

STATEMENT OF FACTS
United States district court Judge A.B. Fair
Submitted by B. Goode Citizen

This sample judicial misconduct complaint made against the United States district court judge named above is filed, in accordance with the Ninth Circuit Rules of the Judicial Council only for the purpose of demonstrating the official Title 28 U.S.C. judicial misconduct complaint process. Actual complaints should only be made after consulting the rules governing such complaints. This sample complaint exceeds the five page limitation on the Statement of Facts imposed by the Ninth Circuit Rules. Each circuit has different rules. Those rules are available from the Clerk's Office of the Circuit Court with jurisdiction over the judge subject to complaint. Rules for the Ninth Circuit can also be accessed on the Internet: <http://www.ce9.uscourts.gov/misconduct> To access the other circuits try inserting the number of the circuit you want in place of the 9.in this link: <http://www.ca9.uscourts.gov>

Complainant charges that this territorial district judge, who claims to be an Article III judge, has committed an impeachable offense for failing to reside within the district to which he was appointed in violation of Section 134 Title 28 U.S.C. and for violation of Section 2384 Title 18 U.S.C. by conspiring with others "to prevent, hinder, or delay the execution of any law of the United States." The recent death of Judge William Matthew Byrne, Jr. revealed that he resided in the Los Feliz area of Los Angeles, while a district judge. The resignation of Judge Nora Margaret Manella caused the Los Angeles Times to reveal her Studio City residence in a news story. The Torrance Daily Breeze identified Judge Manuel L. Real as a Rancho Palos Verdes resident. These district judges, as well as all other federal district judges in the 50 states have violated §134 Title 28 U.S.C. by not residing within the judicial district to which he or she had been appointed.

The District of California cannot be both the federal territory subject to the exclusive legislative power of Congress on January 1, 1945 and the territory that is not subject to the exclusive legislative power of Congress. The territory that comprises the District of California must be one or the other. Any place in anyone of the 50 states is, similarly, either subject to the exclusive legislative power of Congress or it is not. From the very beginning Congress viewed the creation of genuine Article III courts as a threat to its own power, so it created none. Congress did make it possible for district court judges to act like Article III judges and did nothing when they lived outside the district to which they had been appointed. The first district courts and today's United States district court for the District of California are legislative courts that Congress must pass off as an Article III judicial court to extend its territorial jurisdiction beyond federal territory. California district judges claim to be Article III judges despite taking an obvious territorial oath. To complete the deception, the United States Congress, the United States

