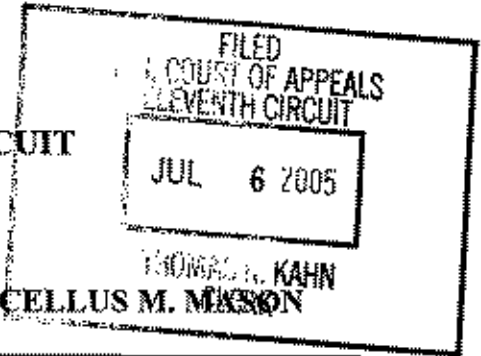


CONFIDENTIAL
BEFORE THE CHIEF JUDGE
OF THE ELEVENTH JUDICIAL CIRCUIT

Miscellaneous No. 05-0013

IN THE MATTER OF A COMPLAINT FILED BY MARCELLUS M. MASON



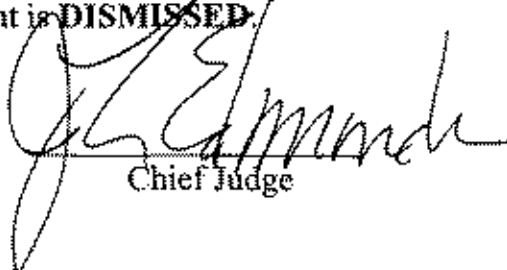
IN RE: The complaint of Marcellus M. Mason, against Donald L. Graham, United States District Judge for the United States District Court for the Southern District of Florida, under the Judicial Conduct and Disability Act of 1980, Chapter 16 of Title 28 U.S.C. § 351-364.

ORDER

Mr. Marcellus M. Mason filed this complaint against U.S. District Judge Donald L. Graham pursuant to Chapter 16 of Title 28 U.S.C. § 351(a) and Addendum III to the Rules of the Judicial Council of the Eleventh Circuit.

In this complaint Mr. Mason alleges that Judge Graham abused his office by ordering him to appear at a hearing on December 4, 2001, when the case in question, No. 99-CV-14027, was closed and on appeal at the time the hearing was scheduled.

The allegations of this Complaint are "directly related to the merits of a decision or procedural ruling". Therefore, pursuant to Chapter 16 of Title 28 U.S.C. § 352(b)(1)(ii) and Addendum III Rules 4(b)(2) this Complaint is **DISMISSED**.


Chief Judge

Tuesday, February 08, 2005

J.L. Edmondson
c/o Thomas K. Kahn, Clerk
U.S. Court of Appeals for the 11th Circuit
56 Forsyth St. N.W.
Atlanta, Georgia 3030

Judge Edmondson, I believe your job is to investigate, not to seek a contrived or concocted reason for a summary dismissal. However, I have lightened your load by making all the documentation necessary to investigate this matter publicly available on the Internet. In general you can visit any of four different websites for documentation: (1)<http://secretlaw.com>; (2)<http://geocities.com/mcneilmason/>; (3)<http://donaldlgraham.blogspot.com>; (4)<http://mmason/freeshell.org>; Moreover, I have cited to the Internet where the appropriate documents can be downloaded.

Mr. Graham¹ has been accused of: intentionally lying and misrepresenting the law; refusing to rule on a motion for a preliminary injunction for more than 15 months; allowing scores of motions to go undecided; and usurping legal authority. These allegations were specifically mentioned and supported by actual documents in the following cases with the Eleventh Circuit: Direct Appeal, Case No. 01-13664-A, mandamus, Case No. 01-15754, however there is no mention of these allegations in any of these actions. It would appear that a law clerk at the Eleventh Circuit gave himself permission to simply ignore these very serious allegations because they can not be denied. This is unacceptable and simply will not be tolerated. Mr. Donald L. Graham is going to be held accountable for his actions. Please see URL: <http://mmason/freeshell.org/refusetodiscuss.html>; and <http://mmason/freeshell.org/trickery/trickery.htm>. It would appear that the Eleventh Circuit is unwilling to address allegations of misconduct by a federal judge either by the appellate process or by Section 372(c) complaint. Equally important, Congress did make the appellate process and section 372(c) mutually exclusive. Your court has refused to address these allegations of misconduct in all forums, as your court has not found a forum where it wants to discuss and investigate these allegations. What forum will make you and the Eleventh Circuit happy enough to discuss the veracity of the allegations I have made, or have Mr. Graham respond? Answers like the following are insufficient and simply will not be tolerated:

The allegations of the Complaint are "directly related to the merit of a decision or procedural ruling" and or Action on the complaint is no longer necessary because of intervening events, and therefore moot". Consequently, pursuant to 28 U.S.C. § 372(c)(3)(A) and (3)(B) and Addendum Three Rule 4 (a)(2), this Complaint is DISMISSED.

There is no such thing as ordering me to come to a "HEARING ON CONDUCT OF PARTIES DURING PROCEEDINGS" on a closed civil case.

Congress did not intend for Chief Judges to rid themselves of complaints of misconduct by simply citing, without investigation and substantiation, the summary dismissal clause of the statute. However, if they did, they should know. To that end, a copy of this complaint has been

¹ I refer to Judge Donald L. Graham as Mr. Graham as sign of my disrespect and contempt for him personally.

mailed to the 2004 Rehnquist-Breyer Commission, the Chairman and ranking member of both the Judiciary Committee of the House of Representatives and Subcommittee on Courts, and J. Kennedy and Chief Justice Rehnquist as well.

NOTICE OF HEARING ON CONDUCT OF PARTIES DURING PROCEEDINGS-

THIS CAUSE came before the Court sua sponte.-PLEASE TAKE NOTICE that this matter has' been-set for a hearing before the undersigned, United States District Judge Donald L. Graham, at the James Lawrence King Federal JusticeBuilding,-99 Northeast 4th Street, Eleventh Floor, Courtroom one, Miami, Florida on Tuesday, December 4, 2001 at 2:30 p.m. Thirty minutes have been set aside for this matter. At the hearing, the Court will address proper procedure and the conduct of the parties during this litigation.

(DE 884).

SPECIFIC ALLEGATIONS OF MISCONDUCT AND JUDICIAL ABUSE

1. Mr. Graham abused his office by ordering me to come to a “HEARING ON CONDUCT OF PARTIES DURING PROCEEDINGS” on December 4, 2001 on a closed civil case, 99-14027. The case was closed on June 20, 2001.
2. This case was on appeal since June 25, 2001, consequently, Mr. Graham no longer had jurisdiction over the case.
 - Why do I need to a ““NOTICE OF HEARING ON CONDUCT OF PARTIES DURING PROCEEDINGS” on a closed case?
 - Does Mr. Graham get to order me to come to a hearing anytime he gets ready?

I don't know how it could be anymore clear that Mr. Graham used his office and legal procedures illegally in an effort to intimidate me. However, having said that, I am going pound away at Mr. Graham's RECORD. This Court is powerless to stop the truth of these allegations. The Eleventh Circuit and individual judges can only ruin its own reputation. Mr. Graham's record has been downloaded by every segment of the legal community. Incidentally, is there some reason why Mr. Graham is not ordered to respond to any of the allegations being made against him? If the allegations that have been made against Mr. Graham had been made against me, I would have responded immediately. Are you and the Eleventh Circuit scared of Mr. Graham's answers? Mr. Graham is rogue judge and the whole legal community knows it.

Sincerely,

Macellus M. Mason
218 Atterberry Drive
Sebring, FL 33870
Phone: 863-314-9307

CC:

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Office Of The Clerk
Supreme Court Of The United States
Washington, D. C. 20543

Justice Stephen G. Breyer
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Judge Sarah Evans Barke,
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