

MONTGOMERY BLAIR SIBLEY

4000 MASSACHUSETTS AVENUE, N.W.

SUITE 1518

WASHINGTON, D.C. 20016-5136

EMAIL: MBSIBLEY@GMAIL.COM

202-478-0371 (VOICE/FAX)

July 26, 2013

Via USPS Delivery Confirmation #: 03112550000146271415

Chief Judge Richard W. Roberts

U.S. District Court for the District of Columbia

333 Constitution Ave NW

Washington DC 20001-2802

Re: *United States v. Duke*
Criminal Case No: 88-cr-00145 (DAR)

Greetings:

I write for two reasons. First, as more fully detailed in the my enclosed *Third Verified Motion for Reconsideration of Order Dismissing Indictment and Motion to Intervene or to Appear as Amicus Curiae*, the dismissal of the Indictment against the fugitive-defendant Elizabeth Duke in the above matter by Magistrate Judge Robinson: (i) was without jurisdictional authority as Magistrate Judges may not dismiss indictments and (ii) was “clearly contrary to the public interest”. Either ground mandates vacating the Order dismissing the Indictment.

I am privy to what I consider compelling evidence regarding why the Obama administration would, *soto voce*, seek the dismissal of the Indictment against the fugitive, domestic terrorist, United-States-Capitol-bombing Elizabeth Duke without notifying the U.S. Attorney or the District Court for the Eastern District of Pennsylvania. What remains to be seen is whether the Judges of this Court will recognized their duty arising under the oath each has taken pursuant to Article VI, clause 2 and 5 U.S.C. § 3331 to: “defend the Constitution of the United States against all enemies, foreign and domestic.” For when that compelling evidence becomes public – as it will shortly – the failure of the Judges of this Court to act on the evidence presented in my *Third Verified Motion* will, I believe, color each and every Judge of this Court as *de facto* – if not *de jure* – accessories-after-the-fact to the largest fraud ever perpetrated upon the People of these presently-United States.

Second, I write pursuant to 28 U.S.C. § 631(i) to bring facts to your attention regarding Magistrate Judge Robinson’s exceeding her jurisdictional authority and grossly abdicating her duties to the end of seeking her removal from her office due to her incompetency, misconduct, and/or neglect of duty as also detailed in my *Third Verified Motion*. In particular, Magistrate Judge Robinson prevaricated when, in her June 17, 2009, Order dismissing the Indictment, she represented that the dismissal was “for the reasons set forth in the government’s motion and for good cause shown”, when in fact there were no “reasons set forth” by the government nor “good cause shown”

Chief Judge Richard W. Roberts
July 26, 2013
Page 2

to justify the granting of the government's motion to dismiss the Indictment. Is there any consequence for a federal judge who intentionally and knowingly misrepresents the facts in an order dismissing an indictment?

Needless to say, I look forward to the favor of your prompt reply.

Yours,



cc: w/enclosures

Jay I. Bratt, Deputy Chief
National Security Section
United States Attorney's Office
555 Fourth Street, NW, 10th Floor
Washington, DC 20530

The Honorable Emmet G. Sullivan
U.S. District Court for the District of
Columbia
333 Constitution Ave NW
Washington DC 20001-2802

The Honorable Colleen Kollar-Kotelly
U.S. District Court for the District of
Columbia
333 Constitution Ave NW
Washington DC 20001-2802

The Honorable Reggie B. Walton
U.S. District Court for the District of
Columbia
333 Constitution Ave NW
Washington DC 20001-2802

The Honorable Ellen S. Huvelle
U.S. District Court for the District of
Columbia
333 Constitution Ave NW
Washington DC 20001-2802

The Honorable John D. Bates
U.S. District Court for the District of
Columbia
333 Constitution Ave NW
Washington DC 20001-2802

The Honorable Richard J. Leon
U.S. District Court for the District of
Columbia
333 Constitution Ave NW
Washington DC 20001-2802

The Honorable Rosemary M. Collyer
U.S. District Court for the District of
Columbia
333 Constitution Ave NW
Washington DC 20001-2802

The Honorable James E. Boasberg
U.S. District Court for the District of
Columbia
333 Constitution Ave NW
Washington DC 20001-2802

The Honorable Beryl A. Howell
U.S. District Court for the District of
Columbia
333 Constitution Ave NW
Washington DC 20001-2802

Chief Judge Richard W. Roberts
July 26, 2013
Page 3

The Honorable Amy Berman Jackson
U.S. District Court for the District of
Columbia
333 Constitution Ave NW
Washington DC 20001-2802

The Honorable Rudolph Contreras
U.S. District Court for the District of
Columbia
333 Constitution Ave NW
Washington DC 20001-2802

The Honorable Deborah A. Robinson
U.S. District Court for the District of
Columbia
333 Constitution Ave NW
Washington DC 20001-2802

The Honorable Mitchell S. Goldberg
U.S. District Court, ED of PA
2609 U.S. Courthouse
601 Market Street
Philadelphia, PA 19106-1797

The Honorable Robert L. Wilkins
U.S. District Court for the District of
Columbia
333 Constitution Ave NW
Washington DC 20001-2802

The Honorable Ketanji Brown Jackson
U.S. District Court for the District of
Columbia
333 Constitution Ave NW
Washington DC 20001-2802

Zane David Memeger
United States Attorney for the Eastern District
of Pennsylvania
U.S. Attorney's Office
615 Chestnut Street, Suite 1250
Philadelphia, PA 19106