

August 13, 2018
The Honorable Bob Goodlatte
2309 Rayburn House Office Building
The United States House of Representatives
Washington, D.C. 20515

Re: Decision by the Judicial Council of the U. S. Court of Appeals for the Second Circuit (Case #18-90028-jm decided by Chief Judge Robert A. Katzmann on June 8 and confirmed by the Judicial Council on July 27)

Dear Representative Goodlatte,

I filed a misconduct complaint against U. S. District Judge P. Kevin Castel for not signing a default judgment in *David Roemer vs Attorney Grievance Committee; Jane E. Booth; Lee C. Bollinger*, docket no. 17-cv-703 (PKC). Mr. Bollinger is the President of Columbia University and Ms. Booth is its General Counsel. The Judicial Council's order of June 8 is blatantly illegal. I keep a complete record of the correspondence and legal papers concerning this lawsuit at <http://www.newevangelist.me> under "First Amendment Lawsuit Against Columbia University."

On September 15, 2016, I sent an email to the University Chaplain, who supervises twelve Religious Life Advisors, offering to give a lesson/lecture on God's existence. I am a retired high school teacher. My email included the handout I would use and a link to an article I published:
https://www.academia.edu/23340072/WHY_PEOPLE_BELIEVE_GOD_CAUSED_THE_BIG_BANG

My lesson explains that human beings did not evolve from animals because we have free will and the conscious knowledge of humans as opposed to the sense knowledge of animals. My lesson also explains that the rational concept of God is that God is the creator of human beings, not the creator of the universe. The universe is a collection of molecules and exists only in our minds. A human is not a collection of molecules. A human is a single unified being: I think, therefore, I am (cogito ergo sum).

My proposed lesson has social value because most students and faculty at secular universities do not have a rational and knowledgeable concept of God. Proof of this is that the editors and writers of the Stanford Encyclopedia of Philosophy (SEP) do not have a rational concept of God. I communicated my criticism of the three SEP entries about God's existence (cosmological, teleological, and ontological) and got this response from Uri Nodelmann: *Thanks for your message. We take critiques of SEP entries seriously --especially if there are claims about the errors of fact (or of omission) or claims about violations of SEP guidelines seriously. At present, however, we don't know exactly which passages you find problematic. From a quick read of your linked page, it seems like you think there ought to be some citation of Etienne Gilson's work and possibly Alan Bennett's work.*

Alan Bennett is a British comedian and has a series of very funny skits titled "Oxford Philosophy." This quote proves that the senior editor of the SEP could not wrap his head around my implication that the SEP entries disseminate misinformation about the transcendent reality religions originating in the Near East call *God*.

The University Minister did not decline my offer. Instead, I got a threatening letter from Ms. Booth. I filed a complaint against Ms. Booth with the Attorney Grievance Committee of the New York State Unified Court System to no avail, and then filed a *pro se* lawsuit against the both of them. The attorney representing Ms. Booth, Mr. Andrew Schilling, said I had no cause of action because Ms. Booth was not a state actor. I added Mr. Bollinger as a defendant, and hired a process server at a cost of \$100 to serve the summons on the new defendant. One day before the summons was served on Mr. Bollinger, Mr. Schilling announced his appearance for Mr. Bollinger. Despite this proof that Mr. Bollinger did not authorize Mr. Schilling to represent him, the district judge went along with Mr. Schilling's deception and dismissed the case.

I appealed to the Second Circuit (docket no. 17-818). I did not answer Mr. Schilling's responding brief because it had no relevant content. Instead, I requested oral argument, not to discuss the merits of my lawsuit, but to explain its connection to the famous Scopes Monkey Trial about the teaching of evolution. My request was granted, and I gave oral argument on January 18, 2018, the podcast of which is on the court's website. The panel affirmed the district court's decision, my request for a review en banc was denied, and the Supreme Court of the U. S. declined my request for review (docket no. 17-1361).

The self-serving order of June 8 can be found on the Second Circuit's website as well as on the list of documents on my website. The order is self-serving because Judge Katzmann was on the panel that affirmed Judge Castel's decision. Judge Katzmann is just as guilty of deceiving the federal judiciary as Mr. Schilling and Judge Castel. What follows are excerpts from Judge Katzmann's order:

In January 2017, the Complainant filed a pro se action against two university administrators and a state attorney grievance committee, alleging that the administrators violated the First Amendment by refusing to allow the Complainant to deliver a lecture on his religious beliefs, and that the committee had wrongfully refused to discipline the university's general counsel.

My lecture was not about my "religious beliefs." It was about my understanding of the metaphysical argument for God's existence.

The case was assigned to the Judge, who dismissed it as frivolous. Thereafter, the Complainant sought the Judge's recusal based on the Judge's former membership on the grievance committee. The Judge denied the request for recusal because the Judge had not been affiliated with any state attorney grievance for more than fifteen years. The court of appeals confirmed.

This has nothing to do with my accusation of misconduct. I filed the motion about Judge Castel's past affiliations at the district level. In my brief to the court of appeals, I explicitly rejected the idea that Judge Castel was biased because of his past affiliations but cited other evidence of bias.

The misconduct complaint alleges that the Judge is "deliberately deceiving the federal judiciary of the United States" by "collaborating" with defense counsel, as evidenced by the Judge's dismissal of the complaint one day after defense counsel filed a letter requesting dismissal. According to the misconduct complaint, the Judge could not have known that defense counsel represented the defendants because the defendants had not yet been served. Although defense counsel had filed a notice of appearance and a letter indicating that the defendants had retained him to appear on their behalf, the misconduct complaint alleges that the Judge should not have accepted defense counsel's representation because the defendants themselves had not confirmed the attorney-client relationship in writing.

I am accusing Mr. Schilling of lying to the court when he said he represented Mr. Bollinger because he said that one day before Mr. Bollinger read the complaint. Judges Castel and Katzmann collaborated with this deception because I made a point of it (item C in my brief). It is altogether understandable that Judge Castel would think the case was frivolous. Columbia U. is a private organization. Also, it is hard to swallow that Columbia needs a retired high school teacher to explain that humans are finite beings, finite beings need a cause, and God is an infinite being. If the Columbia U. community could learn about God by reading the SEP, Ms. Booth's threatening letter did not violate my rights or the academic freedom of the Columbia community.

There is no question that Mr. Schilling represented Ms. Booth. The question is whether or not Mr. Schilling deceived the court by claiming that he represented Mr. Bollinger. Judge Katzmann confuses the matter by lumping all of the defendants together. If Mr. Schilling announced his appearance for Mr. Bollinger after the summons was served, that would constitute written proof that Mr. Schilling represented Mr. Bollinger. I suppose, Mr. Schilling could have apologized and asked Mr. Bollinger to sign a letter authorizing Mr. Schilling to represent him.

The gravamen of the complaint is that the Judge should not have dismissed the lawsuit one day after defense counsel requested the dismissal.... Similarly, any allegation concerning the failure to recuse is also dismissed as merits related.

I've condensed two paragraphs into these two sentences. They serve no purpose other than obscure the actual misconduct of Judge Castel.

Finally, to the extent the Complainant alleges bias separate from the merits-based charges because the Judge was "collaborating" with defense counsel, the allegation is wholly unsupported and therefore dismissed as "lacking sufficient evidence to raise an inference that misconduct has occurred."

I am saying that Judge Katzman knows perfectly well that Judge Castel deliberately violated the law. There is absolutely no evidence that Mr. Bollinger authorized Mr. Schilling to represent him or reason to think Mr. Bollinger would oppose my offering to give a lesson/lecture on God's existence. This is the default judgment that Judges Katzmann and Castel are saying Mr. Bollinger authorized Mr. Schilling to oppose:

ORDERED, ADJUDGED AND DECREED: That Lee Bollinger not cause any civil or criminal legal action to be taken against the plaintiff for offering to give a lecture/lesson on the arguments for God's existence via email, regular mail, or telephone to the following individuals appointed by the University Chaplain of Columbia University: Rev. Doyeon Park, Rabbi Yonah Blum, Rabbitzen Keren Blum, Rabbi Yonah Hain, Rev. Daniel Lee, Rev. Richard Sloan, Dr. Anne Klaeyesen, Bryan Scott, Ashley Byrd, Hon Eng, Monsignor John Paddack, and Eric Lipscomb.

I am hoping the House of Representatives will use its power of impeachment to persuade the Second Circuit, the District Court, or Columbia University to allow me to offer to give my lesson/lecture to the twelve Religious Life Advisors.

Very truly yours,

David Roemer
345 Webster Ave. Apt. 4-0
Brooklyn, New York 11230
347-414-2285
david@dkroemer.com