

Derek C. Syphrett
Pro se litigant (Defendant)
252 Fountayne Ln,
Lawrence Township, NJ 08648

August 13, 2014

POSTAL SERVICE W/ RETURN RECEIPT VIA THIRD PARTY VENDOR

Judge Bookbinder, Judge Call, Judge Tomasello, Sharyn Sherman, and Court Clerk
Superior Court of New Jersey, Chancery Division, Family Part (Burlington County)
49 Rancocas Rd
Mount Holly, NJ 08060

RE: Judge Bookbinder's Court Orders create *Forum non conveniens* / appearance of bias / Hostile Environment for my litigation.

Dear Judges and court staff:

Please be advised that I have submitted a motion and exhibits in FV-03-1154-14 that clearly and convincingly demonstrate that the Superior Court Family Part of Burlington County did not properly handle my legal matters, nor did the court properly address my concerns about the court files sent from Mercer County as I originally requested via telephone around 1/31/2013 and via my 2/4/2014 letter to Judge Call and Judge Bookbinder (see enclosure).

I am extremely concerned and frankly upset that the court failed to allow me to be fully heard in FV-03-1154-14 despite the court orders and promises of Judge Marbrey that my 6/7/2014 motion and my concerns about the courts failure to properly handle my immediate appeal would be handled appropriately by the court.

Worse:

Judge Bookbinder actually saw fit to punish (sanction) / restrain me for communicating with the court via letters which SPECIFICALLY ADDRESSED MY CONCERNS THAT THE CASE FILES YOU RECEIVED FROM MERCER WERE DEFECTIVE AND INCOMPLETE.

Worse Still:

I REQUESTED TO EXAMINE THESE FILES PRIOR TO THE TRIAL IN FV-03-1154-14 PRECISELY SO THAT THE PLAINTIFF AND I WOULDN'T BE BURDENED BY THE COURTS FAILURE TO KEEP AN INTACT FILE.

Worse Still:

The court denied my access to the court files until after FV-03-1154-14 was scheduled for trial and the court proceeded without reviewing or appropriately handling the motions I timely filed with the court.

The result is:

The court has now created a circumstance where it appears needlessly and maliciously hostile toward my communication with the court for information that is important and necessary for my ability to properly address the litigation that was put before the court by the Plaintiff (albeit based upon false allegations which are also clearly refuted by the exhibits filed in the "missing" motions that I have now re-sent to the court in my latest motion).

I do not believe that it would be appropriate for the trial or further hearings of this matter to move forward in Burlington's court facilities.

Judge Bookbinder has clearly prejudiced my ability to get a fair and efficient trial in Burlington as is evident by the events described above.

Again: rather than allowing me to review the file as I requested in my 2/4/2014 letter, Judge Bookbinder instead chose to hold a status hearing on 2/6/2014 and where he:

1. mocked me for sending a letter to the court about my concerns:
2. claimed that he couldn't understand my letter or why I sent it (when the letter is quite clear with regards to the ends it sought).

NOTE: The letter was well understood by my lawyer and family members, so Judge Bookbinder's mock concerns / confusion frankly appear on their face to be nothing but a dirty trick by a malicious judge in cahoots with the Mercer County Judges / Court Staff that altered my case file. SEE ENCLOSURE.

3. Used my letter requesting access to my file as an excuse to prohibit me from calling the court or appearing in court without EXPRESS PERMISSION from a Superior Court Judge

All of the above issues have created a circumstance where I feel unwelcomed and unsafe in the Burlington Courthouse. I also feel that the communication regime between the courthouse and myself is an impediment to my ability to proceed with the litigation before the court or to get timely information about the status of the pending motions trial / hearing date. This further complicates my ability to timely send subpoenas etc.

FOR THE ABOVE REASONS:

MOTION FOR RELIEF IN LIEU OF WRIT:

1. I REQUEST ALL MY CASE FILES BE TRANSFERRED TO ANOTHER COURT HOUSE WHERE THE APPEARANCE OF FAIRNESS CAN BE RESTORED GIVEN THAT IT NO LONGER EXISTS IN BURLINGTON COUNTY, DUE TO THE CONDUCT, COURT ORDERS, AND MISHANDLING OF MY PRIOR MOTIONS.
2. I REQUEST THAT JUDGE BOOKBINDER ISSUE A WRITTEN APOLOGY TO THE PLAINTIFF AND TO MYSELF FOR NOT ALLOWING ME ACCESS TO THE CASE FILE IN FV-03-1154-14 PRIOR TO THE TRIAL DATE, AS HIS FAILURE TO FULLFILL HIS PRUDENTIAL ADMINISTRATIVE DUTIES HAS NOW BURDENED THE PLAINTIFF AND I WITH ADDITIONAL LITIGATION THAT WOULD NOT HAVE BEEN NECESSARY HAD THE COURT CONFIRMED THAT IT RECEIVED THE ENTIRETY OF THE CASE FILE AND MY PRIOR MOTIONS.
3. I REQUEST AN EMERGENT STATUS HEARING BE HELD TO DISCUSS MY GRAVE CONCERNS ABOUT THE HOSTILE ENVIRONMENT THAT HAS BEEN CREATED IN BURLINGTON WITH REGARD TO MY ACCESS TO THE COURTS AND JUSTICE.

NOTE: I VIEW THE COURTS ACTIONS TO DATE TO BE AN EXTENSION OF OBSTRUCTIONS OF JUSTICE THAT BEGAN IN MERCER COUNTY

4. I REQUEST THE PREVIOUSLY ISSUED RESTRAINTS OF MY ACCESS TO THE COURT BE IMMEDIATELY VACATED – AS CURRENT FACTS VINDICATE MY EARLIER COMMUNICATIONS AS BEING TIMELY, NECESSARY, AND APPROPRIATE.

5. I REQUEST THAT JUDGE BOOKBINDER USE THIS OPPORTUNITY TO RECUSE HIMSELF FROM FURTHER INVOLVEMENT IN THIS MATTER INCLUDING THE ASSIGNMENT OF THE CASE PURSUANT COURT RULE 1:12-1(g) as I believe and I have confirmed that reasonable people such as Tamora Syphrett, Melissa Syphrett, FBI agent Addison, John Rooney, Esq, etc all believe that I will not have a fair hearing in Burlington County due to the past and present actions of Judge Bookbinder and his failure to address fundamental issues of fairness and efficiency.

Please call me immediately to schedule a status hearing because I should not have to wait much longer to finally have this long-lived case dealt with appropriately by the court nor should I be further burdened with the uncertainties created by the court's failure to provide due-process under the law.

Please kindly see the enclosed letter from 2/4/2014 which clearly and convincingly shows that I tried very hard to avoid having my prior proceedings damaged by the actions of Mercer County's court staff (removal of my previously filed motion papers from the case file). The court should be ashamed that it didn't heed my concerns in a timely manner – its an outrage!

Lastly:

Please note that the F.B.I. Filed two investigations regarding the actions of the Mercer County Court Staff and Sheriff's Office. Both F.B.I. Files recommended prosecution and I continue to work with the U.S. Attorneys office and investigative reporters to fully expose the injustice that I've suffered for simply trying to get a fair trial.

Very Respectfully,

Derek C. Syphrett

P.S.

I've been extremely patient under the above described circumstances. I believe your agencies & personnel are continuing a pattern of abuse that began with my kidnapping on 8/19/2013.

cc: Kathryn Bischoff (Pro Se Plaintiff) – **Court Clerk To Deliver Copy Pursuant “Procedure Manual”**

cc: Jennifer Millner (Plaintiff's counsel) / Margaret Wallace Plaintiff

cc: Lawrence Sheller, Esq (consulting lawyer).

cc: Judge Glenn Grant, J.A.D.

cc: Advisory Committee on Judicial Conduct

cc: Chief Justice Rabner

cc: Anonymous Investigative Journalists

cc: F.B.I.

cc: U.S. Attorney's Office (RE: FBI Investigation of Color of Law Abuses related to this matter)