

# pro•jec•tile

By Scott D. Wilson

## 1

It's January and it's time. Time now to finally put into motion the plan dreamt up over innumerable episodes of humiliation and abuse. The Project involves performing only a few simple tasks, for which execution requires mainly guts and fortitude and will, in fact brains may be a hindrance at this point. The Project has been simmering in my brain for years and concretized. It's not like I even have any choice in the matter anymore, and that's okay. A man's gotta do, etc..

I mean, I know how this is going to read. It's going to read like I'm a fricken lunatic, right? What kind of person does this sort of thing? Does this sort of thing and chronicles it, writes about it, seeks to make everyone aware? Answer: the kind of person who is secure in his system, in his values, whose pure vision is crystallized to the point of action. The kind of person whose differences from you make him proud and who expects you to recognize the purity and the sublimeness of his acts, and to recognize that, even if you agreed with the principles (and you probably don't), you would never have the fortitude to actually do anything about it. Let alone anything as majestic as this project.

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I've gathered most of the necessary supplies. Here is a partial list. It may seem trite now but just wait and watch.

### **Victims' dossiers and itineraries**

Vehicle-Borne Improvised Explosive Device (VBIED), consisting of the following elements:

Tilt Fuse – in this case a plastic medical tablet tube, one end filled with mercury and the open end wired with the ends of an open electrical circuit, so when the vehicle bumps or dips the mercury flows to the other end of the tube, closes the circuit, and an explosion ensues.

Small propane cylinder-- with large dangerous nails and jagged glass taped all around it, which will detonate when the electrical circuit closes, causing a fiery blast and flying shrapnel in the form of nails, glass, and car chassis parts.

Powerful magnet-- to affix VBIED to underside of vehicle

(History Lesson: In 1585, in the Siege of Antwerp, the Dutch used floating bombs against the Spanish. Elisabeth I of England hired Italian engineer Federico Giambelli, who designed a small ship called the Hope which had a clockwork and flintlock fuse. They loaded it with about 7,000 pounds of gunpowder. The ship exploded near a raft of anchored Spanish ships, killing 800 or more soldiers. It is said that the blast leveled houses on shore and human body parts rained from the sky.) (My crude little device will not compare to the scale of this violence, obviously, yet its impact will be vast, the efficiency and relative non-violence of the design are to be admired).

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Sammy Bankston  
311 Center Street  
Haughton, Louisiana

#### EXPANDED RESUME

#### Elementary and Secondary Education:

Haughton Elementary, Jr. High, and High School, Haughton, Louisiana

Honors, Activities, and Awards: Honor Roll, grades 1-7; Football, grades 8-12; All-District, All-Parish,  
1974

#### College:

Louisiana State University, Baton Rouge, Louisiana

Bachelor of Arts, 1978; Major: Political Science; GPA 2.9

#### Law School:

Paul M. Hebert Law Center, Louisiana State University

Juris Doctorate, 1981

Hobbies and Interests:

Hunting (Lifetime member, Jones Creek Hunting Club)

Fishing (freshwater and saltwater)

NASCAR

Memberships:

National Gunmen Association

Shreveport Bar Association

Louisiana Bar Association

Practice areas:

Domestic/family law

Wills, trusts, estates

Personal injury

Sammy Bankston is a mediocre student throughout his education, including his four years at Houghton High School, where he's a member of the football team, two years as starting linebacker, his senior year an all-district selection despite his relatively small size, 5' 11" and (then) 190 pounds. Not big enough to play college ball at linebacker. He goes on to LSU but doesn't get involved in college life, preferring his outdoor pursuits. He finds himself majoring in political science and deciding, somewhere along the way, that he wants to go to law school and become a good old country lawyer.

Now he occupies himself more with hunting, fishing, and NASCAR, than with his work as a lawyer. His love of the outdoors, coupled with his legal education, leads to a posture of fierce defense of the Second Amendment and a movement up through the ranks of the National Gunmen Association. Along with this comes the opportunity/obligation to rub shoulders with Republican Party officials. In his practice he handles divorce cases and wills, mostly; not very stimulating for most of us but for Sammy, he's got his hands full. He doesn't make much money until the local state NGA taps him to be its lobbyist with the state legislature upon the death of its previous lobbyist.

Then, 2002, in a small conference room at a local hotel in Shreveport, Louisiana, at a fundraiser for

the NGA legal defense fund, the smell of stale coffee in the air and the parties squirming on metal folding chairs at a small nondescript table, Sammy having been told only that a Department of Justice operative wanted a minute of his time:

‘So, what is your educational background, Sam?’ asks the handsome young man, leafing through a file folder, red tie dangling and on pinstripe blue a Republican party lapel pin gleaming– it’s shaped like an elephant, bottom half painted red, white stripe in the middle, and top half blue with three white stars.

Sam: beaming, orange hair, brown polyester slacks and tan sportcoat, now carrying 240 lbs., lacking the prudence even to inquire what this is all about; the handsome man is, after all, from the U.S. Department of Justice: ‘It’s Sammy, as my momma named me. Both my undergraduate and law degrees are from LSU.’

Sliding on reading glasses for a better look at the file: ‘Were you on law review or moot court board or anything like that?’

‘No. I was ranked in the top third of the class, though, by the time I graduated.’ Sitting up straighter

‘Okay. I understand you are the vice president of the state chapter of the National Gunmen Association. Tell me about your work with the NGA.’ Leaning back in chair.

Sammy leans forward, on familiar turf now, one elbow on the table: ‘Well, I’ve been a member since I was sixteen. I served on various committees since I was 20, and I was elected to the board of governors at 27. Eventually elected to an officer position, moved up from Treasurer, to Secretary, to Vice President. We’ve campaigned for candidates, lowered gun license fees, you know, organized petitions for and against legislation, held voter registration drives, stuff like that.’

‘And you are also now a lobbyist for the NGA here?’

‘Yup. After Mr. Mallett passed away. I’m much closer to the legislative process now, I’ve got the ear of the state legislators, mostly the Republicans of course, and I try to directly shape what comes out of the state lawmaking body.’ (At which time, all of a sudden Sammy was required to learn about legislation (how a bill becomes a law, from civics class) and all about table manners, and how to tactfully offer a legislator a trip to go elk hunting. Some legislators were already in his corner, others beyond his reach.)

The party leans forward now: ‘Well... Sammy. President Bush needs you– as you may know, Judge Joyce is retiring in six months, he’s been on senior status for three years now and his health is failing him.’ Pausing, clearing his throat: ‘We need someone to take his place on the federal bench and your name came up. You’ve been practicing law a long time, you’ve been active in the party and with party

representatives. We've vetted you and haven't found any skeletons in your closet. How would you feel about serving your country on the federal bench?'

Sammy's face reddens as his small mind struggles to take it all in: 'I... don't know what to say. Of course I'd love to be a federal judge. But I've never been any kind of judge before.'

'That doesn't matter. A lot of our federal judges come right out of law practice.'

Sammy can't resist the offer. 'I— sure, what do you need me to do?'

'Nothing right now. I'll be in touch.' The fair young party functionary nods importantly at Sammy, picks up his folder, and exits the room.

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Supply list, continued:

Puffer Fish (fugu) from Japan, naturally carrying lethal tetrodotoxin.

The order Tetraodontoidea includes ocean sunfishes, porcupine fishes, and fugu– the most poisonous of all marine life. The skin and some organs of these fishes contain tetrodotoxin, a powerful neurotoxin that causes death in most persons who ingest it. Within 10-45 minutes after eating it, often sooner, one experiences tingling of the tongue and the inside of the mouth. There follows vomiting, dizziness, and weakness. Death occurs within 6-24 hours, from respiratory muscle paralysis. The estimated lethal dose for an adult would fit on a pinhead. No proven antidote.

It is against the law to personally import fugu into the United States but the FDA allows Japanese restaurants to import and serve fugu on special occasions, if it is prepared by a certified fugu chef (who must eat the fugu he has prepared in order to pass the test for certification), having been first certified (the fugu) by the Japanese Ministry of Health and Welfare via a cooperative agreement with the U.S. government. The Japanese consider fugu a delicacy (and an aphrodisiac), and it accounts for about 50 deaths per year there. You can get fugu into the U.S. by simply failing to declare it when you return (on, for example, United Airlines flight 890) from Japan.

The puffer fish is currently stored in a 15-cubic-foot-capacity Frigidaire chest freezer in my garage.

The Project is a dangerous thing to write about in these times, federal agents will likely sequester me if I let this manuscript out of my sight, who knows where they lurk. Federal. Agents. But I feel a duty to record this Project contemporaneously, for posterity to ponder.

I once had an especially bad experience in federal court, then retired to my office and wrote what I initially intended to be an open letter to the bar, to be published in the state's bar journal (published bi-monthly with funds from the state bar association, with dues contributed by each lawyer). The bar association sends its journal, gratis, to all lawyers in the state. I had published a substantive feature article in there several years ago, analyzing federal jurisprudence at the intersection of federal and state law in

employment cases, but since then the journal has shrunk to barely a shadow of its former self, with fewer intellectual articles and more human interest stories about recently appointed/elected judges and retired lawyers and officers of the bar association. Anyway, my new piece which I am considering sending, preliminarily and provisionally entitled “Honestly,” goes like this:

Honestly, how do federal judges sleep at night? What litigator among you hasn’t explained to your clients the difference between federal and state court? Do you shudder as you hear yourself explain that state judges are elected and partly for that reason are invited to and do go duck-hunting with local attorneys and tend to be more solicitous of the positions of local constituents/ litigants/lawyers? That they have to raise funds, mostly from lawyers, to fuel their election campaigns and their continued careers as judges? And that even if they didn’t start out that way, they become political animals, beholden to an ideology and a constituency?

Do you cringe when you tell them that federal judges are appointed for life and don’t care about your votes, and that their sole interest (i.e., the only thing for which they are accountable) is in moving their dockets, so they are infinitely more likely than state courts to grant motions to dismiss and motions for summary judgment– a situation that clearly and overwhelmingly favors defendants, who tend to be the big corporations among us?

We have all seen federal courts tie themselves in knots in order to avoid trials, coming up with not just case law but entire arguments and analyses that the defendant-businesses never even thought to advance, in order to support their rulings. Really, they work so hard to justify unjustifiable rulings that it seems sometimes that it would be less work for them just to have a trial. Federal courts will make arguments that strain credulity to the breaking point and they do it with a straight face, all in the name of avoiding trials. They will cite cases and make arguments that have absolutely no conceivable or possible application to your case, until finally you feel you have crossed through the looking glass into a topsy-turvy world where nothing makes sense– because it doesn’t. In other words, if you find yourself suing a big corporation in federal court, expect to be chewed up and spat out. The goals of federal courts must be altered– justice instead of efficiency <sup>1</sup>.

Now I have defended federal courts time and again when they have been attacked for rendering unpopular rulings to protect our constitutional interests. But in too many cases, they rule for purely policy

reasons in business situations, so as not, for example, to “open Pandora’s Boxes,” especially by setting a precedent that might tend to “invite lawsuits” (Heaven forbid).

<sup>1</sup> The Judicial Council of each Circuit is required by statute (28 USC 332(d)(1)) to “make all necessary and appropriate orders for the effective and expeditious administration of justice within its circuit.” Did someone say “fair and impartial”? I didn’t think so. The words were “effective and expeditious.” And don’t be fooled by the “administration of justice” language. This refers merely to managing the logistics of the judicial system.

(Please note that in my state, as in 38 others, at least some of the state judges are elected (nationwide, 87 percent of state court judges face re-election)). Upon reflection I refrain from sending this letter to the editor of the bar journal for publication. If he publishes it, I alienate every state and federal judge in the state, and a bunch of others too. And I would attract the attention of American Federales. Prudentia est melior secui de virtus.

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1990: ‘...doing over there? Have you-all been up to the cape recently?’ President George Herbert Walker Bush on the phone, catching up with his old friend and Yale classmate Julius Valentine ‘Val’ Chamberlain, IV, referring to Cape Elizabeth, 43°36’17.N 70°13’34.W, 32 miles by car but only about 15 miles by boat from the Bush Compound at Kennebunkport.

‘Sure, you know it’s not just a summer home for us, we get up there every few weeks year-round, it’s only three hours from Providence.’ After Yale, when George goes to Texas, Val goes to law school at Boston University, thereafter to go into private practice with a prestigious Boston firm, specializing in intellectual property law. After seven years of that, Val teaches at Franklin Pierce Law Center in New Hampshire, ten years later becoming dean, six years later Provost at Brown University, and now the Chancellor at the University of Rhode Island.

GHWB: ‘Yeah I know, Barb and I will be there in late May, we ought to get together,’ then abruptly, ‘Listen, Val, you can probably guess why I’m calling. Yarborough is retiring and we need a strong federal judge up there, are you up for the job?’

‘Whoa. No, I didn’t see that coming. It’s an attractive opportunity... but one I’ll have to think about, obviously.’ Val looks in the mirror at his pomade-greased mostly gray hair and his hook nose and yellowed

teeth.

‘Come on, Val, noblesse oblige, you owe it to the good people of Rhode Island.’

‘Yeah ... why don’t you pencil me in, I’ll talk to Robin and get back to you by the weekend.’ Val is already imagining the silky softness of the black robe and the authority it commands.

‘Sure. Gonna go ahead and send some of the boys from Justice over there, already given them sort of a history on ya. Listen, I really appreciate your willingness to do this.’

‘Thank you, George. Look forward to seeing you and Barbara up the coast in a couple months.’

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Q. How do you select the judges for the Project?

A. I select them practically at random. I exclude judges before whom I have appeared, either as a lawyer or as a party. I am careful not to cluster them geographically, which might tend to suggest a single perpetrator, or at least one in a particular identifiable location. Other than that, the process has no rhyme or reason. Basically just throwing darts at a map.

Q. So you didn’t look for the worst judges in the country, or at least particularly bad ones?

A. No. All federal judges are bad. It is difficult to tell who the worst judges are, they are by definition the ones who hide their evil best. They hurt people and the system in secret ways, via sub rosa rulings that are unpublished and unreported, by threat-laced arm-twisting in chambers. They sanction and fine lawyers and parties, and they threaten to do so if a party appeals the court’s ruling. They abuse their authority in a thousand previously undiscovered and innovative ways. They weaken and usually kill the faith in the judicial system of any participant in the process.

And even when one has the gumption and the resources to pursue an appeal, the lengthy process often results in a piece of paper containing the word ‘Affirmed,’ followed by three judges’ initials. No analysis, see. Because appellate court judges are federal judges too. And lazy.

Q. But without some screening process, might it be the case that a ‘relatively good’ federal judge is caught in your net?

A. No such thing, and anyway it hasn't happened with this Project. Even though I identify these judges blindly, I am able without much difficulty to turn up horror stories as to each.

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Judge Sammy Bankston is your typical lawyer-hater, ironic perhaps but not uncommon for federal judges. He never enters a room where a lawyer is present without at least once uttering the word 'sanction' or, usually, 'jail.' Today he hears an appeal of a decision from the U.S. Bankruptcy Court for his district.

At the beginning of the hearing, before any argument begins, Judge Bankston jumps out of the gate by stating he's read the record and doesn't like the way things have been going in the bankruptcy court.

'Quite frankly,' he declares, 'some or one or more of you or your clients would have been in jail had I been the judge.... I would have already put people in jail for disobeying orders and what have you.' And this just by way of introduction, you understand, before the lawyers conduct their arguments. The lawyers, who knew what to expect coming in, are nevertheless terrified.

Bankston continues at length about the 'shenanigans' in the court below and how badly it's been conducted here in his court and, 'Now, I read everything you all submitted in this case, plus more, and I want to know if anybody wants to withdraw any pleading right now. [pause] Okay. I reserve the right to impose sanctions based on this.'

For a lawyer to volunteer to withdraw a pleading would be a tacit admission that he behaved wrongly, so nobody bites on that. Bankston directs the first party's lawyer to begin her argument.

The young woman nervously begins her pitch, having bought a new dress and shoes for the occasion and now drenching her new dress in sweat. A few minutes after the lawyer starts her argument, though, unable to restrain himself, Judge Bankston releases, 'I think the parties needed to come before the Court. And I wish the individuals were here, because I'll tell you, if I hear or see a continuation of what's been going on in bankruptcy court, everybody who is misbehaving can think about it in a jail cell.' The poor lawyer can only nod her head and shrug imperceptibly.

When the arguments are over, Judge Bankston sputters his oral reasons from the bench. Then: 'Those are my reasons, oral reasons for judgment. I reserve my right to issue written reasons at a later date should a further appeal be taken to the Fifth Circuit Court of Appeals. All right. Everybody has got the message, right?' He stands up and struts off and through the door to his chambers.

The lawyers nod in each other's direction and file out of the courtroom. In the elevator all they can do is look at their shoes and shake their heads.

These petty courtroom crimes are all in a day's work for Judge Bankston, his black robe is a cape that transforms him into some powerful super-villain, abusing lawyers and litigants for his own pleasure, in the process assuring there will be no review of his offenses by a higher court.

3

It gets really cold in Wisconsin in January. Sub-zero temps, frequently. Folks tend to stay inside and try to keep warm. So when he walks into his office one Monday morning, Saklaus 'Klaus' Lamm is surprised to hear from his secretary that Senator James Harvey wants to set an appointment to come in from Milwaukee and meet with him sometime this week.

It's so cold it's hard to understand why Klaus would return to Madison after his time spent in the sublime climate at U.C. Berkeley Law School following his undergraduate education at U. Wisconsin-Madison. The answer is he's got family here, he'd never live anywhere else. He keeps himself busy representing lots of businesses large and small, restaurants to manufacturers, handling everything that they need legal help with, contracts, leases, employment issues, etc. In his 15-lawyer firm (these 15 just broke off from an 80-lawyer firm) he's the business specialist. Others handle insurance defense, bankruptcy matters, divorces, etc.

'Are you serious? Senator Harvey? What in the world could he want with me. Call them back and tell the Senator I'm free whenever it's convenient for him, there's nothing on my calendar I can't move.' In his right hand a dictaphone, the thin fingers on his left hand page through his calendar then sweep across his rippled blond hair, his blue eyes studying the appointment schedule for next week. Klaus has heard whispers of the potentially pending retirement, or removal, of the judge in the Western District following some 'erratic behavior.' Maybe this meeting is about this troubled judge, Klaus thinks to himself, maybe to confirm rumors of strange things happening, but Klaus doesn't know anything really, just what he's heard from others, that the judge's work is falling way behind, that it seems she has been occasionally sleeping at the courthouse (same clothes two (sometimes three) days in a row), that her demeanor in the courtroom is often inappropriate, that she's developed a paranoid fear of the U.S. Marshals who provide security for the courthouse. But every federal practitioner in the Western District— or at least every one in Madison— has heard but is probably unwilling to confirm this gossip.

A few days later, after pleasantries are exchanged, Senator Harvey, a thin man with artificially dark hair and a briefcase that he carries apparently only as a prop, entreats Klaus, 'Judge Deaver is unfortunately impaired; she is being encouraged to retire or will be removed under the Judicial Misconduct and Disability Act very soon. We're looking for a new federal judge. Interested?'

Now Klaus is a very bright, hardworking lawyer. The kind who rolls up his sleeves and thinks creatively at the same time. Tough to come by, usually you get one or the other. Klaus is not the kind of

person you would intentionally target for the Project, but once you don that federal black robe, all bets are off. It changes you and not in a good way.

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Which brings me to the issue of why it is that I choose these judges without regard to their personal ideological bent or extent of corruption. As alluded to earlier, it is often difficult to pin down a given's judge's political orientation and usually he exhibits none in particular— his aim is to move the cases through, which tends to result in a conservative bent but that is incidental to his main objective. The extent of corruption is even more often difficult to detect, as so much thought and effort goes into concealing or masking it. There is also good, clean, old-fashioned incompetence often at work in influencing rulings.

Make no mistake, though, lobbyists can and do influence federal judges, even though there is no re-election campaign and the concomitant fundraising necessity. Most brazenly, they pay for the judges' trips to Continuing Legal Education (CLE) seminars in desirable destinations. Less tangibly, special interest groups publish articles in magazines and newspapers praising or criticizing certain judges and their rulings. Interest groups appear in court through amicus curiae (friend of the court) briefs, thereby giving voice to the concerns of that special interest (irrespective of whether such concerns coincide with those of the plaintiff or defendant in the case).

Often what these 'lobbyists' offer the federal judge is an opportunity to secure a place in history, or at least legal history, by creating a new rule of law or important precedent that departs in some way from the status quo, as in 'Judge Bates, I am sure you appreciate this chance to overrule the longstanding rule favoring federal interference with the state's right to regulate the licensing of florists, and to do so with a strong pronouncement that states' rights are paramount in areas in which the federal constitution clearly has no say.' Hence existing precedent is disregarded and new law is born through judicial activism. The federal judge imagines himself an innovative jurist with fresh insights, and the special interest 'lobbyist' thus presents the judge with a means of realizing self-actualization, which is of course at the top of Maslow's hierarchy of needs.

A clever federal judge generally accomplishes his ideological ends through the employment of one or more doctrines, the most common being: original intent; strict construction; living constitution; states' rights.

Be not confused. Even first-year law students get it.

‘So what I’m sayin is that strict construction an original intent aren’t always the same thing. See the strict construction guy says let’s look just at the text, the language of the constitution, or statute, whatever, and that’s all, to see what it means. He doesn’t care what was the original intent of the framers or drafters or what have you. He’s interested only in what the law itself– the text-- says, on its face. Now, if the law’s not clear or it’s ambiguous or somethin, then you got to do somethin else and these strict construction guys usually revert to original intent. That’s true.

‘So, then what is original intent. Basically, when the constitution or statute has to be interpreted, the original intent guy says what did the drafter originally intend, what was in his mind, when he wrote this law. But the problem with that is that most of these laws get written by a bunch of different people so there’s no one clear original intent, in fact lots of these drafters had no intent on it one way or the other, they just voted for it for some political reason having nothing to do with that law, maybe they didn’t even read the law. Even the Constitution had over 50 people workin on it. So anyway what these judges end up doin is makin sure more rights aren’t created by decidin stuff is in the law that wasn’t “originally intended.”

‘Then you got judges who believe in a “living constitution” who say the Constitution evolves with society, that it was written in flexible broad terms so it could adapt to societal changes. Well the strict constructionists and especially the original intent guys don’t like this, they say anything goes with this living constitution and you just make it up as you go along. Most of these living constitution judges are finding rights for people that maybe aren’t specifically there in the constitution. But these guys say the Constitution can’t authorize every law that doesn’t violate a specific constitutional clause, that would mean the state could require everybody to have children or to have sex every Tuesday or any crazy thing that’s not specifically put off limits by the strict language of the constitution, and they say the framers didn’t have a crystal ball and couldn’t foresee all the changes in society.

‘And there’s a big debate cause for example with capital punishment, the eighth amendment says no cruel and unusual punishment. Well, the living constitution judges say this cruel and unusual standard is subject to the “evolving standards of decency” while the original intent judges say no, they were hanging horse thieves back then, the same should go now, unless you want to amend the constitution. I guess we’d have to amend it to specifically list all the different reasons where the death penalty would be okay. So it’s all pretty silly but you can see how judges can use these doctrines to prop up their desired outcomes.

‘Anyway, then you have the states’ rights doctrine, which says, on this issue, that the states can use capital punishment any way they want if the Constitution doesn’t forbid it, and you’re back to original

intent versus living constitution as to whether the constitution forbids it. The states' rights people want to defend state laws against federal interference, not just in death penalty cases but also in issues like assisted suicide, gay marriage, medicinal use of marijuana, things like that. But there is a view that states' rights is just code language for conservative ideology, they want the federal constitution to be narrowly construed and the states to be free to do their own thing, which usually turns out to be more conservative, I guess because there are not so many important due process and equal protection problems.

'States' rights analysis leads to crazy problems too, like if you think the states can do anything the constitution doesn't expressly prohibit, then the states can say everybody must get married, or everybody must have three kids, or everybody has to wear red on Mondays, or nobody can drink coffee ever again. Which probably the state can do some of these things consistent with the constitution, except the getting married and having kids part— unless the states-righters get their way, and then anything goes.'

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Daniel Calvin is in his tenth year practicing law, a partner in a 45-member firm that just bought out the boutique employment law firm operated for six years by him and two other lawyers. He sits in his office, half daydreaming, sipping his non-fat latte. Across his computer comes a notice of electronic filing in a case he's never heard of. 'Why am I getting this,' he wonders. He opens the file and finds that three plaintiffs in a federal lawsuit have filed a motion and order asking the court to enroll him as 'co-counsel of record'— not counsel of record— for them. 'What the . . .?' He double-checks the names, he has never heard of these people before in his life. So why are they trying to enroll him as their lawyer, or co-lawyer?

He goes to the electronic docket sheet online and pulls up the plaintiffs' Complaint, to see what this is all about. It's two parents suing on behalf of their son against the local school board, the state department of education, a principal, a teacher, and some sort of security guard. They complain that, based on unlawful race discrimination, the defendants blocked the parents from having conferences with teachers and visiting their son, and 'preventing two way interaction prohibiting development of positive relationship leading to greater progress.' They allege their son had a 'panic attack and heart failure while on campus,' that when they attempted to enroll other minor children their 'applications were not processed immediately,' school board representatives 'harassed and retaliated against them for protected activities even to the point of False swearing' and having a security officer visit them at home 'in an attempt to intimidate Plaintiffs.' They allege they were required to give one day's notice of school visits 'when no whites are required to do so.' They say they were 'told to leave campus without reason or

provocation as [father plaintiff] had been a volunteer tutoring and monitoring minors,' and that 'white teachers had made black males urinate on themselves by not giving restroom privileges to them.' The complaint goes on to list all the different flavors of liability that are described by the foregoing allegations. And of course they ask for damages.

Danny Calvin figures these people must have found him by searching the internet for lawyers who handle civil rights lawsuits. Danny used to do that, right after leaving the big firm, when he was still a starry-eyed idealist. He filed suits for prisoners who were being bitten by spiders or were contracting diseases in their cells, for persons who had been roughed up by cops, for persons who had been roughed up by other pretrial detainees in a holding cell downtown in the two or three hours it took for them to make bail. Those were hard years, unsatisfying and disappointing. You can't make money as a crusader. You have to be a hardcore crusader and not need or care about money, or else you have to give up the crusade. Which Danny has done, and become soft, even physically, thereafter. He lost his hungry edge.

But wait, there are attachments to the lawsuit, papers having no apparent relation to any of the suit's allegations. There are letters from the Department of Veterans Affairs addressed to father plaintiff, advising him that the VA is 'still processing your application for COMPENSATION' and apologizing for the delay. On the bottom of the first letter someone has written, with a pen: 'Remember Those in the 109th & 110th Congress every election get all those members in the unemployment line. Giving Democrats the White house is useless, they do nothing with a majority in the Senate & House. Obviously, they both hate veterans, middle class & Poor Americans. How are the republicans able to block everything that saves lives and brings down gas prices when they're the minority and the democrats couldn't or wouldn't block anything (blood money for scribble etc., etc., etc.) when they were the minority & won't do anything while in the majority?'

Then there's a letter from 20 months later from the VA to father plaintiff saying the same thing, across the bottom of which is scrawled: 'History must record that the 109th & 110th do nothing congress failed America and it's soldiers & veterans. Whose profiting from our denials? Our sacrifices? Our families are suffering, my brothers & sisters in Arms are still dying, over what, WMD's regime change, greed. How about this delay from the U.S. Government? Rats, Roaches, Sewage, & delays & denials, that's what the bush Adm has for Veterans. He went AWOL Not to be one of us. He was smart.'

The final cacography appears on the bottom of a similar letter from the VA: '900 billion spent in Iraq & all we get are denials, delays, & Betrayals. No money for us so called Heros who you Jokingly thank for service. You pay athletes & entertainers 5 million/year while 50,000 soldiers don't make that much. If

we're such heroes, why did George W. Bush go AWOL not to be one of us and Dick Cheney get Five deferments to service? We're not protecting America in Iraq, we're oppressing others & stealing their goods (oil) to drive up prices so coward too lazy & scared to serve can Keep their way of Life. You'll pay black [illegible] while we die for votes & Laughs. Only a Fool cuts taxes while funding a war of occupation & we have a house, senate & Whitehouse full of fools, they only ask soldiers to sacrifice while they get contributions, bribes, & votes, perk, that's why we have a recession. Raise the taxes on super-rich & balance budget-- end recession.'

The suit is filed pro se, i.e., in proper person, i.e., without an attorney. And now they are trying to enroll Daniel Calvin as their co-counsel, not even their lawyer but their assistant lawyer. Danny knows that when somebody files a motion to enroll counsel, the court acts fast to enroll a lawyer. The courts hate having to deal with pro se plaintiffs, they don't know what they're doing and they gum up the works. So when one of them finds, or pretends to find, a lawyer the court wastes no time granting the motion to enroll before anybody changes his mind.

Danny prepares:

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN

AARON WELLS, ET AL.  
VERSUS

CIVIL ACTION NO. 08-462  
JUDGE LAMM

WISCONSIN DEPT. OF  
EDUCATION, ET AL.

MAGISTRATE JUDGE GUIDRY

**OBJECTION TO PLAINTIFFS' "MOTION TO APPOINT CO-COUNSEL"**

NOW INTO COURT comes Daniel C. Calvin, Wisconsin Bar Roll No. 19835, who respectfully objects to the plaintiffs' recently-filed motion to appoint undersigned counsel as co-counsel for them, upon showing the following:

1. Undersigned counsel has never spoken orally or in writing with any of these plaintiffs.
2. Undersigned counsel knows nothing about the facts or legal theories involved in this case.

3. Undersigned counsel has no desire or intention to represent these plaintiffs.
  
4. Undersigned counsel has never discussed with these plaintiffs any fee arrangement for any representation in this or any other matter.
  
6. Undersigned counsel has no obligation to represent these plaintiffs, knows nothing about them or their case, and has no desire or intention to represent them in connection with it.

WHEREFORE, for the foregoing reasons and others, this Court should deny plaintiffs' motion to appoint undersigned counsel as co-counsel for plaintiffs in this case.

Respectfully Submitted:

DANIEL C. CALVIN  
CARLTON, WALKER & DUREL  
12605 South Harrell's Ferry Road  
Suite 600  
Madison, WI

BY:s/ Daniel C. Calvin  
DANIEL C. CALVIN  
Wisconsin Bar Roll #19835

He files his objection electronically within thirty minutes of the plaintiffs' motion. He feels certain he has made it clear to the court that he was basically just struck by lightning with this arbitrary, crazy motion to enroll him as 'co-counsel.' The Court, of course, has the power and the resources to appoint counsel for plaintiffs who qualify on a need-based standard, and the court-appointed advocate would be compensated via the court system by the federal government according to a published and duly enacted pay scale for his hours worked. This is surely what the Court will do in response to plaintiffs' motion— appoint one of its stable of court appointees, rather than make of Danny an indentured servant.

4

The next day, however, Hon. Saklaus Lamm signs:

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN

AARON WELLS, ET AL.  
VERSUS

CIVIL ACTION NO. 08-462  
JUDGE LAMM

WISCONSIN DEPT. OF  
EDUCATION, ET AL.

MAGISTRATE JUDGE GUIDRY

**ORDER**

CONSIDERING THE FOREGOING Plaintiffs' Motion to Appoint Co-Counsel of Record,

IT IS ORDERED that Daniel C. Calvin, Wisconsin Bar Roll #19835, be and he is hereby appointed as co-counsel for plaintiffs in the captioned matter; plaintiffs will continue to serve as their own attorneys with the assistance and advice of appointed co-counsel. The Court has read the Objection filed by Mr. Calvin and finds it to be without merit.

So ordered, this 17th day of March, 2005.

s/Saklaus Lamm  
Judge Saklaus Lamm

This being the worst of all possible worlds for Danny, who now has to work for free for crazy clients who will have the final say in how their case proceeds. Danny feels helpless, and he is.

It's little things like this, subtle, maybe not even overtly injurious to the justice system, but certainly overstepping or at least unduly exploiting the authority inherent in the black robe, that put the whole lot of these guys in the crosshairs.

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Former Congressman Harold Brown is in trouble, in fact he's in jail now, having been convicted of

bribery in connection with awarding contracts for federal projects and sentenced to 10 years by Hon. Julius V. Chamberlain, IV. Brown's crack legal team now asserts Judge Chamberlain should not have been allowed to hear Brown's case, based on a state court lawsuit Judge Chamberlain previously filed arising out of a car accident:

JULIUS V. CHAMBERLAIN, IV      RHODE ISLAND SUPERIOR COURT  
VERSUS                                      PROVIDENCE COUNTY  
RAMAKRISHNA JUNEJA                      NO. 39847

**PETITION FOR DAMAGES**

NOW INTO COURT, through undersigned counsel, comes Julius V. Chamberlain, an individual of the full age of majority residing and domiciled in Providence County, Rhode Island, who with respect represents:

1. Made defendant is Ramakrishna Juneja, an individual of the full age of majority residing and domiciled in Providence County, Rhode Island.
2. On or about June 12, 2005, at approximately 3:20 p.m., plaintiff was operating a 2004 Lotus Elise on Terrace Avenue near its intersection with Hatchell Boulevard in Providence, Rhode Island, within the jurisdictional territory of this Court.
3. Defendant, Ramakrishna Juneja, was at the time and place above described, operating a 2001 Mazda 6, Rhode Island license plate #RSV428, proceeding in a northerly direction on Terrace Avenue.
4. Defendant, at the above described time and location, violently and without warning drove his automobile into the rear portion of plaintiff's vehicle.
5. The acts of fault, gross and wanton negligence, and lack of skill by defendant, which were the proximate cause of the collision and the resulting damages to plaintiff's vehicle and personal injuries to plaintiff, were as follows:

a. Failing to keep a proper lookout.  
b. Failing to have his automobile under control so as to keep it from striking plaintiff's vehicle.  
c. Failing to steer his automobile properly so as to avoid striking plaintiff's vehicle.  
d. Failing to apply the brakes properly on his automobile so as to bring it to a stop before colliding with plaintiff's vehicle.

e. Failing to properly maintain and inspect his vehicle, and operating a vehicle which he knew or should have known was unsafe and dangerous.

f. Such other acts and omissions as will be shown on the trial, all of which were in contravention of the exercise of due care, prudence, and the laws of the State of Rhode Island and the County of Providence, which are specially pleaded herein as if and as though copied in extenso.

6. As a result of the collision sued upon, plaintiff has incurred property damage as follows: repairs, loss of use, rental vehicle expense, and other expenses.

7. As a result of the collision sued upon, plaintiff has suffered severe and extensive injuries to his back, neck, and wrists, causing him to incur significant medical expenses and undergo pain and suffering, emotional distress, mental anguish, and other injuries and elements of loss, for which defendant is responsible to compensate plaintiff.

WHEREFORE, plaintiff, Julius V. Chamberlain, IV, prays that due proceedings be had and there be judgment in his favor and against defendant for all damages as are reasonable in the premises, together with legal interest from date of judicial demand until finally paid, for all costs of these proceedings, and for such other and further legal and equitable relief as the Court shall deem necessary and proper.

Respectfully submitted:

Joel S. Choper, Attorney at Law

Plaintiff, Judge Chamberlain's, deposition given in that case contains the following exchange:

Q. Were you taking medication for your injuries during the months following the accident?

A. Of course.

Q. Were you prescribed painkillers?

A. Yes. I was in a lot of pain.

Q. Were there any side effects of the painkillers?

A. They made me groggy, you know, I was taking large doses for a while, there was so much pain in my back and neck.

Q. Did you have to miss any work as a result of your injuries?

A. No, I have a busy docket, I have to make sure the trains run on time. If I'm not there, it inconveniences a lot of people.

Q. What painkiller were you taking?

A. Lortab.

Thereby effectively admitting that he was or at least may have been impaired as a result of using serious narcotic analgesics during the time he presided over Congressman Brown's criminal trial. Brown's lawyers say that during the federal criminal trial, Judge Chamberlain seemed 'disengaged' and actually dozed off a couple times.

When Judge Chamberlain settled his state court personal injury suit, the judge's testimony and that of his treating physicians, psychiatrist, and psychologist was sealed. Brown's lawyers file papers in state court to try to unseal those records. Judge Chamberlain orders that the evidence in his state court accident case be removed from state court and transferred to federal court, there to be sealed once and for all, in

order to avoid 'irreparable injury to a national interest.' Congressman Brown is stuck in jail. The judge has no comments for the media despite public uproar.

In 1971 the United States government alleged that publication of material from a classified report on the history of American involvement in Vietnam, known as the Pentagon Papers (actually entitled 'United States - Vietnam Relations, 1945-1967: A Study Prepared by the Department of Defense,' commissioned by Secretary of Defense Robert S. McNamara in 1967), could cause 'irreparable injury to the national interest,' and obtained injunctions to prevent publication of the material by the New York Times. The Times took the case up to the U.S. Supreme Court and argued that the government had failed to show irreparable injury. The Court agreed and lifted the injunctions. Each of the nine justices wrote a separate opinion in the Court's 6-3 ruling. *New York Times v. United States*, 403 U.S. 713 (1971).

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Supply list, continued:

Polonium 210. Polonium is a chemical element, symbol Po, atomic number 84, discovered 1898 by Marie and Pierre Curie. It is unstable, all its isotopes are radioactive.

Nuclear. Terrorism. On November 1, 2006, Alexander Litvinenko, a former officer of the Russian Federal Security Service who escaped Russian prosecution and received political asylum in Great Britain, suddenly fell ill and was hospitalized. He died three weeks later from a small but lethal dose of polonium 210, which induced acute radiation syndrome and ravaged his body (the poison had never before been used or diagnosed as such). On his deathbed, Litvinenko, 44, accused Russian president Vladimir Putin of conspiring to kill him.

You can carry polonium 210 in a vial of water through airport screening contraptions and not set off any alarms. Polonium 210 does not suggest poison for days after it is ingested, so you can get away cleanly. It can take a few weeks to kill, and it provokes a torturous and spectacular demise.

Anti-static brushes sold to photographers have a strip of polonium that neutralizes static electricity. It is possible to obtain 2.5 times the lethal dose of polonium 210 from static eliminator modules for less than \$100.

5

Troy Theriot was an All-American defensive tackle at LSU. He went on to play five years for the Miami Dolphins before blowing out a knee, at which time he returned to his home town of Shreveport and, capitalizing on his fame, opened Theriot's Cajun Seafood Restaurant. It's where Sammy and Rebecca Bankston went on their first date, more than twenty years ago. And it's where they will spend their 19th anniversary evening, a fact the judge has made known to everyone paying any attention, including me.

I've been to Theriot's a couple times and I'm familiar with the waiters' uniform here— apparently it's Wal-Mart issue black pants and white button-down shirt, with a tie of your choosing, for guys and gals alike. So I show up early with my waiter attire and hold off in my car for the Bankstons to appear. Soon enough, here they are, he in a seersucker suit and she in a preppy sundress. Still hanging back, I see them get seated at a cozy table in a dim corner of the restaurant.

I go over to the waiter who is handling the adjacent table and will obviously be handling the judge and Mrs. Becky, and I explain to the waiter that tonight is my first night and I'm just training and I'm supposed to help him with his tables, I won't expect any portion of the tips. He hesitates, shrugs his shoulders, and instructs me to 'just stay out of the way and pay attention.'

So I stand just behind his right shoulder as he introduces himself to Judge and Becky Bankston, 'My name is Jason and I'll be your waiter this evening. What can I get you to drink?'

'A bud light for me and a cosmopolitan for her,' says Sammy.

'Bud light and a cosmopolitan, can I get you guys started with an appetizer, the crab cakes are very good.'

'No thanks.'

Jason puts the order in at the bar and gestures for me to follow him to the kitchen area where we pick up some crab cakes and deliver them to table seven. I make a big show of observing Jason carrying the tray and setting down the plate and two little saucers and the sauce, etc. We return to the bar and the Bankstons' drinks are ready. Jason places them carefully on his tray and together, with me following, we bring them to Mr. and Mrs. Bankston. Jason politely takes their order, grilled tilapia (Sammy's favorite, through good research we knew this in advance— indeed this is the inspiration for the choice of puffer fish for Sammy) for the judge, gulf shrimp au gratin for the missus.

More of me following Jason, while, following a sip of beer from his frosty pilsner glass, a moustache of white foam on his upper lip, Sammy says, 'I tell ya, Becky, I just don't know what's happening in this

country. I heard today on the radio that in five years there will be no majority race in California and in 50 years no majority race in the whole country. We have an Indian from India in the governor's mansion and a black in the White House.'

'I know, it's a shame,' says Becky, sipping cosmopolitan.

'I mean, the blacks have already taken over the NFL and the NBA, and Major League Baseball is full of Mexicans and Dominican Republic guys, even look at Tiger Woods takin over golf.' The judge thinks his voice may have become too loud. He looks around and in a lower voice offers, 'Thank God for NASCAR.'

Becky joins in, 'And you know how they have the NAACP, what do you think they'd do if we had a National Association for the Advancement of White People?'

'They'd go crazy and riot, that's what they'd do,' Sammy points at her and then the table, 'call us racists, like they always do. What gets me is all these TV shows and movies that make white men look like clueless idiots.'

'That's true.'

After a pause and another sip, Sammy says, 'You know, speaking of Bobby Jindal, they had a Supreme Court case from the '20's right after World War I, the guy was an American veteran and he was Indian an he was trying to prove he was Caucasian so he could become a naturalized citizen. Well the judges looked at the definition of Caucasian and they found that the guy had traces of Aryan blood by heritage. But the Court said he was still not white "within the understanding of the common man," so he was classified as Asian an he couldn't be a naturalized citizen. Of course now they're considered white I guess and even if they're not white they can still be governor or even president so what's the difference.'

Looking at her glass, slightly shaking her head, 'It doesn't make any difference anymore.'

I'm nervous now, the Bankstons' entrees are about to come up, I have a lethal portion of fugu, about the size of a quarter, actually in my pocket, wrapped in foil. Jason goes over to talk with another waiter. I deftly remove the portion of puffer fish from my pocket, unwrap it, and place it on the judge's plate, right up against his tilapia, it blends in nicely, as soon as the plates come up. Jason comes over and we walk the Bankstons' daily bread to their table.

'Here you go,' says Jason as he situates the plates in front of them. 'And, can I get you anything else right now? No? If you need anything, just let me know.'

Jason and I leave them to their meal. I watch them closely as I shadow Jason to other tables.

Sammy Bankston stabs the fugu with his fork right off the bat.

'Looks good. Smells good too,' he says to his bride as he puts the morsel into his mouth. Within

fifteen seconds the judge's face shows worry. His tongue and the inside of his mouth are tingling. The tingling spreads, the judge touches his lips they are becoming numb.

'Something's wrong, my mouth is tingling and...,' he tells Becky.

'What's wrong?'

'I don't know, my mouth is tingling. I feel light... dizzy. I think there's something wrong with this fish.' He waves for Jason to come over and he feels tightness in his chest. Jason finally comes over but the judge cannot speak, the whole bottom of his face is numb, paralyzed.

Sammy tries to stand up but collapses. He lays on his back, unable now to move, staring at the ceiling, fully aware but unable to communicate by speaking or even by gestures.

Becky is now hysterical, shrieking, 'Sammy. Somebody help. Sammy.'

Jason leans over and examines Sammy. He would try CPR if he knew how. I stand back out of the way.

A customer from another table, a doctor, walks over. 'I'm a doctor. What is the problem?' he asks.

Becky shrieks: 'We don't know. I think there was something wrong with the fish. Can you help him?'

'What is his name?'

'Sammy Bankston.'

The doctor goes to one knee. 'Mr. Bankston?'

Sammy tries but he can't do anything. His mind is racing, he's trapped.

The doctor sees that Sammy's face is flushed and that he is now shaking. He feels Sammy's neck for a pulse, it's very fast. The doctor is at a loss to know what's happened. He directs Jason to 'call for an ambulance.' Then he continues, 'Mr. Bankston? Mr. Bankston? . . .' He asks to see the fish, Becky hands him the plate but it's only tilapia, Sammy ate all the fugu.

The paralysis spreads. Sammy is drenched in sweat, his heart starts to beat irregularly and feels like it's going to pound right out of his chest. He feels weak and now he sees spots flashing before his eyes. He feels like he has to throw up. Now Sammy is having difficulty breathing. Unable to cry out for help, he is frantic inside his skull. Respiratory arrest is the cause of death, on the ambulance, about 20 minutes after ingestion.

These ye shall eat of all that are in the waters: all that have fins and scales shall ye eat: And whatsoever hath not fins and scales ye may not eat; it is unclean unto you. Deuteronomy 14:9-10.

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Article III, section 1, of the U.S. Constitution provides in relevant part: ‘The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services a Compensation which shall not be diminished during their Continuance in Office.’ The key term here is ‘good Behavior,’ defining the circumstance during which a federal judge shall hold his office. Who gets to decide what constitutes good Behavior and when a judge has failed to meet this standard? Shouldn’t it be the ‘we the people’ who ‘ordain and establish’ the constitution (the only alternative seems to be the ‘necessary and proper’ clause of Art. 1, Sec. 8, a narrow reed indeed)?

As you can see, I am merely enforcing authority vested in me by the constitution itself– a higher law, according to the constitution’s Supremacy Clause, than any state law: ‘This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the contrary notwithstanding.’ U.S. Const. art. VI, Paragraph 2.

And my position is further buttressed by the Declaration of Independence, which provides:

‘We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty and the pursuit of Happiness. – That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, – That whenever any Form of Government becomes destructive of these ends, it is the Right of the people to alter [sic] or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to affect their Safety and Happiness...

‘But when a long train of abuses and usurpations pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security...’

And among King George’s offenses we find he is liable ‘For depriving us in many cases, of the benefit of Trial by Jury.’

Finally, the authors of the declaration appeal ‘to the Supreme Judge of the world for the rectitude of our intentions,’ I can’t think of a higher authority.

I’m pursuing liberty and happiness. These judges derive their power from my consent, which they don’t have. So it’s my right to abolish and institute new, which will make us happy and secure. There’s

been a long train of abuses and usurpations, it's my duty to throw them off.

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Val plays golf almost every Saturday March through October, usually at Quail Point Country Club. Because he loves his Lotus Elise so much, I've chosen a suitable method of addressing my concerns. The car's chassis is a Lotus-designed lightweight structure of epoxy bonded aluminum extrusions; its exterior is an RTM composite fiberglass body; its 189 horsepower engine goes 0-60 in 4.9 seconds, and its top speed is 150 mph.

While Val is out on the links, I ride up to the parking lot on a bicycle, having left my car about a quarter-mile up the road. I'm wearing baggy blue pants and a dark blue short sleeved work shirt, both with black grease stains, and a dirty dark blue baseball cap. I have a messenger bag slung around my shoulder. The doorman asks me what I'm doing, I nonchalantly tell him Mr. Chamberlain asked me to check his oil pan for a leak and that's what I'm here to do. I park my bike next to the Lotus and from my messenger bag pull out the VBIED. In an instant I have stuck it to the undercarriage by means of a big magnet. I get back on my bike and ride out, saluting the doorman as I go by, 'You can tell Judge Chamberlain there's no problem with his oil pan.'

Val is out there, with his golf partner, early this Saturday morning, sitting on the golf cart and drinking coffee out of a Styrofoam cup.

'Whoa, Val, is that a Styrofoam cup? What happened to the environmentalist/recycler in you?' It's Parker Post, whose daughter, like Val's (from his 'second family,' after leaving Robin for a younger woman), attends the French immersion elementary school in Providence.

Val takes another sip and says, 'Had to take what I could get, believe me, you do not want to see me without my morning coffee.'

'I know what you mean, I need my rocket fuel, too. Hey, did you see how the Bruins game turned out last night?' Parker says, as he tees up the ball and takes practice swings with a driver.

'No, we don't have a TV.'

'Oh God, I forgot, I don't know how you do it.'

'Parker, there are these things called books...'

'But you do go to movies, right?'

'Occasionally, yes.'

'Did you see Mission Alaska? That was great, we saw it Thursday night.'

'Yeah, I saw it. The representation of Eskimos was offensive.'

'Easy, Val. You know, we finally finished remodeling the kitchen this week. We'll have to have you and Nicole over for dinner.'

'Oh, good for you. I'd like that. Still happy with your location?'

'Couldn't be happier, it's a cool old building in an up-and-coming part of town. It's much more real, more authentic than the suburbs. A gay couple just moved in downstairs. In a couple years it'll triple in value, just watch.'

After more of this conversation, and nine holes of golf, Val and Parker retreat to the clubhouse, where they play cards while drinking microbrews. An hour or so later Val leaves the clubhouse and heads to his car. As he approaches the Lotus, the valet waves at him: 'There's no problem with your oil pan.'

'Was there supposed to be a problem?' asks Val.

'The guy came on the bike, said he was checking for a problem with your oil pan.'

Val doesn't know what to make of this. 'Are you sure it was my car?'

'That car right there, yes, sir.'

'But I didn't ask anybody to...'

He decides to drop it. There must be some confusion or miscommunication. At least he knows there is no problem with his oil pan. He gets into the driver's seat. He starts the engine without incident. Now he backs out of his parking space and then pulls forward and out of the parking lot, then down the curved driveway leading out of the club. Smooth riding. There is a slight dip, though, from the driveway to the road. And even though Judge Chamberlain tries to take it easy for the sake of his suspension, the tilt fuse works its magic. I see the judge and his car explode in an ear-splitting fireball that throws nails hundreds of feet-- some stick straight out of the club's stucco facade. The burnt frame of the Lotus Elise releases yellow and orange flames that crackle and hiss, the smell of burnt fiberglass and leather permeates the air now. The valet runs over to the car but he knows no one could have survived that blast.

6

Q. Do you intend to claim responsibility for these actions?

A. Of course not.

Q. Then how will you make your demands known?

A. I have no demands other than that these judges die. This is terrorism for terrorism's sake.

Q. But your goal is not really that these particular judges die, is it?

A. These particular judges and all their brethren. I do want to terrorize them all but it is not my job to clean up their act or to make them clean up their act. This is about retribution, not rehabilitation.

Q. You've told me how you arbitrarily chose these individuals. Why did you choose three and not two or four or six or some other number?

A. Well as you know, three is a magic number. It's a prime number, I think all prime numbers are important. It corresponds to past, present, and future; to liberty, equality, and fraternity, the great ideals of the French Revolution; to our court admonition to witnesses to tell 'the truth, the whole truth, and nothing but the truth.' To the three stars of Orion's belt; to the Id, Ego, and Superego; to the three spatial dimensions. It's the father, mother, and child; it's the Father, Son, and Holy Ghost. It's Jesus rising on the third day, and it's the Three Stooges. It's hope, faith, and charity.

\*\*\*

I chose polonium 210 for Judge Saklaus Lamm because he is famous for eating California navel oranges, two or three a day, every day. He is scheduled to appear and speak at a continuing legal education conference in Eau Claire, Wisconsin. I'm present at the conference and I've got a lethal dose of the isotope in a syringe in the right outside pocket of my suit coat. I've been sitting right behind Klaus all morning, waiting for my opportunity. Before it's Klaus' turn to take the podium, while he's gone to the

bathroom or to get some coffee or to make a phone call, I cleanly and quickly remove the syringe from my coat pocket and insert its needle right through the thin plastic bag and into the orange encased therein, all while the orange and plastic bag are nestled in a black canvas bag on Lamm's chair. I push the poison through and into the orange's flesh. The whole operation takes only a few seconds and I am undetected.

It's his time to talk and Judge Lamm encourages lawyers to render pro bono public interest legal services to persons who can't afford them. He discusses at length American Bar Association Model Rule of Professional Conduct 6.1:

1. Every lawyer has a professional responsibility to provide legal services to those unable to pay. A lawyer should aspire to render at least (50) hours of pro bono publico legal services per year. In fulfilling this responsibility, the lawyer should:

(a) provide a substantial majority of the (50) hours of legal services without fee or expectation of fee to:

(1) persons of limited means or

(2) charitable, religious, civic, community, governmental and educational organizations in matters that are designed primarily to address the needs of persons of limited means; and

(b) provide any additional services through:

(1) delivery of legal services at no fee or substantially reduced fee to individuals, groups or organizations seeking to secure or protect civil rights, civil liberties or public rights, or charitable, religious, civic, community, governmental and educational organizations in matters in furtherance of their organizational purposes, where the payment of standard legal fees would significantly deplete the organization's economic resources or would be otherwise inappropriate;

(2) delivery of legal services at a substantially reduced fee to persons of limited means; or

(3) participation in activities for improving the law, the legal system or the legal profession.

In addition, a lawyer should voluntarily contribute financial support to organizations that provide legal services to persons of limited means.

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Somebody needs to tell these judges that many of us lawyers provide free services every. single. day. To folks who can't or just won't pay, and they're ungrateful. We talk to them on the phone and tell them not only that they don't have a case but why they don't have a case, including a mini legal education on the particular area of law that concerns them. We're polite, we hope they will like us and will return to us when they actually do have a viable case, or they'll refer to us a friend or family member who has a good case. But that rarely happens.

Lamm finishes his speech, eats his orange, and begins to experience some symptoms. No one suspects poison for days, by which time I am far away and off the radar. When he dies, my name is in no one's mind as that of a possible suspect.

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It's a shame judges have to die. With any luck, they'll learn what their jobs are and how to do them, and they will do them. Until then, things must be made right.

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