

No. 23 - 823

IN THE
SUPREME COURT OF THE UNITED STATES

MAURICE JAMES SALEM,
Petitioner,

v.

ILLINOIS ATTORNEY REGISTRATION AND DISCIPLINARY
COMMISSION, an Illinois state agency, and JEROME LARKIN,
officially and individually,

Respondents.

MOTION TO LODGE

NOW COME the Petitioner, Maurice James Salem, by and through counsel, who submits this Motion to Lodge, pursuant to Rule 21 of this Court, for an Order granting this Motion to lodge **Exhibit A**, attached hereto, because it is related Petitioner's Conflict of Interest Argument in the instant Petition for Writ. **Exhibit A** is a development that did not exist until after the filing of the instant Petition for Writ.

REASONS FOR GRANTING THIS MOTION

The initial two Questions Presented in the instant Petition for Writ are:

1. Whether enforcing the statutory requirement of the *appearance* of conflict-of-interest, 28 U.S.C. § 455(a),¹ will restore the public's record-low confidence in

¹ 28 U.S.C. § 455(a) & (b):

(a) Any justice, judge, or magistrate of the United States shall disqualify himself in any proceeding in which his impartiality might reasonably be questioned.

(b) He shall also disqualify himself in the following circumstances: (1) Where he has a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;

the judiciary or severely injured the public's view of our judicial system and its reputation, if this Court does not grant this Petition?

2. Whether a court *with* an alleged conflict of interest, should be the same court to rule on its own conflict-of-interest?

To establish the public's record-low confidence in our judiciary, the Petitioner cited the Gallup Polls for both September 2021 and 2022. The Petition in this case was filed on January 24, 2024. However, on February 18, 2024, another development occurred related to Petitioner's *Appearance* of Conflict of Interest argument, which is HBO's show called "Last Week Tonight" with John Oliver, an episode entitled "the Supreme Court Ethics:" <https://www.youtube.com/watch?v=GE-VJrdHMug>. See **Exhibit A** attached hereto.

The host of the HBO show pointed out incidences where three Justices in this Court may have had a conflict of interest. While those incidences may not have been *actual* conflict of interest, they certainly had the effect of an *appearance* of conflict of interest among the public. The host claimed this was unjust and most likely also the 9.37 million people who watched the HBO show, in addition to the additional millions of younger fans because the show went viral on social media. There can be no doubt that the conflict-of-interest circumstances that the host described in the HBO show have resulted in further lowering the public's already record-low confidence in our judicial system and it has damaged our judiciary to an unprecedented extent. Regardless of whether there was an *actual* or an *apparent* conflict of interest, this Court has an opportunity to address the issue of *appearance* of conflict of interest with this case.

Exhibit A is related to the *appearance* of the conflict-of-interest argument in this case because the district court judge rendered a decision where the defendant controls the judge's law license, which in the district court a law license is also required to remain a judge. In addition, the same situation existed in the three-judge panel that decided this case

on appeal. Even if you believe that the district court judge had no *actual* conflict of interest, the public will still lose trust in our judiciary because of the obvious *appearance* of conflict of interest. This is the reason Congress enacted § 455(a), which requires courts to rule that there is a conflict of interest, even if there is only an *appearance* of a conflict of interest. In the instant case, the district court judge did not believe there was a conflict of interest. The Petitioner pleaded the *appearance* of conflict-of-interest argument in both lower-courts and he also filed a writ of mandamus to preserve the issue of *appearance* of conflict of interest on appeal, as described in the instant Petition for Writ.

Therefore, a major reason for this Court to grant this Petition for Writ is to address the issue of *appearance* of conflict of interest and hand down a decision that will require all courts to rigorously apply the *appearance* of conflict of interest in order to raise public's confidence in our judicial system. A clear and strong decision from this Court will send a message to the public that now all courts will prohibit even the *appearance of conflict of interest*. This will go far in restoring the public's record-low confidence in our court system and why this Petition for Writ should be granted.

Exhibit A is also related to the argument raised by the second Question Presented in the instant Petition for Writ: "whether to prohibit a court with an alleged conflict of interest to rule on its own conflict of interest will further restore public's confidence in the judiciary." It is inherently unjust to have someone with a conflict to decide whether they have a conflict of interest. Any member of the public with common sense will see that. A ruling that prohibits a court from deciding whether it's alleged conflict of interest, is in fact a conflict of interest, will certainly help in restoring the public's confidence in our court system.

Given the history and background of Petitioner Salem, and the blatant gross injustice by the government in this case, if this Court rules in favor of such a person that alone will restore public confidence in this Court. Petitioner Salem has an extensive history of fighting governmental corruption. From getting a federal court jury to rule that the Chief of Police of East Fishkill, New York, and his Lieutenant committed fraud in 1996² to suing governmental agents in New York and Illinois up to the day his law license was suspended in 2019 and it is still suspended to this day.

It should not be difficult to conclude that such a person as Petitioner Salem would typically accumulate enemies in governmental positions. Since the Chief of Police committed fraud against Petitioner Salem in 1992, Salem has been very careful not to give government agents a pretext to attack him. However, in this case for the first time, in Chicago, Petitioner Salem has been attacked without even a pretext of wrongdoing. It will certainly shock the conscience of the public - it is unbelievable.

Therefore, granting this Motion to lodge **Exhibit A**, will permit this Court to fully consider the *appearance* of conflict-of-interest argument pleaded in the Petition for Writ.

WHEREFORE, on the basis of the foregoing, Petitioner Salem respectfully requests that this Court grant this Motion to Lodge **Exhibit A**, because it is a development that occurred after his Petition for Writ was filed and it is related to the conflict-of-interest argument in his Petition for Writ, together with such other or further relief this Court deems just and proper.

² In New York, in the civil rights case, *Salem v. Town of East Fishkill*, Case No 92-cv-6192, in the U.S. District Court, for the Southern District of New York, a jury found in 1996 that Salem did not make a false report to the East Fishkill Chief of Police and his Lieutenant and that they brought false charges against Salem. The jury awarded Salem \$15,000.00, but more importantly the jury confirmed Salem's honesty and integrity.

Dated: February 26, 2024,

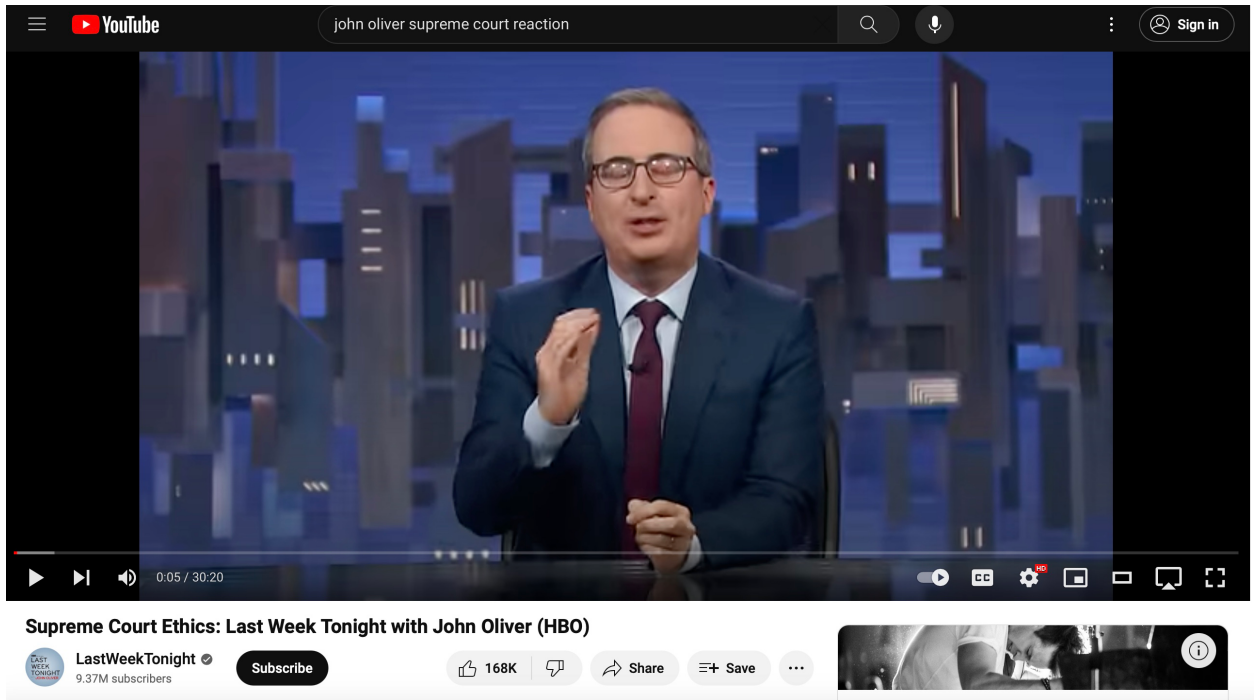
Respectfully submitted,

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Exhibit A

HBO's show "Last Week Tonight" with John Oliver, an episode entitled "the Supreme Court Ethics:"



<https://www.youtube.com/watch?v=GE-VJrdHMug>

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ORDER UPON MOTION TO LODGE

UPON Petitioner's Motion to Lodge, **Exhibit A**, as it is related to Petitioner's conflict of interest argument in the instant Petition for Writ, and the Court being fully advised of the premise:

IT IS HEREBY ORDER:

That the Motion to Lodge is hereby: GRANTED/DENIED

DATED: _____

ENTERED:

JUSTICE, SUPREME COURT

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Certificate of Service

I, Maurice J. Salem, hereby certify that I am this day filing the foregoing Motion to Lodge and serving the same upon the person and in the manner indicated below, on February 26, 2024.

First Class mail and by electronic email as follows:

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Respectfully Submitted,

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