

VIA US EXPRESS MAIL - OVERNIGHT
Article No.: EH 600617616 US

October 7, 2010

US Assistant Attorney General
Civil Rights Division
Criminal Section
950 Pennsylvania Avenue, Northwest
Washington, DC 20530

RE: Color of Law Complaint, Gillespie v. 13th Judicial Circuit, Florida
US District Court, MD FL, Ocala Division, Case No. 5:10-cv-503-oc-WTH-DAB

Dear Assistant Attorney General:

This is a complaint for the misuse and denial of judicial process under the color of law by the Thirteenth Judicial Circuit, Florida. Circuit Judge Martha J. Cook has falsified records in this matter in violation of section 839.13(1) Florida Statutes, section 838.022 Florida Statutes, and section 837.06 Florida Statutes. The court also unlawfully denied my request for accommodation under the Americans with Disabilities Act (ADA).

My former attorneys at Barker, Rodems & Cook, PA defrauded me and others while representing us in consumer litigation against AMSCOT Corporation. I sued Barker, Rodems & Cook pro se August 11, 2005 for fraud and breach of contract and established a cause of action. See Neil J. Gillespie v Barker, Rodems & Cook, PA and William J. Cook, Circuit Civil Court case number 05-CA-007205, in the Thirteenth Judicial Circuit Hillsborough County. Mr. Rodems is unlawfully representing his firm and partner against a former client and filed a counterclaim of libel against me.

The Thirteenth Judicial Circuit has been unable to lawfully adjudicate this matter because judges of the circuit are unwilling to hold a favored lawyer from the circuit accountable. The lawyer and his partner made campaign contributions to judges in this case. One partner Chris Barker is a member of the 13th Circuit JNC, while Mr. Rodems is a frequent applicant for judge to the 13th Circuit JNC.

Mr. Rodems is unlawfully representing his small three-attorney firm in the lawsuit and has engaged in perjury and other wrongdoing, including harassment under § 784.048 Florida Statutes. I was sanctioned \$11,550 for a section 57.105 Fla. Stat. violation and discovery errors. This case has had four trial judges, and there have been three appeals to the 2DCA. Circuit Judge Martha J. Cook is currently presiding.

For a time attorney Robert W. Bauer of Gainesville represented me, but he too complained about Mr. Rodems in open court: "...Mr. Rodems has, you know, decided to take a full nuclear blast approach instead of us trying to work this out in a professional

manner. It is my mistake for sitting back and giving him the opportunity to take this full blast attack. (transcript, Aug-14-08 hearing, Judge Crenshaw, p. 16, line 24).

Mr. Bauer dropped the case October 13, 2008 after billing me about \$33,000 for representation. In an apparent effort to avoid professional liability Mr. Bauer has joined forces with Mr. Rodems in opposition to me in an open inquiry with the Florida Bar, see The Florida Bar File No. 2011-00,073 (8B).

July 12, 2010 I gave notice of claim to Judge Cook and the other defendants in compliance with the requirements of section 768.28(6)(a), Florida Statutes, and Judge Cook still refused to disqualify herself. A paper copy of the notice is enclosed with the 23 exhibits on the enclosed CD.

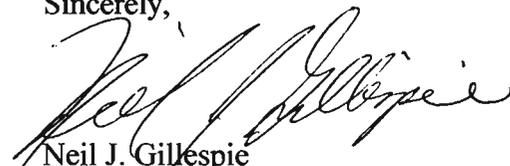
September 28, 2010 I commenced a federal ADA and Civil Rights lawsuit against Judge Cook and others, see Gillespie v. 13th Circuit, et al, Case No. 5:10-cv-503-oc-WTH-DAB. A paper copy of the complaint is enclosed with the 15 exhibits on the enclosed CD. The complaint has not been served and a motion is pending to amend the complaint. Rule 3, FRCP states that a civil action is commenced by filing a complaint with the court.

Judge Cook has refused to disqualify herself in Gillespie v. Barker, Rodems & Cook, et al. even though she is now a defendant in a federal lawsuit where I am the plaintiff.

The immediate concern is to remove Judge Cook from the case and stop her unlawful behavior against me. But as shown in my federal complaint, there are case management issues that affect all pro se litigants in Florida because of the two-tier system of justice described in Judge Isom's law review, Professionalism and Litigation Ethics, 28 STETSON L. REV. 323. I also have a justice network website at <http://yousue.org/>

Thank you for your attention to this very important matter.

Sincerely,



Neil J. Gillespie
8092 SW 115th Loop
Ocala, Florida 34481

Telephone: (352) 854-7807
email: neilgillespie@mfi.net

Enclosures