

SUPREME COURT, APPELLATE DIVISION
FIRST JUDICIAL DEPARTMENT
DEPARTMENTAL DISCIPLINARY COMMITTEE
61 BROADWAY, 2ND FLOOR
NEW YORK, NEW YORK 10006

212/401-0800

Alan W. Friedberg
Chief Counsel

DATE: 11/02/2009

Complainant(s):

Mr. Ms. Mrs. Bernstein Eliot I
Last First Initial

Address: 2753 N.W. 34th Street Apt. _____
Boca Raton FL 33434-3459
City State Zip Code

Telephone: Home (561) 245-8588 Business (561) 886-7628

Attorney Complained of:

Mr. Ms. Mrs. Winter Jr. Ralph K.
Last First Initial

Firm Name: United States Court of Appeals - 2nd Circuit
Address: Thurgood Marshall United States Court House 40 Foley Square
New York New York 10007 Suite/Floor _____
City State Zip Code

Telephone: (212) 857-8527

Complaints to other agencies:

Have you filed a complaint concerning this matter with another Bar Association, District Attorney's Office or any other agency:
If so, name of agency: Yes, with the court, citizens arrest made against Winter for Misconduct

Action taken by agency: Court has not ruled on Motion to Compel filed and failed to address conflicts of interest and Title 18 Obstruction charges

Court action against attorney complained of:

Have you brought a civil or criminal action against this attorney?
If so, name of court: No Index No. _____

Statute: _____

Details of Complaint PLEASE PRINT LEGIBLY OR TYPE IN ENGLISH
Start from the beginning and be sure to tell why you went to the attorney, when you had contact with the attorney, what happened each time you contacted the attorney and what it was that the attorney did wrong. Please send this office copies of all papers that you received from the attorney with this form.

THIS COMPLAINT MUST BE TRANSFERRED TO A NON-CONFLICTED THIRD PARTY INVESTIGATOR AS THE FIRST DEPARTMENT IS IN A LAWSUIT WITH MYSELF AND HAS REPRESENTATIVE COUNSEL IN THOSE MATTERS, THE NEW YORK ATTORNEY GENERAL. IF YOU ARE A FIRST DEPARTMENT EMPLOYEE PLEASE CONTACT YOUR COUNSEL TO DETERMINE WHERE TO MOVE THIS COMPLAINT TO AVOID FURTHER TITLE 18 OBSTRUCTION CHARGES AGAINST YOUR OFFICES and DO NOT REVIEW ANY MATERIALS CONTAINED HEREIN OR BY REFERENCE. ANY ACTION ON YOUR PART WILL RESULT IN LEGAL ACTIONS AGAINST YOU. A CONFLICT OF INTEREST DISCLOSURE FORM HAS BEEN ATTACHED AND MUST BE SIGNED AND RETURNED PRIOR TO ANY ACTION ON YOUR PART. See below applicable laws.

Judge Ralph K. Winters has violated both his Attorney Conduct Codes and his Judicial Cannons in allowing conflict to obstruct justice and violate my due process rights. A motion to Compel Judge Winters to follow the Attorney Conduct Code, the Judicial Cannons and Law in vetting out conflicts and other violations of Attorney Conduct Codes, Public Office Violations and Law has gone ignored, including Judge Winters failure to address conflicts of interest personally and for other members of the 2nd Circuit who are conflicted in the matters, yet remain handling the matters.

The Motion to Compel can be found online @

<http://iviewit.tv/CompanyDocs/United%20States%20District%20Court%20Southern%20District%20NY/20090908%20FINAL%20Emergency%20Motion%20to%20Compel%20SIGNED44948.pdf>

If further information or documentation is necessary please feel free to contact me.

Applicable Laws

Relevant Sections of Judicial Cannons, Attorney Conduct Codes and Law [\[17\]](#)

Conflict of Interest Laws

Conflict of interest” indicates a situation where a private interest may influence a public decision. Conflict of Interest Laws are laws and regulations designed to prevent conflicts of interest. These laws may contain provisions related to financial or asset disclosure, exploitation of one’s official position and privileges, regulation of campaign practices, etc.

New York State Consolidated Laws Penal

ARTICLE 200 BRIBERY INVOLVING PUBLIC SERVANTS AND RELATED OFFENSES

S 200.03 Bribery in the second degree

S 200.04 Bribery in the first degree

S 200.05 Bribery; defense

S 200.10 Bribe receiving in the third degree

S 200.11 Bribe receiving in the second degree

S 200.12 Bribe receiving in the first degree

S 200.15 Bribe receiving; no defense

S 200.20 Rewarding official misconduct in the second degree

S 200.22 Rewarding official misconduct in the first degree S 200.25 Receiving reward for official misconduct in the second degree

S 200.27 Receiving reward for official misconduct in the first degree

Unsigned complaints will not be processed.

