

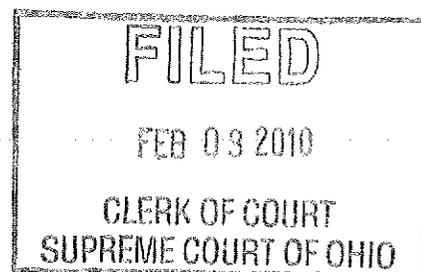
ORIGINAL



Dave Palmer
The Watchdawg
Email: Noethics1@aol.com
URL: www.noethics.net

February 2, 2010

Thomas J. Moyer
Chief Justice Ohio Supreme Court
65 South Front Street
Columbus, OH 43215



Re: Recusal from Pending Appeal – No. 2010-00524

Dear Chief Justice:

The Code of Judicial Conduct *mandates* your recusal in any proceeding in *which your impartiality might reasonable be questioned*. (Ohio Code of Judicial Conduct – Rule 2.11)

As you well know, it would be a monumental waste of time to set forth herein the irrefutable facts proving your *actual bias* against me (ca. 1987-2010). Suffice it to say that the record proves that there exists a mutual feeling of contempt and animus between us. Any suggestions to the contrary wouldn't pass the involuntary laugh test.

In response to complaints I've filed in the past, you've called me a liar and demanded that I be found in contempt and for the imposition of thousands in sanctions for filing frivolous complaints. All of your demands were summarily dismissed by the courts and/or the Ohio Elections Commission as being without merit, which they were.

Over the years, numerous news articles have been written about my investigation of and reporting on your gross misfeasance in office, including, but not limited to the visiting judge fiasco and abuses involving state provided cars to you and the other justices.

From 2000 through Jan. 2010, well over 700 articles have been written about my ongoing efforts to expose judicial/attorney and/or public misfits. Front page stories have appeared in the *Wall Street Journal*, *USA Today*, *Columbus Dispatch*, *Akron Beacon Journal*, *Toledo Blade*, *Dallas Morning News*, *Houston Chronicle*, *Brownsville Herald*, *The Other Paper*, *Cleveland Scene*, *La Prensa*, *The City Paper*, the *Delaware Gazette*, and the *San Antonio Express-News* just to mention a few. (See "Watchdog in the News at www.noethics.net)

There have been at least 9 Editorials/Op-Ed pieces written about you, none of which were complimentary. Moreover, there have been well over 100 articles written by Ohio papers/magazines in regards to my ongoing expose of your gross misfeasance/misconduct.

As you well know, there are at least 23 articles that I've written and published on my web site at www.noethics.net under "Ohio Reporter" that specifically expose your gross misfeasance and/or gross misconduct. Examples are as follows:

Chief Justice Thomas Moyer – Hypocrisy/Arrogance re: Merit Selection of Judges

<http://tinyurl.com/yknqp9m>

Is Ohio Chief Justice Thomas Moyer Intellectually Insolvent?

<http://tinyurl.com/vbftk3h>

Ohio Chief Justice Thomas Moyer - Tax Cheat Extraordinaire? - You Betcha!

<http://tinyurl.com/metggc>

Did Ohio Chief Justice Thomas Moyer steal a set of Goodyear tires?

<http://tinyurl.com/kweyou>

Additionally, my first publication of "Judicial Misfits" was specifically dedicated to you due to the fact that you were solely responsible for providing me with the impetus/inspiration in authoring it. An autographed copy of the book and accompanying CD titled: "Dedicated to the One I Love" by the Shirelles was personally delivered to you shortly after its publication (available at Amazon.com @ <http://tinyurl.com/y8wss88>).

When one searches your name (Chief Justice Thomas Moyer) on Google along with keywords such as Amoral, Corrupt, Judicial Misconduct, Watchdog, Bigot, Embezzler, Ethics, Visiting Judge and/or Dishonest, etc. articles I've written about you are No. 1.

No reasonably intelligent person with an I.Q. higher than the legal speed limit for semi-trucks on I-270 in Columbus would or could conclude that I could receive a fair hearing from you. To so argue would be analogous to asserting that the unfortunate Jews at Auschwitz did in fact receive humane and fair medical care from Dr. Joseph Mengele.

The U.S. Constitution entitles every person regardless of race; ethnicity, social standing, gender and/or sexual preference to have their cases adjudicated by a judge/justice who is not biased in any manner. This would include judicial watchdogs engaged in First Amendment expression in exposing Judicial Misfits/Miscreants such as you and/or your brethren.

In addition to the above irrefutable facts of *actual bias*, you have also engaged in ex parte communications regarding pending matters in your court that specifically dealt with me with (1) the *Columbus Dispatch*, (2) adversaries involved in said appeals, and (3) retired judges that you foisted upon me over and over again in your ongoing desire to "get even" with me for exposing your gross misfeasance in office.

The ongoing animus, hatred and/or outright contempt that we hold for each other would render the infamous dispute between the Hatfield's and McCoy's to be akin to a love fest.

Over the past 15 years, I have repeatedly asked you to recuse yourself from cases I've been involved in that came before your court. On each occasion, you've ignored my specific requests. Put simply, you conveniently invoked your 5th Amendment right to remain silent!

It is now time for you to recognize your prior failings in conducting yourself in accordance with the mandatory recusal requirements of the Ohio Code of Judicial Conduct and more importantly, the U.S. and Ohio Constitution.

With all due respect, I implore you to exhibit a modicum of judicial integrity and afford me at least one opportunity for a fair hearing by (a) immediately withdrawing from this matter and (b) by not assigning a replacement for you and/or any other Justice who abides by my recusal request (Justices O'Donnell, O'Connor, Stratton and/or Lanzinger).

For the purpose of expediency, I am sending this letter via email. Please assure that I receive a response to this recusal request by the close of business on Friday, February 5, 2010. And please do so by electronic mail (email) at noethics1@aol.com.

Thanks for your time and attention to this serious matter and I look forward to your prompt reply.

David Palmer
The Watchdog
1720 Creekside Dr., Apt. 2108
Folsom, CA 95630

cc: David R. Phcils, Jr. – Appellee

Uhlich, Melissa

From: noethics1@aol.com
Sent: Tuesday, February 02, 2010 8:55 AM
To: Moyer, Tom
Subject: Recusal letter from David Palmer re: Sp. Ct. Case No. 2010-0054
Attachments: moyer recusal letter feb 2010.doc

Dear Chief Justice:

Please find attached hereto a 3-page letter asking that you immediately recuse yourself from this pending appeal.

Please do respond at your earliest convenience via email transmission.

Sincerely,

Dave Palmer
The Watchdawg