and intentionally misapplied the law. Facts that a jury should have heard and decided.

The defendants Township of Mahwah, NJ and its public officials were probably astounded at their good fortune. It was clear they perceived my case against them as formidable/indefensible, as from the outset (commencing from a prior proceeding), defendants made numerous offers to settle (over a 5½ year period). In fact, defendants tried to settle this matter even after their motion to dismiss was filed. A most unusual record and set of circumstances.

Judge Harris's corrupt grant of summary judgement to defendants was maliciously calculated to unlawfully deprive the victim/plaintiff of his day in court, and to protect culpable public officials/public entity from liability.

If decisions were routinely rendered such as this, no one would or could live in NJ.

Please consider this case for investigation and redress, as I was subjected to and sustained the following egregious harm and draconian consequences:

- a) victim of fraud, extortion, unconstitutional taking, and tortious interference;  
(committed by the governing bodies of the Township of Mahwah, New Jersey)
- b) bankrupted by this municipality
- c) lost my home, all credit, my business and my livelihood
- d) unlawfully denied a jury trial by Superior Court Judge Jonathan Harris
- e) ruined for life

The pernicious corruption I was a victim of for years in NJ culminated with Judge Harris's shocking decision, which has sucked the life out of me.

As a direct consequence of Judge Harris's palpably corrupt ruling, I was terrorized into settling this matter (prior to Appeal Arguments) for a tiny fraction of my damages.

As only recently were all the proceedings concluded surrounding this matter, it would have been imprudent to write to you any earlier while I was in the NJ "system".

## RICHARD P. LEBEL

Christopher J. Christie

10/17/07

I have enclosed the relevant pleadings, briefs and rulings which glaringly illustrate the overt corruption perpetrated by Judge Harris upon me in his courtroom.

Certain State Court Judges are using fallacious defense summary judgment motions to dismiss meritorious cases that belong to a jury, thereby wrongfully denying victims their day in court (the most crucial and fundamental right in this country). As 99.9% of the cases decided in State Court are not reported anywhere, judges are keenly aware that they will never be reviewed or checked as to the legitimacy or correctness of their decisions (which carry enormous and incalculable consequences to an aggrieved victim).

After a trial/motion judge dismisses your case wrongfully, you certainly can appeal (if you can afford the substantial costs and 2 more years of proceedings). Another daunting problem with an appeal is the risk of an appellate panel simply affirming the "bad" decision (below). You have no further recourse or redress, as the Supreme Court of N.J. will not be hearing your case. (I could not afford the aforementioned)

All judges must be monitored and all their decisions should be published, including plaintiff's "filed" version of the facts, not merely the judge's version (especially those rulings that are dispositive of a plaintiff's/victim's case).

Monthly polygraph exams are perhaps the only viable/practical means of reasonably ensuring that a judge is at least operating on his own good conscience and with integrity.

Many government officials/employees in less sensitive positions are subject to random polygraph exams. Why not N.J. State Court Judges? What could be a more sensitive position in the public domain? A miscreant judge can knowingly and illegally destroy lives with a mere signature or stamp, which is exactly what occurred in my case.

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There certainly has to be a way to address this colossal problem which concerns every citizen, as without the rule of law we will devolve into dystopia.

Shouldn't government take responsibility and be liable for the misconduct of its judges? This certainly could be accomplished without impinging on absolute judicial immunity.

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Consciously denying a victim their day in court (to which they are entitled) is probably the most pernicious act a judge can perpetrate, short of murder.

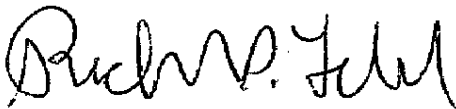
Everyone in NJ State Government should ponder seriously -- would I countenance this corruption if it were visited upon me or members of my family, friends?

I've also enclosed a recent article in the New York Times which is truly on point and corroborates this crisis in the courts (caused by certain judges).

I beseech you to investigate the manifest corruption committed by Judge Harris in this case, as it truly concerns every N.J. citizen.

I thank you for considering this matter, and would appreciate hearing from you.

In any event, best wishes to you in all your endeavors, public and private.



Richard P. Lebel

Attached: Pgs. 124-128 of Judge Harris's Decision (11/2/98)  
(BER-L-8476-97)

Encl: Index  
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N.Y.T. article (4/30/07)