No. 21-730

In the Supreme Court of the United States

'LANRE O. AMU,

Petitioner,

v.

ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION OF THE SUPREME COURT OF ILLINOIS,

Respondent.

On Petition for a Writ of Certiorari to the Supreme Court of Illinois

PETITION FOR A WRIT OF CERTIORARI

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NOVEMBER 12, 2021
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QUESTIONS PRESENTED

1. Whether in light of the public Oaths taken in The Name of God to faithfully and impartially discharge the duties of the office, the seven Justices of the Illinois Supreme Court are not paying lip service to racial justice in Illinois, and are not tacitly condoning racism, race (black) and national origin (Nigeria) discrimination and xenophobia, against the Petitioner, 'Lanre O. Amu, a black African-immigrant attorney, that they suspended from the practice of law since 2013, for filing ethics complaints that in their narrative impugned the integrity of Judge Lynn M. Egan and others, when nobody took an Oath to articulate any wrongdoing by the Petitioner at the "adversarial" attorney disciplinary hearing orchestrated to suspend his law license.

2. Whether the Respondent, the IARDC, has the authority to commence disciplinary proceedings against the Petitioner to gain the upper-hand in their dispute, to discredit the Petitioner, and to get the Petitioner suspended from the practice of law, because the Petitioner refused to go along with the IARDC's refusal to investigate Petitioner's July 21, 2011 ethics complaint against IARDC's cronies, and because Petitioner threatened to sue the IARDC in the federal court and to also report the matter to the U.S. Department of Justice, when Crain's Chicago Business' March 1, 2014 independent investigative report later confirmed *in toto* the merits, the sanctity, and the truth of the tip of the iceberg of Petitioner's July 21, 2011 ethics complaint that IARDC had denied, suppressed, and claimed was false to get Petitioner suspended from the practice of law.

3. Whether the Respondent, the IARDC, its Hearing Board, its Review Board and the Justices of the Illinois Supreme Court did not conspire to subject the Petitioner to sham and psychologically abusive attorney disciplinary proceedings as vehicle to suspend Petitioner's law license in 2013 on claims that the Petitioner lacked evidence to prove the judicial corruption he alleged in his ethics complaints when in fact the IARDC Hearing Board ignored Petitioner's credible uncontradicted, unimpeached, logical, and irrefutable evidentiary testimony at the hearing, and the Illinois Supreme Court in tandem quashed all of Petitioner's subpoenas to compel witnesses in Petitioner's defense.

4. Whether the seven Justices of the Illinois Supreme Court did not deny the Petitioner a Fair Hearing in 2021 by giving credence to IARDC's unsworn or unverified response to Petitioner's verified (sworn) Petition to unconditionally vacate the 2013 suspension of his law license where Illinois law, 735 ILCS 5/2-605(a), mandated that IARDC's response to Petitioner's verified Petition be subjected to the *Oath* as instrument of authentic verification.

5. Whether the seven Justices of the Illinois Supreme Court's inability and/or refusal to give any written reason for their July 9, 2021 decision denying Petitioner's Petition to unconditionally vacate the 2013 suspension of his law license, and/or their August 17, 2021 decision denying Petitioner's motion for reconsideration of the July 9, 2021 order is not a denial of Due Process, and Fair Hearing.

6. Whether the Due Process Clause, the Equal Protection of the Laws Clause, and the Right to a Fair Hearing inherent in the Fifth and/or the Fourteenth

Amendment(s) to the Constitution of the United States were not violated when Petitioner, a black African-immigrant attorney was treated less favorably than similarly charged white attorneys in terms of both Fair Hearing rights and/or the sanctions imposed; when at the white attorneys' hearings the eyewitnesses, judges and attorneys, testified in *flesh and blood* under Oath, and the white attorneys found guilty were each given 5 months "suspended" suspension from the practice of law; while at the black Petitioner's hearing on the same charge, no substantive witnesses were allowed to testify, Petitioner's subpoenas to compel eyewitnesses', judges and attorneys, testimonies in his own defense were all quashed, and the Petitioner was given over 3 years actual suspension from the practice of law, when nobody testified at the hearing to any wrongdoing by the Petitioner.

7. Whether the Petitioner's Due Process right to be presumed innocent until proven guilty by *clear and convincing evidence* was not violated when Petitioner was suspended from the practice of law in 2013 in an "adversarial" hearing that was not subjected to the *Oath* as instrument of authenticating the integrity of the proceedings, where no witnesses were called by the IARDC prosecutor Mr. Robert J. Verrando, where Petitioner denied guilt and irrefutably affirmed, 100%, the truth of his ethics complaints, and where Petitioner's subpoenas to compel eyewitnesses to testify under *Oath* in his own defense were all quashed.

8. Whether the Petitioner's First and/or Fourteenth Amendments rights to Freedom of Speech, Freedom of the Press, and the right to Petition the government for a redress of grievances were not violated on the pretext that the Petitioner's ethics complaints contained false statements concerning the integrity of Judge Lynn M. Egan, and others, where Crain's Chicago Business' investigative reporters' 2014 report independently irrefutably confirmed the sanctity, the truth, and the merit of Petitioner's ethics complaint that the IARDC in 2011 claimed were false, in a ruse to cause Petitioner to be suspended from the practice of law in 2013.

PROCEEDING BELOW

Supreme Court of Illinois
M.R.026545
In Re: Lanre O. Amu
Date of Final Order: July 9, 2021
Date or Rehearing Denial: August 17, 2021

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PETITION FOR A WRIT OF CERTIORARI

Petitioner 'Lanre O. Amu, respectfully Petitions for a writ of certiorari to review the final judgment of the Illinois Supreme Court in this case.

OPINIONS BELOW

On July 9, 2021, the Illinois Supreme Court denied the Petitioner's *verified* Petition to unconditionally vacate the wrongful suspension of his law license in 2013, and for certain other relief(s). (App.1a) On August 17, 2021, the Illinois Supreme Court denied Petitioner's motion for an *en banc* reconsideration of the July 9, 2021 order denying Petitioner's *verified* Petition to unconditionally vacate the wrongful suspension of his law license in 2013 and for further or alternate relief(s). (App.3a)

JURISDICTION

The jurisdiction of this Court is invoked under 28 U.S.C. § 1257(a).

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

CONSTITUTIONAL PROVISIONS

U.S. Const., amend. I

> Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

U.S. Const., amend. V

> No person shall be . . . deprived of life, liberty, or property, without due process of law. . .

U.S. Const., amend. XIII

> Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction

U.S. Const., amend. XIV, § 1

> All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of

law; nor deny to any person within its jurisdiction the equal protection of the laws.

ILLINOIS STATUTES AND COURT RULES

735 ILCS 5/2-605(a):

when a pleading is verified, every subsequent pleading must also be verified unless verification is excused by the Court.

Illinois Supreme Court Rule 8.2:

A lawyer shall not make a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge. Illinois Supreme Court Rule 8.3(a): A lawyer who knows that another lawyer has committed a violation of Rule 8.4(c) shall inform the appropriate professional authority.

Illinois Supreme Court Rule 8.4(g):

it is professional misconduct for a lawyer to present * * * professional disciplinary charges to obtain an advantage in a civil matter.

Illinois Supreme Court Rule 753(c)(6):

> Except as otherwise provided in these rules, the standard of proof in attorney disciplinary hearings shall be Clear and Convincing Evidence.

STATEMENT OF THE CASE

The heart of the acrimonious dispute that erupted between the Petitioner and the IARDC in July 2011 and that ultimately led to Petitioner's suspension from the practice of law on August 6, 2013 are detailed in the accompanying Appendix at App.4a, App.9a, App.11a, App.22a, App.27a, App.29a, App.31a. The evidence from these appendix documents irrefutably shows, *to any fair and impartial person of Conscience,* the abuse of *entrusted* power, official malfeasance, scapegoating, and a coverup by the IARDC—an agency of the Illinois Supreme Court. However, IARDC's might does not make right. Pursuant to the Rule of Law, both the agency, the IARDC and the principal(s), the seven Justices of the Illinois Supreme Court are not above the law. Everyone, without exception, *must* be subject to the law for truth, fairness and justice to reign in Illinois. It is fundamentally wrong and unjust for the IARDC and the Illinois Supreme Court to conspire to acquit the guilty and to condemn the innocent Petitioner in this case.

On or about July 21, 2011, Petitioner, 'Lanre O. Amu, a black African-immigrant Illinois Attorney, filed an ethics complaint with the Respondent, the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois (IARDC), alleging a

scheme by two connected attorneys to subvert the system for administration of justice and to fix a case before Judge Lynn M. Egan in the Law Division at the Circuit Court of Cook County, in Chicago, Illinois.

The two connected attorneys are attorney Radusa Ostojic, an in-house attorney for American Family Insurance Company, and attorney Suzanne M. Crowley, a partner in the law firm of Pretzel and Stouffer, Limited, in which attorney Matthew Egan, Judge Lynn M. Egan's brother, is an equity partner. The ethics complaint concerned actual impropriety in subverting the system for administration of justice to fix a case before Judge Egan and not just a mere appearance of impropriety from the incestuous relationship between the presiding judge, Judge Lynn M. Egan and the defense, her brother Matthew Egan's law firm of Pretzel and Stouffer, Limited. The fact of incestuous relationship between the presiding judge and the defense (Judge Lynn M. Egan versus "Matthew Egan's agent Suzanne Crowley") in fact came to light at the tail end of the actual impropriety controversy in augmentation, and not before the actual impropriety controversy.

Petitioner refusing to be bullied, a war of words ensued between Petitioner and the Respondent's attorney Mr. Robert J. Verrando after Mr. Verrando informed the Petitioner that the IARDC will not investigate Petitioner's July 21, 2011 ethics complaint. (App.9a-10a) Petitioner then informed Mr. Verrando that IARDC, a government agency regulating the legal profession in Illinois, has no authority or discretion to refuse to investigate a *verified* meritorious ethics complaint concerning attorney misconduct that is properly filed with the IARDC. Petitioner respectfully

asked that IARDC stay neutral in the matter and to simply send Petitioner's ethics complaint to the two connected attorneys implicated for their written responses consistent with IARDC's customary 14-day letter protocol, and that Petitioner be thereafter allowed 14 days to file a sworn written reply to the two connected attorneys' written responses before IARDC renders an opinion either way on the merit of Petitioner's July 21, 2011 ethics complaint. IARDC refused to abide by Petitioner's request to send the ethics complaint to the two attorneys to respond to it in writing in 14 days as is customary.

As at today, over a decade later, there has been no known written responses from the two connected attorneys to Petitioner's July 21, 2011 ethics complaint. However, in a grand miscarriage of justice, Petitioner, the innocent *In re Himmel complainant,* has been ravaged, held up to public ridicule and disgrace, and suspended from the practice of law since 2013 for righteousness' sake by the Illinois *Establishment* in an elaborate coverup scheme. Might does not make right.

Both IARDC and Petitioner knew that a written response by the two attorneys, and a subsequent written reply by the Petitioner would have created incriminating paper trail on the ethical problem raised by Petitioner's July 21, 2011 ethics complaint, thereby frustrating any coverups, and was therefore *sine qua non* to transparently unraveling and addressing the ethical issue. But IARDC—an agency of the Illinois Supreme Court mandated to regulate ethics in the legal profession in Illinois would have none of that. That remains the only known official

position of a compromised IARDC to this date, over a decade later.

As matters progressed, IARDC continued to refuse to investigate the Petitioner's July 21, 2011 ethics complaint and continued to ridicule the Petitioner. Petitioner then informed IARDC's Administrator attorney Jerome E. Larkin and IARDC attorney Robert J. Verrando that if the IARDC continued to refused to investigate Petitioner's July 21, 2011 ethics complaint, then the Petitioner will have no other moral choice but to commence a lawsuit in the federal court against the IARDC and to also report the matter to the United States Department of Justice. (*See* App.8a, line 1). Petitioner was at his wit's end, and did not know any other legal way to force what the Petitioner saw as a severely devastating and demoralizing ethical issue concerning minority rights of meaningful access to justice in the courts without being cheated with impunity. Petitioner however, failed to anticipate the nature and the extent of the IARDC's retaliation that was going to follow Petitioner's declared resolve to force the issue in this very serious matter.

When IARDC's attorney Mr. Verrando subsequently subtly threatened the Petitioner, something Petitioner saw as a form of blackmail to back off, Petitioner called Mr. Verrando's bluff and naively told Mr. Verrando to bring it on thinking that IARDC was going to play by the ethical rules it regulates. That whatever it is, IARDC should bring it on, and the Petitioner will squarely face it and deal with it. That all Petitioner asked for was that IARDC should give Petitioner a fair hearing. Petitioner did not know at the time that the IARDC actually operated like the *mafia*—a lawless criminal organization.

As the dispute between Petitioner and IARDC over IARDC's refusal to investigate Petitioner's July 21, 2011 ethics complaint escalated, in a preemptive strike, on December 7, 2011, IARDC commenced disciplinary proceedings against the Petitioner alleging that the Petitioner made false statement(s) concerning the integrity of judge(s) not only in the current July 21, 2011 ethics complaint, but also in all three prior ethics complaints Petitioner had filed in his entire legal career that dates back to 1996 which IARDC ironically never bothered to investigate but kept in its archives to suddenly spring up as in an ambush at such an opportune time as this.

Ironically, IARDC's letter dated August 4, 2011 to the Petitioner during the wrangling, and all prior oral or written communications with the Petitioner in Petitioner's entire legal career since 1996, made no mention of Petitioner ever making false statement concerning the integrity of any judge in any ethics complaint Petitioner ever filed with the IARDC. This is clear evidence of IARDC's afterthought and arduous dirt-digging to gain the upper-hand in the dispute at hand. (App.9a)

IARDC's strategy in commencing disciplinary proceedings against the Petitioner was to raise red herrings to divert focus from the real ethics issue in dispute, to gain the upper-hand in the dispute, to hold the Petitioner up to public ridicule and disgrace, and to get Petitioner busy battling to save his law license and means of livelihood. IARDC's charges against the Petitioner are ridiculous, outlandish, false, contrived, malicious and retaliatory in clear violation of *In re Himmel*, and in clear violation of Illinois Supreme Court Rule 8.4(g).

One example of the IARDC four-count "digressionary" charges, *a delusional dog and pony show*, is here analyzed in detail to show the absurdity of IARDC's charges against the innocent Petitioner: if as IARDC alleged in count iv of its complaint against the Petitioner, the Petitioner truly made false statement(s) concerning the integrity of Judge Francis J. Dolan in 2004, why did it take IARDC seven (7) years after the Petitioner brought his statements concerning Judge Dolan to the attention of the IARDC for the IARDC to mention that Petitioner's statements were false? Why is Petitioner reading such IARDC accusation for the first time ever on the pages of IARDC disciplinary complaint date stamped December 7, 2011, some seven (7) years after the Petitioner made the statements known to the IARDC? Why did IARDC refuse to investigate the statements or refused bring charges that the statements were false seven (7) years ago when it knew of the statements from the Petitioner's ethics complaint to the IARDC?

Judge Dolan apparently found it safe to appear to testify and be cross-examined at the IARDC disciplinary hearing of a white attorney John N. Dore on the very same charge. *In re John N. Dore*, 007 CH0122, M.R. 24566 (September 20, 2011). But why did the same Judge Dolan not find it safe to come to testify and be cross-examined in the Petitioner's disciplinary hearing on the same charge? Could it be because Judge Dolan was exposed? Why did Judge Dolan and the complicit insurance attorney(s) not honor Petitioner's subpoenas seeking to compel Judge Dolan and the complicit insurance attorney(s) to appear at the Petitioner's disciplinary hearing to be examined and cross-examined under Oath pursuant to the Rule

of Law which clearly states that nobody is above the law in such an investigation? Why did the seven Justices of the Illinois Supreme Court find it expedient to quash Petitioner's subpoenas to compel Judge Dolan and the complicit insurance lawyer(s) to testify and answer questions under Oath on matters concerning Judge Dolan's performance of his official duties as a judicial officer in a case consistent with the code of judicial conduct and the Oath of judicial office? What just law makes a judicial officer immune, not susceptible to subpoena, and to be above the law when controversy arises about possible abuse of entrusted judicial power, violation of the Oath of judicial office, and/or violation of the code of conduct for judicial officers? Answer: No just law (only self-serving usurpation) because nobody is above the law or beyond the reach of subpoena so as to leave no stone unturned and to get straight to the very bottom of a controversy. Quashing subpoenas for necessary witnesses frustrates the search for truth and promotes coverups. Who testified at Petitioner's disciplinary hearing that Petitioner's statements concerning Judge Dolan are false? Answer: nobody testified. How did IARDC prove Petitioner guilty of making false statements about Judge Dolan by clear and convincing evidence? Answer: in IARDC attorney Robert J. Verrando's warped imagination, and through IARDC's magical tricks, sleight of hand, sharp practices, and collusion with the rubberstamp IARDC Hearing Board. No judge has ever accused the Petitioner of making any false statement concerning his or her integrity, and none can reasonably make such accusation.

The truth that IARDC suppressed by failing to investigate Petitioner's July 21, 2011 ethics complaint,

while decoying into an absurd *dog and pony show* of a four (4) count disciplinary charge against the Petitioner, was unceremoniously exposed on March 1, 2014 when Crain's Chicago Business' investigative report surfaced. (App.22a) Crain's 2014 exposé shows that IARDC was lying and also had undisclosed conflict of interest in being objective and detached in honestly investigating Petitioner's July 21, 2011 ethics complaint because those that would have been implicated are part and parcel of the IARDC structure and/or cronies of the IARDC. Crain's 2014 report also exposed as crass and a farce IARDC's August 4, 2011 letter to the Petitioner stating that Petitioner's July 21, 2011 ethics complaint *"do[es] not rise to the level of ethical misconduct."* (App.9a) Crain's 2014 report also confirmed *in toto* the sanctity, the truth and the merit of *the tip of the iceberg* of Petitioner's July 2011 ethics complaint that IARDC had adjudged meritless, false, and that formed the basis of the 3- year suspension handed down to the Petitioner in 2013. Crain's 2014 report also confirmed that Petitioner was unjustly framed and scapegoated by the IARDC.

IARDC has neither the discretion nor the authority to suppress or refuse to investigate Petitioner's meritorious July 21, 2011 ethics complaint simply because IARDC insider(s) and/or cronies [including Mr. Matthew Egan and his sister Judge Lynn M. Egan] may be implicated in *incestuous* litigation arrangements and/or more sinister arrangements in the Courts, but that is exactly what IARDC did at Petitioner's expense.

IARDC and the seven justices of the Illinois Supreme Court rallied and conspired to scapegoat the Petitioner so as to "augment" the integrity of

Judge Lynn M. Egan and the integrity of her brother Mr. Matthew Egan but Crain's 2014 report unceremoniously unmasked, denounced, and debunked all of that official posturing and whitewash. Crain's 2014 report refused to sugarcoat the truth as the IARDC and the seven Justices of the Illinois Supreme Court did to justify suspending the Petitioner from the practice of law in 2013 for "making false statement concerning the integrity of Judge Lynn E. Egan, and others"—a farce.

But for Petitioner's ultimatum to IARDC to honestly investigate Petitioner's July 21, 2011 ethics complaint regardless of whose ox was gored, or face a lawsuit in federal court and also a complaint at the U.S. Justice Department, IARDC would not have charged Petitioner with professional misconduct on December 7, 2011. IARDC was aware that Petitioner did not engage in any professional misconduct, but IARDC fabricated the professional misconduct narrative as an afterthought simply to get rid of the Petitioner who will not go away unless his July 21, 2011 ethics complaint was honestly investigated by the IARDC. IARDC would have been content in simply covering up Petitioner's July 21, 2011 ethics complaint, move on, and not charge Petitioner with any professional misconduct if Petitioner went along with the IARDC coverup, but Petitioner would have none of that as a matter of transparency, morality, and principle. (Please *see* App.4a, App.9a, App.11a, App.22a)

At Petitioner's IARDC hearing, Petitioner pleaded not guilty to making any false statements in his ethics complaints concerning the integrity of any judge. Petitioner affirmed the truth of all of his state-

ments, 100%. Petitioner subpoenaed witnesses in his own defense. The Illinois Supreme Court quashed all of Petitioner's subpoenas to compel eyewitnesses, lawyers and judges, to testify in his own defense—an unfair interference. IARDC could not produce any witness to prove any of its four (4) counts against the Petitioner by the required clear and convincing evidence standard.

A rubberstamp IARDC Hearing Board surmised that Petitioner had no concrete evidence or facts to support his statements concerning the integrity of the judges he filed ethics complaints about—an absurd and utterly ridiculous finding in light of the fact that Petitioner's unimpeached, uncontradicted, and logical testimony which was more detailed than the tip of the iceberg alluded to years later in Crain's Chicago Business' 2014 report was ignored by the very same Hearing Board, and also in light of the fact that Petitioner's subpoenas to eyewitnesses, lawyers, and judges, were also all quashed in tandem to frustrate a reenactment of what truly happened.

Without a complainant, an accuser, a witness, or evidence in the record of proceedings, the rubberstamp IARDC Hearing Board consisting of attorney Debra J. Braselton (white), attorney Andrea D. Rice (black/ African-American), and Mr. Donald D. Torisky (white) found Petitioner guilty of making false statements concerning the integrity of judge(s), and recommended that the Petitioner be suspended for three (3) years and until further order of the Court.

The rubberstamp IARDC Review Board consisting of attorney Robert M. Henderson, attorney Anna M. Loftus, and attorney Keith E. Roberts, Jr., affirmed the Hearing Board's decision.

The Illinois Supreme Court consisting of Chief Justice Rita B. Garman, late Justice Charles E. Freeman (black/African-American), Justice Robert R. Thomas, Justice Thomas L. Kilbride, Justice Lloyd A. Karmeier, Justice Anne M. Burke, and Justice Mary Jane Theis, affirmed the decision of the Review Board and suspended Petitioner from the practice of law for three (3) years and until further order of the court, beginning on August 6, 2013. Petitioner has remained suspended from August 6, 2013 to this date.

Petitioner filed a Petition for a writ of certiorari seeking a review of the decision of the Illinois Supreme Court in the Supreme Court of the United States. The Petition for a writ of certiorari was denied on January 26, 2015.

In Illinois, there is a double standard based on race and/or national origin in IARDC's enforcement of the attorney disciplinary rules.

IARDC did not question or prosecute a similarly situated white attorney, Attorney Albert W. Alschuler, who represented former Illinois Secretary of State and former Illinois Governor George Ryan in his failed criminal case appeal at the 7th Circuit Court of Appeal before Judge Frank Easterbrook and two other appellate court judges and then wrote a widely publicized memoir that is highly critical of Judge Easterbrook titled, *How Frank Easterbrook Kept George Ryan in Prison,* Albert W. Alschuler, UNIVERSITY OF CHICAGO PUBLIC LAW & LEGAL THEORY PAPER SERIES, N. 589 (2016). IARDC's double standard is crystal clear: if you are a white attorney, you will be given the benefit of the doubt by the IARDC, and your narrative will be covered by the First Amendment right to freedom of speech, etc. But if you happen to be a black African-

immigrant attorney, you will be denied the benefit of the doubt by the same IARDC, and your narrative is deemed false statements concerning the integrity of a judge warranting that you lose your law license and means of livelihood without any person testifying at any hearing to any wrongdoing. These official insults and double standards essentially take us back to the *dark days* of the African slavery, the colonial, the white supremacy, the *Dred Scott,* and *the Jim Crow* era systems of justice for African peoples in the United States of America.

Also, *In re Brian Keith Sides* 11 PR0144, M.R. 26732 (Nov. 13, 2014). Mr. Brian Sides, who was licensed to practice law in 2002, was suspended for five (5) months, with the suspension stayed after sixty (60) days by a two-year period of conditional probation. *Sides* made false and reckless statements about the integrity of judges and about another attorney. At the IARDC hearing, beside *Sides'* testimony, the other testifying witnesses included attorney Frank A. Janello and Judge Chase Leonhard. In yet a third example:

In re John N. Dore 07 CH0122, M.R. 24566 (September 20, 2011). Mr. John Dore who was licensed to practice law in 1974, was suspended for five (5) months and ordered to complete the IARDC Professionalism Seminar. Mr. Dore asserted frivolous position in order to harass others in connection with three different client matters and made false statements about the integrity of a judge. At the IARDC hearing, besides Dore's testimony, the other testifying witnesses included: attorney Thomas Piskorski, Wayne Pesek; attorney Gregory Adamski, Judge Francis Dolan, and Judge Mary Anne Mason.

It is ironic how Judge Dolan will pick and choose which disciplinary hearing he will testify at and which subpoena he will swiftly apply to the Illinois Supreme Court Justices to expeditiously quash on his behalf, and how the seven Justices of the Illinois Supreme Court will collegially oblige him so as to free him from a difficult situation in total disregard of, and mockery of, the Rule of Law. How do the seven Justices of the Illinois Supreme Court justify Judge Dolan testifying in the *Dore's* hearing but quash the Petitioner's subpoena for the same Judge Dolan to testify in Petitioner's hearing? Answer: this is Illinois where the Rule of Law is bent out of shape beyond recognition and where impunity reigns supreme over and above the Rule of Law.

The white attorneys, the *Dores* and the *Sides,* could not be found guilty by the IARDC after they pled not guilty on the same or similar charges without the eyewitnesses' judges and/or the lawyers involved coming in *"flesh and blood"* to testify under Oath at their IARDC hearings. Not so for Petitioner a black African-immigrant attorney apparently because Petitioner, like *Dred Scott* before him, is of such an "inferior race and national origin" that no witness need testify after his plea of not guilty in an adversarial proceeding where Petitioner's means of livelihood and survival were involuntarily put at stake by the IARDC. The *Sides* and the *Dores* being white were not denied their rights to examine or cross-examine their accusers, witnesses, the judges, and/or the lawyers at their IARDC disciplinary hearings. But as a black African-immigrant attorney, Petitioner has no such fair hearing rights that IARDC was bound to respect. Petitioner's subpoenas to eyewitnesses, the

judge(s) and the lawyers, to appear to testify under Oath in Petitioner's defense were all swiftly quashed to suppress the bombshell that they did not want to come out at the hearing to exonerate the Petitioner. Petitioner's unimpeached, uncontradicted, logical, and irrefutable hearing testimony which in light of Crain's 2014 "tip of the iceberg" report, we now know is the truth, was rejected *Dred Scott System of Justice* style by the rubberstamp IARDC Hearing Board handpicked to do the hatchet job. *Dred Scott v. Sandford,* 60 U.S. 393 (1857). Petitioner was pronounced guilty by the rubberstamp IARDC Hearing Board in what was supposed to be "an adversarial hearing before what was supposed to be a fair and an impartial Hearing Board" without evidentiary basis in the record of proceedings, without any factual basis, with no witness testifying to any wrongdoing by the Petitioner. We here see the IARDC conducting separate and unequal legal proceedings: one for white attorneys and another for a similarly charged black African-immigrant attorney.

The 5th and the 14th Amendments rights to Due Process, Fair Hearing, and Equal Protection of the Laws, were denied to Petitioner on account of Petitioner's race and national origin but those same rights and protections were fully afforded to the *Sides* and the *Dores* facing the same or similar charges on account of their being white. The guilty *Sides* and *Dore* each received a rehabilitative five (5) months (or even part suspended) sentence that preserved their law practices and means of livelihoods from interruption (a slap on the wrist sanction for being found guilty), while an innocent Petitioner, a Blackman, received a retrogressive 3 years and 9 months suspension and until further order of the court-a comparatively

draconian and professional death sentence that assured the complete and total destruction of his 16-year law practice business and means of livelihood.

We here see an innocent black African-immigrant attorney that is falsely accused by IARDC-a government agency, handed more than 8 times the sanction given to similarly situated but found guilty white attorneys. We see a tragic and deeply disturbing departure from what the post-slavery Amendments to the United States' Constitution commands on the self-evident premise that all men are created equal and that they are endowed by their Creator with certain inalienable rights. That the basics of Human Rights and Human Dignity: Due Process, Fair Hearing, Equal Protection of the Laws, that ought to be equally guaranteed to all of us as creatures of God without regard to race, creed, or national origin were guaranteed to the white attorneys but defiantly denied to the black Petitioner by IARDC—a government agency solely on account of Petitioner's race and national origin. This is essentially *Dred Scott* all over again in America some 150 years after *President Abraham Lincoln's Emancipation Proclamation on January 1, 1863.* The more things change in America, the more they seem to remain the same in America. This barbaric, savage and criminal treatment of a human being in America in the 21st century is deeply provocative and is in clear violation of the 13th Amendment to the United States' Constitution that abolished slavery and slave-like treatment of human beings in the United States of America.

Witnesses being compelled by subpoenas to appear in *flesh and blood* and compelled to take the Oaths and to give sworn testimony are safeguards and

antidotes to the magical tricks and deceptions that IARDC deployed at the Petitioner's hearing. The seven Justices of the Illinois Supreme Court cleared the way for the IARDC to brazenly engage in these tricks and deceptions when they quashed all of Petitioner's subpoenas to eyewitnesses, lawyers and judges, to testify under *Oath* in his own defense. Petitioner was disarmed in what was supposed to be an adversarial proceeding and involuntarily railroaded in an unfair and unjust hearing enabled by the Justices of the Illinois Supreme Court.

On or about March 21, 2017, after the 3 years and 9 months period of suspension had ended, Petitioner made a demand on the IARDC through its Administrator, attorney Jerome E. Larkin, to unconditionally move to reinstate Petitioner's law license and to also make Petitioner whole for the damages caused to Petitioner in this ordeal. On March 22, 2017, IARDC through its attorney Mr. Al Krawczyk essentially demanded that Petitioner go through the process of admitting to making false statements concerning the integrity of judges, apologize, show remorse, and show rehabilitation before he can be reinstated to the practice of law in Illinois. Petitioner will *never* apologize as long as he lives because it is illogical, morally reprehensible, and dehumanizing to ever apologize to evil. It is diabolical and morally wrong for the IARDC—an agency of government to ask Petitioner to apologize. Rather, IARDC should be the one to apologize to Petitioner and to make Petitioner whole for its dishonesty, the betrayal of public trust, corrupt orchestrations, and scapegoating of the Petitioner.

On June 24, 2021, Petitioner filed a *verified* Petition to vacate the wrongful suspension of his Illinois law license and for other reliefs. On June 28, 2021, IARDC's attorney Stephen Robert Splitt filed a mundane *unverified* 2-page response in opposition to Petitioner's 50-page *verified* Petition. Under Section 2-605 of the Civil Procedure Rules, 735 ILCS 5/2-605(a), when a pleading is verified, every subsequent pleading must also be verified unless verification is excused by the Court. *Armstrong v. Freeman United Coal Mining Co.*, 112 Ill.App.3d 1020 (3d Dist. 1983). Verification has not been excused in this case and can never be justly excused because credibility is at issue. When a subsequent pleading is not verified, it is as if the unverified pleading was never filed; it must be disregarded. *Pinnacle Corp. v. Lake in the Hills,* 258 Ill. App. 3d 205 (2nd Dist. 1994); *Florsheim v. Travelers Indemnity Co.,* 75 Ill.App.3d 298, 308 (1st Dist. 1979); *In re Application of County Collector,* 295 Ill.App.3d 711 (1st Dist. 1998). A failure by the IARDC to file a verified response should have naturally resulted in all of the well-pleaded facts in Petitioner's verified Petition to unconditionally vacate his 2013 suspension being deemed admitted by the seven Justices of the Illinois Supreme Court in a fair and impartial hearing. *Florsheim,* 75 Ill.App.3d at 309. Alarmingly and most shockingly however, the seven Justices of the Illinois Supreme Court gave credence to the 2-page *unverified* mundane response that IARDC's attorney Stephen Robert Splitt filed in opposition to Petitioner's 50-page *verified* Petition. This timely Petition for a writ of certiorari follows.

ARGUMENT

In spite of *In re Himmel*, it is extremely risky and it takes tremendous courage and God given boldness to confront and to expose official wrongdoing or to speak truth to power in the Illinois Court system. The apparent objective of the *Establishment* in the Illinois Court system is to silence, rubbish, and destroy all forms of dissent to official wrongdoing.

In the wake of a federal probe into Corruption in Chicago Courts called *Operation Greylord* in the 1980s, in which over seven (7) dozen court personnel, attorneys, including over a dozen judges served prison time after being convicted of, or pleading guilty to, corruption, case fixing, and other crimes, the Illinois Supreme Court held that an attorney's failure to report his unprivileged knowledge of another attorney's serious wrongdoing to the appropriate disciplinary authority warranted a suspension from the practice of law. *In re Himmel*, 125 Ill.2d 531 (Ill. 1988). In hindsight, one can rightly question whether the *In re Himmel* decision was mere window dressing to merely save face after the *Operation Greylord* scandal with no true intent at reform.

Consistent with *In re Himmel*, on or about July 21, 2011, Petitioner filed a sworn ethics complaint with the IARDC, against the two connected attorneys alleging that they schemed to subvert the system for administration of justice to fix a case before Judge Lynn E. Egan at the Circuit Court of Cook County, only for the Petitioner, *an In re Himmel complainant*, to be harassed, dehumanized, molested, scapegoated,

and subjected to the full wrath of the IARDC in retaliation for the ethics complaint mandated by *In re Himmel*. IARDC diabolically schemed to coverup the Petitioner's ethics complaint, discredit the Petitioner, defame the Petitioner, hold the Petitioner up to public ridicule and disgrace, and suspend the Petitioner from the practice of law. The moral here is that in spite of *In re Himmel*, an attorney could be damned if he reports court corruption in Illinois and could also be damned if he does not report court corruption in Illinois.

It is a historical fact that members of the white supremacist group, the *Ku Klux Klan* (the KKK) have employed the strategy employed by the IARDC against people of African descent who dared to stand their ground, and/or to speak up to challenge injustice in the United States.

It is the height of racism, race (black) and national origin discrimination (Nigeria), and xenophobia to pronounce Petitioner guilty of a charge he pled not guilty to, to hold him to public ridicule and disgrace, dehumanize him, to strip him of his law license and means of livelihood, and to destroy his 16-year legal practice business, without ever granting his persistent request to confront witnesses, complainants, and/or accusers, and with nobody taking the witness stand to testify under *Oath* to any wrongdoing by the Petitioner.

This is clearly a reenactment of the *Dred Scott Era System of Justice* in the 21st century post slavery America. In spite of President Abraham Lincoln's *Emancipation Proclamation* of January 1, 1863, and in spite of the 1865-13th Amendment to the United States Constitution that abolished slavery in America, the more things change for the average African in

America, the more they seem to remain the same concerning the gruesome plight of many Africans in America since slavery began with the Transatlantic Slave Trade some 500 years ago.

In its grand deception, IARDC skillfully disguised Petitioner's persecution to the public at large as legitimate disciplinary proceedings by setting up a diversionary and absurd *dog and pony show* of a disciplinary proceeding when in reality, it was a well-orchestrated diabolical high-tech lynching of an innocent Blackman who had the audacity and the tenacity to stand up to IARDC and to give IARDC an ultimatum to conduct an honest investigation into his July 21, 2011 ethics complaint so as to expose the horrendous injustice that really took place in the incident he filed the July 21, 2011 ethics complaint about.

Contrary to IARDC's false narrative Petitioner's real dispute with the IARDC is not about Petitioner impugning the integrity of any judge—that is IARDC's afterthought and digression to sidestep the real issue. The real issue is the basic survival right of every human being created by God regardless of race, creed, color, or national origin, etc. That the *System* must come to terms with the fact that we as black peoples may have been sold into slavery in America centuries ago by some co-conspirator African chiefs, but God knows that we are nobody's slaves in America. Certainly not after the 13th Amendment. That legitimate resistance against modern-day manifestations of slavery, exploitation, and cheating in America is legal in America. Yes, traumatized, but able-bodied Africans with full God given mental faculties alighted from the slave ships in America. The defective, crippled or mentally challenged Africans

never made it into the slave ships bound for America. We blacks are not foolish, unintelligent, or inferior beings and the *System* must stop treating us as such or caging us into such moulds. No Blackman in his right mind wants to be on the street corner unemployed, begging, and/or passing fake $20 bill at the neighborhood grocery store and risk having to deal with the wrath of the police officers. But when you cheat us, refuse us a square deal, and/or dispossess us in official government settings with impunity, as in this case, in the courts, like Petitioner filed ethics complaints about, and you refuse to even investigate these ethics complaints or make things right, we invariably risk ending up on the streets dispossessed in the crosshairs of the police officers, in the homeless shelters, impoverished, unemployed, and given no other option but to now resort to crime in order to survive, on the street corners selling drugs to survive, and the crime eventually lands us in prison, etc., etc., in a vicious cycle of hopelessness.

This eventuality, when in actual fact, your unchecked wrongdoings are at the root cause of some of these predicaments that we face as black peoples. So, we are the final product of what the *System* did to many of us, not what we set out to do to ourselves in life, or that we are innately inferior beings. That and that is at the very heart of the issue that IARDC—a government agency irresponsibly mischaracterized and refuses to come to terms with apparently in part because the individuals that run the IARDC, like attorney Jerome E. Larkin, attorney Robert J. Verrando, and attorney Stephen Robert Splitt, being privileged whites do not face these realities, do not have to deal with these realities, and cannot relate to

these realities while callously wielding *entrusted* governmental powers. But it is the duty of a responsible government to be honest, to be transparent, to be egalitarian, to be socially responsible, and to treat everybody regardless of race, creed, national origin, or whatever, equally under the law. There is a moral, ethical and legal duty to frankly address these concerns at the level of "ethics complaints" before things degenerate to us becoming homeless on the streets and/or resorting to crime to survive. The *System* persistently shortchanges the Blackman in ingenious ways, undermine our hard won post slavery constitutional and civil rights, and we are being told in more ways than one that we cannot challenge these *Systemic abuses* that are stripping us of our fundamental rights without repercussions. The *System* refuses to give the Blackman a square deal, ridicules the Blackman, refuses to be honest with the Blackman, and refuses to respect the Blackman's human rights and human dignity as fellow human beings created by God with right to survive on equal footing as whites in America. Petitioner as a respectful, morally upright, skilled, highly educated, intellectual, and licensed professional advocate has the absolute right to peacefully but fearlessly and to forcefully advocate very strongly for his clients, for himself as a Blackman, for his family, for his community, for the African peoples in America, for all Americans of goodwill of all races, and for the good peoples in the global community for needed reform. If not the Petitioner with personal knowledge of the issue then who will advocate for our issue? The *System* persistently refuses to be honest with, dialog with, reason with, and/or come to terms with the Blackman's plight. That and only that is at the heart of the issue, not name calling or impugning the integrity

of anybody as alleged in IARDC's false narrative. The issue is bigger than Judge Lynn M. Egan. Suspending Petitioner's law license on the pretext ostensibly set forth by IARDC only serves to scapegoat the Petitioner, mislead the public, and to temporarily avoid the real issue of *Systemic* reform. But the real issue is much bigger than the Petitioner who is a mere messenger, and the real issue will not go away by simply shooting the messenger as IARDC did. The *System* must come to terms with the real issue.

In Illinois four (4) governors, namely, Otto Kerner, Dan Walker, George Ryan and Rod Blagojevich, have gone to prison for corruption. Countless Judges and lawyers have gone to prison for corruption following the *Operation Greylord* sting investigation in the 1980s. Countless Chicago Aldermen have gone to prison for corruption. The list of new criminal indictments and convictions continue to grow concerning racketeering, obstruction of justice, corruption, fraud, etc. This apparently is the Illinois way.

Despite individually taking public Oaths in The Name of God to faithfully and impartially discharge the duties of the office, the following past and present Justices of the Illinois Supreme Court nonetheless persist in paying lip service to racial justice and paying lip service to the moral, ethical, and legal imperative to take affirmative steps to eliminate injustice, racism, race and national origin discrimination and xenophobia in Illinois in all of its forms, guises, and manifestations. With all due respect, in the Petitioner's case, these seven Supreme Court Justices embraced a paradigm that is wholly inconsistent with the public office they hold and inconsistent with their lofty public pronouncements on virtue: the late Justice

Charles E. Freeman (black/African-American), retired Justice Lloyd A. Karmeier, retired Justice Robert R. Thomas, unretained Justice Thomas L. Kilbride, Justice Rita B. Garman, Justice Anne Marie Burke, Justice Mary Jane Theis, P. Scott Neville (black/ African-American), Jr., Michael J. Burke, David K. Overstreet, and Robert L. Carter. Individually in several forums, each of these Justices is wont to make lofty pronouncements on honesty, truthfulness, integrity, fair hearing, egalitarianism, the need to combat racism, professionalism, legal ethics, constitutional rights, equal justice for all under the law, due process, the rule of law, and all the works. However, when the rubber met the road, when their words needed to be turned into actions, when they needed to walk their talk, when confronted with the litmus test of true integrity and being held to their public pronouncements as in Petitioner's case, each and every one of them was found wanting. They woefully failed. Words are indeed cheap. That is in part why some 150 years after the words of the *Emancipation Proclamation* we are still dealing with the reality of slavery reappearing in new guises conundrum because people can be unfaithful to their words and/or to the Oath of public office. The leadership of the judiciary in Illinois appears to have forgotten the lessons of the *Operation Greylord* court corruption scandal of the 1980s in which even the 7th Circuit Court of Appeals essentially referred to the Circuit Court of Cook County as akin to a "*Corruption Enterprise*" *U.S. v. Murphy*, 768 F.2d 1518, 1531 (7th Cir. 1985).

The Rule of Law concept that nobody should be above the law is universal, but the *Establishment* in Illinois continues to bend the "Rule of Law" in

ingenious ways to shelter themselves from looming hurricanes and with impunity. Everyday for the thief, but there will eventually be one day for the owner. On that one eventful day, all of the shelters will collapse.

One would have expected the African-Americans on the Illinois Supreme Court to be authentic vanguards of "Equal Justice for All Under the Law" and to understand the plight of an African-immigrant attorney like the Petitioner under the circumstances tabled before them, more so given the unsavory history of Africans in America, but sadly and tragically that is not to be the legacy of the Late Justice Charles E. Freeman, and the newer Justice P. Scott Neville, Jr., in this case. It simply shows that these elite African-Americans have learnt little from the horrors of slavery when Africans sold fellow Africans into slavery for some privileges, material gains, or a seat on the table with their masters. The horrors of the Holocaust and the lessons Jewish people learnt from it led to the Jewish global mantra: "*never again is now,*" and rightly so. These misguided African elites are well advised to heed the global Jewish mantra. Petitioner is yet to see a single Jewish person, post the Holocaust, betray another Jew in such an outlandish fashion. What shall it profit a man to gain the whole world and to lose his soul? What will man give in exchange for his soul? This is the African crisis post slavery and post colonialism in the entire world today. The ignorant, unprincipled, and miseducated African elite in position of power is a willing architect in the destruction of his own people so as get or keep his seat on the high table. In Petitioner's 34 years of living in America, the Italian rightly defends the

rights of the fellow Italian under the law. The Irish rightly defends the rights of the fellow Irish under the law. The Jew rightly defends the rights of the fellow Jew under the law, etc., but not so the African elites. It is only the African elite that is seen ready, willing, and able to sell out the rights of the fellow African under law, just as during slavery, so as to keep the privileges s/he craves so badly. Very sad indeed. The new philosophy being canvassed that one has to be strictly of the African-American Descendants of Slaves (ADOS) lineage for one's human rights to kick-in as a black person in today's America is repugnant to the global concept of human rights and must now be confronted, discredited, and denounced. The misguided notion that some groups can be justifiably oppressed in America in this day and age is unacceptable in a global community.

The self-serving boilerplate decision of the rubber-stamp IARDC Hearing Board stating that the goal of the attorney disciplinary system is not to punish any particular lawyer, but instead, to protect the public, maintain the integrity of the legal profession and protect the administration of justice from reproach is dishonest, comical, and rings rather hollow. Had IARDC investigated Petitioner's July 21, 2011 ethics complaint by demanding sworn responses in 14 days since 2011, IARDC would have clearly educated itself that the goal and objective of Petitioner's July 21, 2011 ethics complaints better serves the interest of protecting members of the public against court corruption, maintaining the integrity of the legal profession, and protecting the administration of justice from reproach than the unjust pretextual persecution of the Petitioner in an absurd *dog and pony show*. Sanctioning an honest

attorney for exposing corruption puts a chilling effect on such virtue.

Respect for the court system does not mean failure to tell the bitter truth, failure to confront what must be confronted, and/or failure to expose corrupt behavior of a judicial officer, attorney, or public official who in actual fact is nothing but an imposter in need of being unmasked for the betterment of society. There is no crime in drawing back the curtain to confront ourselves with the good, the bad and the ugly so we can deal with them. The moral, ethical and legal rules mandate that. *In re Himmel, supra.* Truth must have its pride of place in society, however bitter, embarrassing, or disturbing, the truth is. Do not kill the messenger of truth. Set him free.

REASONS FOR GRANTING THE PETITION

It is the right and socially responsible thing to do given the injuries racism, race and national origin discrimination and xenophobia cause to vulnerable individuals and groups in America.

CONCLUSION

For the foregoing reasons, the Petition for a writ of certiorari should be granted.

Respectfully submitted,

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