

Thought you might be interested in a court case with some blunt words for some judges blocking a preference (i.e. election rigging) case and A Motion to Disqualify Democrat Appointed Judges and Obama's response.

Serious issue. Obama has not disputed they try to stack the courts with judges who will protect preferences (i.e. stealing from Asians, Mid-Eastern, Whites and men).

The Motion was denied, I have appealed.

UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA  
Case number 09-5262

_____ )	
BARRY CEMINCHUK )	
Appellant/Plaintiff, )	Appeal Case number 09-5262
vs. )	
BARACK H. OBAMA )	
President of the United States )	District Court No. 08-CV-1742-EGS
Appellee/Defendant. )	
_____ )	

MOTION TO DISQUALIFY DEMOCRATIC PARTY APPOINTED JUDGES

1. The Appellant/Plaintiff, Barry Ceminchuk moves to disqualify all judges appointed by the Democratic Party from hearing and/or being involved in any way with this case.
2. The reason for the motion is that the Democratic Party tries to stack the courts with judge pals that will protect these actions (promising government jobs and contracts and steal from Asians, Mid-Eastern, Whites and men) and their election rigging scams.
3. 28 United States Code (U.S.C.), Section 455 says:
  - § 455. Disqualification of justice, judge, or magistrate judge
  - (a) Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.
4. Barry Ceminchuk has information about the Democratic Party and Democratic Presidential candidates promising to stack the courts with such judges and many news stories have mentioned such (see INFORMATION below).
5. As Barry Ceminchuk said in his PLAINTIFF'S RESPONSE TO DEFENDANT'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT (the "scheme" is rigging elections by promising government jobs and contracts):
  - 6. The Plaintiff also points out that he has information that the Democratic politicians appoint people and judges who will protect the scheme. They appoint what some people call "liberals", which in reality is a conspiracy to subvert the Constitution, and to change the Constitution (which they do not have the legal authority to do – see Constitution, Article V). Republicans try to appoint honest judges, Democrats conspire to rig cases and appoint people who will protect their election rigging, etc. and surreptitiously push their agenda.
6. Barry Ceminchuk points out that it is the modus operandi of corrupt politicians to try to use the courts to protect their corruption and to legitimize their corruption, and to hide behind while they steal and rig elections.
7. Barry Ceminchuk also points out that anyone that can think like a sleazy politician realizes that the promise and use of government jobs and contracts gets support (i.e. votes) and contributions (i.e. kickbacks). There is a very large amount of money involved, ten's of billions of dollars.
8. Barry Ceminchuk also points out that anyone that can think like a sleazy political consultant will do anything that will get their candidate elected so they can make their money (probably millions of dollars).

9. Barry Ceminchuk also points out that with government job and contract preferences this is them saying "me and my pals say give your job and businesses to me and my pals". Absurd.

#### INFORMATION

10. Barry Ceminchuk has many quotes from candidate speeches and from books and news stories, some of which are:

A. The book "All Too Human a Political Education", by George Stephanopoulos, third paragraph on page 170, says:

"Ginsburg will get confirmed. She'll be a reliable liberal vote."

A "reliable liberal vote" means adhere to the doctrine and protect and push the agenda, which she does, she is a preference monger.

B. The September 16 (or 17), 2000, NY Times, article entitled "Gore Courts Black Support", says:

"Gore bragged about the Clinton administration's record. "Fifty-three judges and not a Clarence Thomas among them," he said to cheers. As he read a long list of black appointees. . .

The Clarence Thomas comment is code words for preferences and lackey judges who will be for preferences.

C. The article "Accusations at the Apollo", USA Today, February 22, 2000, says:

"Gore repeatedly noted the Clinton-Gore administration's record for minorities in ... appointing judges. And he promised to build on it."

D. At the Urban League Conference (an African-American organization) Democrat Presidential candidate John Edwards said:

"I would ensure that my administration was a representation of what affirmative action can be. I would make sure that my administration looks like America, and I mean, from the top to the bottom, all the way through the administration." and "I would ensure that judges that I appointed to the federal bench and justices nominated to the United States Supreme Court believed in real equality and believed in the concept of affirmative action."

These Edwards quotes are from an article on the CNN web site, July 27, 2007, by Paul Steinhauser, CNN Washington Bureau (<http://www.cnn.com/2007/POLITICS/07/27/obama.black.votes/index.html>) and is Edwards saying he will stack the courts to protect and push these actions.

E. With the recent Supreme Court appointee, Patrick Buchanan said in his June 12, 2009 column, entitled "Miss Affirmative Action, 2009":

"Indeed, the White House itself leaked that the final four court candidates were all women and Sotomayor was picked because she was a Latina."

F. Barry Ceminchuk has also read an article discussing President Obama meeting with, what are called liberal special interest groups, to discuss the recent Supreme Court judicial appointment.

G. An article by David Limbaugh entitled "Judicial activism issue favors GOP", October 08, 2003, says:

"It is interesting that Democrats have admitted in recent years that they fully intend to use the courts to further their policy agenda" ([http://www.worldnetdaily.com/news/article.asp?ARTICLE\\_ID=34985](http://www.worldnetdaily.com/news/article.asp?ARTICLE_ID=34985)).

H. The Washington Times article, February 12, 2004, entitled "Conservatives call for probe", by Charles Hurt, says:

"I have knowledge of other still unpublished documents that evidence a violation of the public trust in the judicial confirmation process on the part of Democratic senators on the Senate Judiciary Committee," Mr. Miranda

wrote. "This includes evidence of the direct influencing of the Senate's advice and consent role by the promise of campaign funding and election support in the last mid-term election."

Again, "the promise of campaign funding and election support in the last mid-term election". Judgeships are being sold.

I. Also, an article "Gray days ending for California GOP?", September 18, 2003, by Robert Novak, Sun-Times Columnist, said:

"But then this Democrat ended our long conversation with a startling prophecy, indicating that help was on the way. He predicted an all Democrat three-judge federal appellate panel in San Francisco, including two of Bill Clinton's liberal appointees, would postpone until next March the Oct. 7 recall election as demanded by the American Civil Liberties Union. What's more, he said, the decision would be based on the Supreme Court's 2000 decision in Bush vs. Gore." and "How did he know all this? It was common knowledge in Democratic lawyers' circles, he explained." and "My source's prophecy became reality within 24 hours, including the detail of citing the 2000 election decision. So much for the myth of judicial objectivity."

Democratic lawyers and their judge pals.

J. There also was an article "'He Is Latino' Why Dems borked Estrada, in their own words", November 15, 2003, that said:

"This plunge into the murky deep comes from staff strategy memos we've obtained from the days when Democrats ran the Senate Judiciary Committee in 2001-02. Or, rather, appeared to run the committee. Their real bosses are the liberal interest groups that more or less tell the Senators when to sit, speak and roll over--and which Bush judges to confirm or not." (<http://www.opinionjournal.com/editorial/feature.html?id=110004305>)

K. Another part of this scam is to stack the Department of Justice with preference mongers (i.e. the steal from whitey and men crowd).

L. August 28, 2009, "Conn. campaign finance law ruled unconstitutional", by John Christoffersen, says:

"A federal judge says Connecticut's public campaign finance law, seen by some as a possible national model, is unconstitutional because it discriminates against minor party political candidates." and "Judge Stefan Underhill ruled late Thursday that a part of the law that provides a voluntary public financing scheme for candidates for statewide offices and state lawmakers puts an unconstitutional burden on minor party candidates' First Amendment right to political opportunity." ([http://townhall.com/news/us/2009/08/28/conn\\_campaign\\_finance\\_law\\_ruled\\_unconstitutional?page=full&comments=true](http://townhall.com/news/us/2009/08/28/conn_campaign_finance_law_ruled_unconstitutional?page=full&comments=true)).

11. Therefore, the Appellant/Plaintiff submits that all judges appointed by the Democratic Party be disqualified from this case.

12. Courts are to be fair and impartial and not tainted by political manipulation.

13. The Plaintiff/Appellant reminds the defendant attorney that their submissions must be truthful and from the defendant.

Dated: September 1, 2009

Respectfully submitted,

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Barry Ceminchuk

RESPONSE:

Case: 09-5262 Document: 1206662 Filed: 09/17/2009 Page: 1

UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT  
No. 09-5262 (C.A. No. 08-1742)

BARRY CEMINCHUK, Appellant,  
v.  
BARACK H. OBAMA, in his official capacity  
as President of the United States, Appellee.

APPELLEE'S OPPOSITION TO APPELLANT'S MOTION  
TO DISQUALIFY DEMOCRATIC PARTY APPOINTED JUDGES

Appellee respectfully opposes Appellant's Motion to Disqualify Democratic Party Appointed Judges and respectfully requests this Court deny the relief requested. Appellant's motion apparently requests an order commanding all judges of this Court appointed by presidents belonging to the Democratic Party to disqualify themselves. Appellant states as grounds for his motion that the "Democratic Party tries to stack the courts with judge pals that will protect these actions (promising government jobs and contracts and steal from Asians, Mid-Eastern, Whites and men) and their election rigging scams." Appellant's motion is without merit and should be denied.

"When a party seeks disqualification or recusal under a [28 U.S.C. §] 455(a) motion, 'this [Court] applies an "objective" standard: Recusal is required when "a reasonable and informed observer would question the judge's impartiality.'" Id. (quoting S.E.C. v. Loving Spirit Found. Inc., 392 F.3d 486, 493 (D.C. Cir. 2004) (additional citation and quotation omitted)). The Court further noted that it is aware of "no case where this or any other federal court recused a judge based only on his or her rulings." Id. at 494. Here, Appellant's requested relief is based solely on the political party of the president who submitted each judge's nomination for confirmation by the United States Senate. This "basis" is an even more tenuous basis than an actual ruling which this Court has held to not be grounds for recusal. Consequently, Appellant's motion should be denied.

CONCLUSION

For the reasons above, Appellee respectfully requests that Appellant's motion be denied.

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UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA  
Case number 09-5262

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BARRY CEMINCHUK	)	
Appellant/Plaintiff,	)	Appeal Case number 09-5262
vs.	)	
BARACK H. OBAMA	)	
President of the United States	)	District Court No. 08-CV-1742-EGS
Appellee/Defendant.	)	
_____	)	

APPELLANT'S REPLY TO APPELLEE'S OPPOSITION TO APPELLANT'S  
MOTION TO DISQUALIFY DEMOCRATIC PARTY APPOINTED JUDGES

1. The Plaintiff/Appellant could say more (a lot more), however as the Defendant/Appellee speaks for the Democratic Party and the points are not disputed, the Motion should be granted.

APPELLEE'S OPPOSITION POINTS

2. The Appellee's submission over simplifies the issues and tries to divert attention from what is really going on.
3. The issue is not, from the Appellee's Opposition, page 2, "based only on his or her rulings" but it is based on the courts being stacked to protect election rigging and money funnelling and stealing government jobs and contracts for politicians and a political party (for votes and kickbacks), that is, being stacked to protect the actions in this case. Or in other words, about being given a job (i.e. Judge) to protect the election rigging, money funnelling and stealing (i.e. payback). That many involved are too unsophisticated or dumb or both to realize this is their problem.
4. Also, the issue is not for Democrat Party appointed judges to disqualify themselves (which implies the choice of doing so, and which requires the intellect and impartiality to do so properly), but to disqualify judges from a case where the judges were selected to protect the actions in the case.
5. Such is clearly unacceptable and "must be forbidden if the guarantee of due process is to be adequately implemented. *Withrow*, 421 U. S., at 47." (Supreme Court of the United States case, *CAPERTON ET AL. v. A. T. MASSEY COAL CO., INC., ET AL.*, 556 U.S. \_\_\_\_ (2009), decided June 8, 2009, from the Syllabus, page 3 of the pdf document.
6. What should happen here is similar to the Caperton case, Syllabus, page 1 of the pdf document, which says: "Held: In all the circumstances of this case, due process requires recusal."
7. The Caperton case involves the election of a judge and this case involves judges being used to protect election rigging, money funnelling and stealing, and kickbacks, which is judges involved with, and protecting the election rigging of a politician and a political party (see 18 U.S.C. Section 600 and other laws mentioned in the Complaint).
8. This a serious big time issue. If courts are political pawns (i.e. political operatives) then any politician and political party can do anything and the legal system becomes meaningless and a lackey of corrupt politicians. If political parties can stack courts to protect their election rigging, etc., then anything goes. Which, as anyone that can think realizes, will degenerate into schemes that involve intimidation and possibly violence.
9. And judges are to think of other political parties. From the Complaint:
  3. If these actions are not going to be stopped then the Plaintiff requests that the government make government jobs and contracts available for the Plaintiff so he can set up a political party and get the same benefits (government jobs and contracts for support, votes and contributions). Half the race and gender set-asides and a payment for Goodwill for past benefits, \$100 Million (which is low considering the large \$ involved, the Plaintiff's unofficial information is that set-asides are in the ten's of Billions per year).
10. Also, from a recent case, "was a pretext and that the City's real reason was illegitimate, namely, the desire to placate a politically important racial constituency." (Supreme Court of the United States, *Ricci Et Al. V. Destefano Et Al.*, No. 07-1428, June 29, 2009, Justice Alito, concurring opinion page 3, page 44 of pdf document). In this case it is the promising of government jobs and contracts to special interest groups for votes and contributions (i.e. kickbacks and prekickbacks).

## CONCLUSION

11. To repeat from the Motion:
  2. The reason for the motion is that the Democratic Party tries to stack the courts with judge pals that will protect these actions (promising government jobs and contracts and steal from Asians, Mid-Eastern, Whites and men) and their election rigging scams.
  - and
  6. Barry Ceminchuk points out that it is the modus operandi of corrupt politicians to try to use the courts to protect their corruption and to legitimize their corruption, and to hide behind while they steal and rig elections.
12. The points in the Motion are not disputed and therefore the courts have been corrupted for political and election rigging purposes. Courts are to be fair and impartial and not tainted by political manipulation and should not be protecting election rigging, money funnelling (and kickbacks) and stealing. The judiciary is to be non-

political, judges work for the people, not politicians and not for a political party. This should not have to be said. Any judge who does not understand or agree with the above should immediately resign.

13. As 28 United States Code (U.S.C.), Section 455 says: "(a) Any justice, judge, or magistrate judge of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned." non-disputed points of courts being stacked with judges that will protect the actions in the case clearly raises the question of impartiality.

14. Besides, there should not be a problem here. If the Democrat judges are honest they would not mind that honest judges handle the case, and if the Democrat judges want to rig the case they make my point and should be disqualified.

15. Therefore, the Motion to Disqualify Democratic Party Appointed Judges should be granted.

Dated: September 24, 2009

Respectfully submitted,

Barry Ceminchuk

UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA  
Case number 09-5262 (District Court No. 08-CV-1742-EGS)

_____ )	
BARRY CEMINCHUK )	
Appellant/Plaintiff, )	Appeal Case number 09-5262
vs. )	
BARACK H. OBAMA )	
President of the United States )	District Court No. 08-CV-1742-EGS
Appellee/Defendant. )	
_____ )	

PETITION FOR PANEL REHEARING  
FRAP 40 - POINTS OVERLOOKED

STANDING

1. The points overlooked are many, as I said in the APPELLANT'S OPPOSITION AND RESPONSE TO APPELLEE'S MOTION FOR SUMMARY AFFIRMANCE, heading CLEAR ERROR:

6. ... there is clear error, the standing analysis the court has applied is wrong and many standing issues are not even addressed (i.e. election rigging, criminal code, my political party (which itself is sufficient for standing), etc.).

2. In my submissions I have clearly pointed out the errors and have mentioned blunt words, so obviously blunter words are required.

3. What is this?

4. The Order says "The district court properly dismissed this action for lack of standing, because appellant did not allege an injury in fact caused by the appellee's conduct and redressable by the court, which are the "irreducible constitutional minimum" requirements for standing. Lujan v. Defenders of Wildlife, 504 U.S. 555, 560-61 (1992)."

5. I AGAIN point out that THE SAME CITATION (Lujan v. Defenders of Wildlife, 504 U.S. 555, 560) is mentioned and explained in detail in the Jacksonville case at 508 U.S. @ page 663, heading "Point III", and leads to the courts conclusion on page 666 starting with "Singly and collectively, ..." and "The injury in fact in an equal protection case of this variety is the denial of equal treatment resulting the imposition of the barrier, not the ultimate inability to obtain the benefit." ... "And in the context of a challenge to a set-aside program, the "injury in fact" is the inability to compete on an equal footing in the bidding process, not the loss of a contract." ... "TO

ESTABLISH STANDING, THEREFORE, (bold and capitals added by me) a party challenging a set-aside program like Jacksonville's need only demonstrate that it is ABLE AND READY (bold and capitals added by me) to bid on contracts and that a discriminatory policy prevents it from doing so on an equal basis." (Florida General Contractors v. Jacksonville 508 U.S. 656, 666). THIS IS THE APPROPRIATE STANDARD FOR STANDING WITH THE DISCRIMINATORY CLASSIFICATION. And, the many other cases mentioned. The discriminatory policy is the admitted set-asides and preferences. How many times do I have to say this?

6. Also, as mentioned in the Complaint "18. Also, "The courts have long recognized that the failure of an individual to apply for a position from which he would be discriminatorily excluded does not defeat his claim.", and "In any event, Congress did not intend Title VII remedies to be available only to those knowledgeable enough and militant enough to have demanded and been refused what was not available". (Equal Employment Opportunity v. United Air Lines, 560 F.2d 224, 232). The Plaintiff is not dumb enough to spend the time and money trying to get something that is not available, the Plaintiff has also done corporate planning."

7. The Order also says "Appellant refers only generally to government jobs and contracts and to his experience with Information Technology and preparing bids for contracts.". The court does not seem to understand, or is trying to ignore, the point that THE EXPERIENCE SHOWS MY SKILLS, KNOWLEDGE AND ABILITIES, WHICH SHOWS ABLE AND READY (as my Affidavit said). With general, I also mentioned SPECIFIC research and development and SPECIFIC contracts and irreparable harm (again, "Plus irreparable harm is being done to the plaintiff, see O'Donnell Const. Co. v District of Columbia (963 F.2d 420) at pages 428 and 429, right hand column, point [9].").

8. And again, Clarke v Securities Industry Association (479 U.S. 388) where a company that was in the same business that was affected by a decision had standing, "suffering injury from the competition" (479 U.S. 388 @ 397), referring to Data Processing Service v Camp (397 U.S. 150). Clarke, Footnote 13 on page 397 – 398, on page 398 says "We held that data processing companies were sufficiently injured by the competition that the Comptroller had authorized to create a case or controversy."

9. AND AGAIN, THERE ARE OTHER STANDING ISSUES NOT BEING ADDRESSED:

- ELECTION RIGGING, CRIMINAL CODE, CORRUPTION, MONEY FUNNELLING, STEALING AND THE PRETEXT POINT.
- MY POLITICAL PARTY, which clearly confers standing.
- OTHER POINTS, public interest, many other cases, etc.

10. As I have said the above repeatedly (and I understand that with dumb people points have to be repeated over and over), I now ask which is it?

A. Are you too dumb to understand the points made, repeatedly, over and over, like "able and ready", "failure to apply does not defeat his claim", "deterred", "intention", research and development, etc. and my political party and that these actions should have been cleaned up and the election rigging criminal code?

OR,

B. Are you deliberately trying to ignore the on-point legal precedents and other standing points to block a case to protect politicians corruption, stealing, election rigging, money funnelling and kickback schemes?

11. IF A, you are too dumb for the job and should resign. If B, you are trying to rig a case to protect corrupt, stealing, election rigging, money funnelling kickback scheming politicians, and should resign. You work for the people, not politicians or a political party.

12. And, with the obvious intellect I am dealing with here, I will not even try to explain merit hiring and tendering of contracts and Breach of Trust. Or that these people are stealing from decent hardworking people. These concepts are too complicated for some people.

13. And, as the actions in this case involve stealing jobs and business from people, you give up your job and stocks (business), or are you like the useless, silly people who want to steal from people but do not want it done to them, or even worse, too dumb to think that far.

14. To make it simple, I showed my experience which shows ABLE AND READY and the court did not even consider the political party point. Both points, and the many other points show standing.

## MOTION TO DISQUALIFY JUDGES

15. With the Motion to Disqualify Judges, which is it?

C. Are you too dumb to understand “the courts have been corrupted for political and election rigging purposes . . .”, and the courts work for the people not politicians or a political party, and the courts are not to protect election rigging and corruption and the many points, including judgeships being sold to protect election rigging and to protect corrupt politicians?

OR,

D. Are you deliberately trying to ignore “the courts have been corrupted for political and election rigging purposes . . .” and the other points to protect politicians and election rigging, etc.?

16. If C, then same as A above. If D, then same as B above.

17. The court said “Appellant has not demonstrated that the court’s impartiality might reasonably be questioned. See 28 U.S.C. § 455.”, I am a reasonable person and I think only a moron or a bought off judge would think that is acceptable to stack the courts with lackey judges who will protect election rigging, criminal code violations, corruption, money funnelling, kickbacks, and stealing, and selling judgeships to protect such (person gets judgeship (sell), judge blocks cases (payback) and again, “That many involved are too unsophisticated or dumb or both to realize this is their problem.”).

18. As I said “non-disputed points of courts being stacked with judges that will protect the actions in the case clearly raises the question of impartiality.” I ask is there actually someone who is so dumb that they dispute that? Really? What, I can set up a political party and stack the courts with judges that protect my election rigging? Have you not thought what that means, like, and for the simpletons this is an example only, someone could use violence against opponents and have judge pals protect them? Knock it off this looks dumb.

19. I would repeat the points in my APPELLANT'S REPLY TO APPELLEE'S OPPOSITION TO APPELLANT'S MOTION TO DISQUALIFY DEMOCRATIC PARTY APPOINTED JUDGES, as again with dumb people points have to be repeated over and over, however I suggest you read it again, and if it is too much for you, get someone with a sufficient IQ to explain it to you. Big time issues, the Appellee has admitted they are stacking the courts and selling judgeships, courts have been corrupted, judges work for the people not politicians, judges are not to protect corrupt politicians and election rigging and money funnelling and kickback schemes, etc.

20. I gather the evidence to show the courts are being stacked to protect election rigging, stealing, money funnelling and kickbacks, and the Appellee has not disputed such, and some judges are actually trying to protect the corruption of the courts. This is dumb. Everyone is entitled to honest and fair and smart judges if the guarantee of due process is to be adequately implemented. As I said, any judge who does not understand that or who is trying to ignore it should resign immediately (again back to either too dumb or blocking). And, judges are not to be used by corrupt politicians to hide behind.

21. Therefore the Motion to Disqualify Judges should be granted. It should also be extended to include any lackey, in-the-pocket judge who wants to rig a case and protect corrupt, election rigging politicians and the stealing, money funnelling and kickbacks.

## MOTION TO FILE SURREPLY

22. With the Motion to File Surreply, I was addressing new issues and correcting errors and misrepresentations in the Appellee’s submission and explaining points further. What I can’t do that? This is absurd. Again, knock it off, you look dumb.

23. The District Court mentioned “The standard for granting a leave to file a surreply is whether the party making the motion would be unable to contest matters presented to the court for the first time in the opposing party's reply.” See *Lewis v. Rumsfeld*, 154 F. Supp. 2D 56, 61 (D.D.C. 2001)”. Correcting errors and misrepresentations in the Appellee’s submission should also be included, obvious simple common sense.

## SERVICE OF COMPLAINT



24. With the service of the complaint again I sent multiple copies. As I said this really does not matter, but as I am someone who has actually worked in organizations, I know that in most organizations, where possible if correspondence is not addressed to the proper addressee the people who handle the mail, or those who incorrectly receive it, direct it to the proper addressee. Again, I repeatedly asked if they received the other copy of the documents and they would not answer the question. Not answering a question makes me think they are hiding the point that they actually received the documents. The court should not allow people to hide behind them and not answer questions.

#### OTHER

25. Although I have not researched the topic I mention honest services.

26. I also again point out I have mentioned many sections of the criminal code, and I again mention 18 U.S.C. Section 2 Principals, and "Plainly a person may conspire for the commission of a crime by a third person." (Salinas v. U.S. 118 S.Ct. 469, 477). I also add "the supporters are as guilty as the perpetrators" (Salinas v U.S. 118 S.Ct. 469, 477, 522 US 64). Judges can also be charged with crimes.

27. And, have the integrity to say what you are really doing.

28. And you give up your job. You are just like the no Irish, or blacks need not apply, you are the whites and men need not apply crowd. And those that jerked them around with legal drivel games while they were being stolen from. Do not delude yourselves, you are no better, and actually much worse, you are supposed to know better.

29. Again, this is typical of preference mongers, steal from Asian, Mid-Eastern and White people and men and jerk them around with ridiculous drivel. As on point case precedents and facts are being ignored, obviously so the election rigging, money funnelling (of Billions of dollars) and stealing can continue, the Appellant has to say these points over and over. The Appellant knows he is correct and has tried to find honest people who understand able and ready and deterred etc. and the election rigging (criminal code) and my political party (if government jobs and contracts are political pawns then every party should have access to them), and those who do not try to ignore these to block a case. The Appellant knows the actions are unconstitutional, and what these people try is a "pretext" (Ricci case). These actions should be cleaned up and victims compensated.

30. And, do not get angry at me for having the brains to see what is really going on and the guts to say it. Throughout history, tyrants and court jesters and front-men have gotten angry with those who are not fooled by their drivel and stand up and speak out.

31. And again, I paid the court filing fee and expect to be treated fairly.

#### CONCLUSION

32. For the foregoing many reasons (again, again, over and over, able and ready, etc. and my political party, etc.), the Order should be reversed and the case referred to an honest judge who has not been corrupted by political manipulation (which is such a basic principle I am amazed I have to say it). And, someone who understands the rule of law.

Dated: December 17, 2009

Submitted,

/s/Barry Ceminchuk