

New York State  
Unified Court System  
Office of Court Administration  
Lawrence K. Marks  
Chief Administrative Judge

September 24, 2018

Ref: Matter People V. Miguel De Los Santos, accusatory instrument  
number 3444-2002 requiring an investigation.

Grievance against Judge Ruth Pickholz, Criminal Term Part 66,  
Supreme Court of the State of New York, 111 Centre Street NY. New York.

01. Judge Ruth Pickholz, betray the public trust and undermine our faith in our Courts. Judge Pickholz failed to protect defendant Constitutional rights, She permitted the prosecution to proceed to trial without the defendant committing any crime, without a Grand Jury indictment, without the Court obtained Subject Matter Jurisdiction. Defendant is practically Kidnapped in Jail, without the Constitutional Law to Due process. Judge Pickholz, failed to review the statutory defenition of the offenses cahrges, that are missing most of the elements of the offenses of Kidnapping in the first degree (1) CPL § 135.25 (1) and Unlawfull Imprisonment in the first degree CPL § 135.10 counts 3,4, and 5 of the accusatory instrument, which not meet the Constitutional requirement CPL § 70.10 and therefore no constitute a crime and is insufficient to confer Jurisdiction to the Court or JUDGE to issued a warrant of arrest CPL § 120.20 (See Exhibit A) [Accusatory instrument]. Which stated no crime.

02. Also the Court proceed on June 13, 2002 without Personal Jurisdiction since defendant was arrested on May 30, 2013 eleven years after the accusatory instrument was allegedly filed. (See Exhibit A) [Accusatory instrument last page for the date that allegedly was filed]. Also (See Exhibit B) [The Voluntary Disclosure Form for the arrest date]. The prosecution presented this case to the Grand Jury without a Court authorization and unauthorized presentment have to remain sealed, and That alleged indictment was not sealed (See Exhibit C) [Correspondence from the Court]. That alleged indictment does not contain the Grand Jury

foreman signature in violation of CPL § 200.50 (8) because the Grand Jury never voted to indict the defendant, because the accusatory instrument was insufficient and no meet the Constitutional requirement CPL § 70.10 that's why a warrant of arrest was never issued against defendant by a Judge CPL § 120.20 the Court can not proceed on a public case against defendant on June 13, 2002 as they did without the defendant being arrested, without a Grand Jury Indictment, and without a sealed indictment, Judge Pickholz proceeded to trial even though She know that what She was doing was illegal and Unconstitutional.

03. Also Judge Pickholz, permitted that defendant Constitutional right to Due Process was violatted defendant was arrested and extradited without committing any crime, without Honorable New York Governor warrant of extradition. (See Exhibit D) [New York Police Department piked-up defendant in North Carolina].

04. Even though the trial was illegal and Unconstitutional, Judge Pickholz did not reduce the counts of that alleged indictment, the defendant went to trial with nine charges without any evidence, also Judge Pickholz and the prosecution illegally usurped the position and power of the Grand Jury when Judge Pickholz instructed upon the prosecution's theory a theory that was never placed in the alleged indictment (See Exhibit A) [accusatory instrument counts 3,4, and 5] also (See Exhibit E) [Trial transcript pages 431-436 for the prosecution's theory]. The prosecution's theory is and was out of context. The facts alleged by the prosecution do not constitute a crime, (See Exhibit B) [The Voluntary Disclosure Form, which stated no acts, no facts, no crime committed] also (See Exhibit A) [accusatory instrument as well stated no crime]. The prosecution's theory is and was out of context, the prosecution's key witness Wilson Gonzalez totally contradicted the prosecution theory and was not proven. (See Exhibit E) [Wilson Gonzalez testimony trial transcript pages 236,237,239 and 431-433 for the instruction to the Jury]. Showing that element number five of the offense of Kidnapping in the first degree (1) count three of the alleged indictment CPL § 135.35 (1) wasn't proven and Judge Pickholz did not do anything to prevent all these miscarreges of Justice.

05. Defendant was illegally arrested and extradited on May 30, 2013 and the people failed to bring defendant to Court during the law of 24 hours, in violation of CPL § 120.90, right to prompt arraignment, because the Court doesn't has any documents to show that defendant was formally accused in Court, then defendant was arraigned for the first time, four days later on June 03, 2013 and anyway on that date, as well the Court could not produce any documents to show that defendant was accused in Court no felony complaint in Court, no Grand Jury Indictment in Court, no Sealed indictment in Court, all that prove that defendant was not accused by a Grand Jury in violation of Constitutional right to Due Process. there was no hold, no warrant of arrest against defendant, and Judge Bruce Allen stated that, I'd like to find out what's going on here with this case, because any documents in Court. (See Exhibit C) [Correspondence from the Court] and also (See Exhibit F) [June 03, 2013 first arraignment transcript].

06. Another prove that Judge Pickholz, discharged from her duty and acting on bad faith, is that, the Jury sent a note requiring to reiterate the instruction on murder in the second degree and kidnapping in the First degree(1) CPL § 135.35 (1) count three of the alleged indictment, when Judge Pickholz has heard that Kidnapping in the first degree (1) wasn't proven, Judge Pickholz changed the meaning and context of the Jury note, then She instructed on Kidnapping in the second degree even though that Kidnapping in the second degree is not an underline crime of felony murder (3) because the Assistant District Attorney Mr. Drucker already has tell her, Mr. Drucker stated, One legal Point on your charge, The Court stated of course, Then Mr. Drucker stated that the first count is Kidnapping in the First degree, the second count is the Felony Muder, then Mr. Drucker stated But the count 2 the Felony Murder Kidnapping would no require, the Judge stated that She know then Mr. Drucker again stated Kidnapping in the First degree (See Exhibit E) [trial transcript pages 408,409 for Mr. Drucker suggestion and 431-433 for the first instruction to the Jury and 449-451 for the Jury note and the wrong instruction on Kidnapping in the second degree when the Jury require first degree] and all of them know that the underline crime of Felony Murder must be in another separate count on the indictment, and the only Kidnapping charge of the alleged indictment, is Kidnapping in the first degree (1) count three of the alleged indictment.

07. Defendant was arrested and extradited illegally upon a fake warrant of arrest, issued out of the Jurisdiction of the Court, that warrant was illegally issued in the District Attorney's office. (See Exhibit G) [Correspondence from the Court]. Flora Duffy committed a crime she illigally usurped the position as a Justice Judge of the Supreme Court (See Exhibit H) [Warrant of arrest signed by Flora Duffy who was not a Judge]. Flora Duffy illegally signed the warrant of arrest without a Judge authorization, without being neutral, without probable cause CPL § 70.10, without any capacity to issued a warrant of arrest. Flora Duffy was not a Judge She only was an associate Court Clerk in 2002. (See Exhibit I) [Correspondence from the Chief Administrative Judge Office]. The accusatory instrument is insufficient to confer Jurisdiction to issued a warrant of arrest CPL § 120.20 and Judge Pickholz did not do anything to prevent all these miscarreges of Justice.

08. In the independent source hearing the case should be ended since that hearing require that, the witness and the accused to know each others before the incident happened and that a third person familiar with the two to take the stand for the confirmation that the witness and the accused know each others. Judge Pickholz knowing that Angelly Ortiz was lying under oath, failed to call Wilson Gonzalez to take the stand for the confirmation since Angelly Ortiz testified that Wilson Gonzalez introduced defendant to her, Wilson would testified as he did at trial that, never introduced the defendant to Angelly Ortiz (See Exhibit E) [trial transcript 61 showing how Judge Pickholz suggested to defense counsel not to Crooss-Examine the only witness Angelly Ortiz as well page 238 wilson Gonzalez testimony at trial testified that never introduced defendant to Angelly].

09. Dfendant is practically Kidnapped in Jail, without a Grand Jury Indictment, without committing any crime. Defedant has made a habeas corpus based on Form: CPL § 120:4 upon 2018 up-date Law reviewed by Honorable Judge Robert G. Bogle upon the ground that accusatory instrument filed with Justice Judge is insufficient to confer Jurisdiction to issued a warrant of arrest [Form: CPL § 120.20] even though arrest warrant was never issued by a Judge against defendant, Honorable Judge James P. Gilpatric, J.S.C. from Supreme Court Ulster County, dismissed my habeas corpus without reviewed because my habeas has merit, based on Constitutional Law § 120:4.

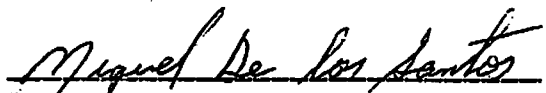
I trust the information provided herein may assist you in evaluating the unknown Law to our Constitution that I endured from Judge Pickholz during that illegal and Unconstitutional trial, is clear that Judge Ruth Pickholz violated the public trust, because all this prove show that Judge Pickholz participated in a fixed trial, please check those videos on youtube that my family have made under titles.

Court Corruption in Manhattan New York

An Innocent Man in New York Jail

But if my family have to stand before the Court demanding that Justice to be properly served, they don't going to stop untill then.

Respectfully



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CERTIFIED MAIL RETURN RECEIPT 7011 1150 0000 7415 4988