

Mary Kay Becker, Chief Judge, Washington Court of Appeals, affirmed all the rants and rambles of James A. Doerty, Washington Superior Court. She has become party to his “evidence” and his *ad hominem*. She has opened the door to rebuttal using similar rhetorical devices. She reveals her bias by selectively using documents filed with the trial court and by allowing the trial judge to suppress transcripts and other evidence.

Powerful people get what they want by deception, distortion, and judicial compromise, they demonize their adversaries to achieve their goals. Becker has shown that she makes an admirable adjunct to the Council House board of directors as do superior court judges Wartnik, Doerty, and Hayden. She has become a real team-player in a team that draws its players from the same jurisprudential cesspool. Washington Commission on Judicial Conduct will have a lot of work to do in the not too distant future.

Becker, apparently in a consort with Doerty, has buried sworn affidavits of supporters who attended trial court that confute his assertions. Moreover, she has not insisted that he produce the transcript and documents that relate to a trial court hearing (20 Mar 01). He has repeatedly denied access to those records and hundreds of defense documents for more than three years to cover up his judicial misconduct.

Constitution of the United States, an instrument of government and supreme law, prescribes the nature, functions, and limits of government. It incorporates amendments that control a system of fundamental laws and principles that have embodied rights and marked fair legal process since 1789.

Both Becker and Doerty have denied due process of law by abrogating constitutional rights. In particular, they have denied the right to: timely notice; prepare a defense; confront accusers; cross-examine witnesses; legal counsel; and, impartial and unbiased hearings.

Becker, a legislator turned judge, has reserved the powers and responsibilities that she had as a legislator and used them in addition to those granted to her as a judge. She has, in a consort with Doerty, redefined legal interpretation and construction by merging them. In a similar way they have merged ethics and morals apparently for political expediency. Consequently, they function more as out-of-control oligarches than as judges. By that, they deny due process of law on a variety of nebulous grounds.

For convenience, Becker has deliberately omitted two very important arguments: that the declarants do not rank as parties to the action and lawyers have not cross-examined them. Moreover, they have used declarations and affidavits selectively by discarding anything that remotely supports the appellant’s case.

Readers must consider the source of the declarations that both Becker and Doerty have used in their “findings”. Doerty refused to allow cross-examination which would have exposed the multiple perjury suborned by Council House directors. He made a decision anyway, and Becker has ratified it.

They both relied upon perjured documents suborned by Stephen (aka Stefan) A. M-tch-ll and did not question them. The court ignored multiple perjury by other directors, including Lynn W-rtn-k (second wife of senior superior court judge Anthony P. Wartnik who sits in the same courthouse as Doerty). Typically, Council House directors and managers made unsupported and unfounded allegations to character assassinate the appellant then disseminated them by mail, email, and Internet. Then they coerced gullible elders to perjure themselves by using those statements in declarations that they filed with the court.

J-cqu-s, M-tch-ll and several other Council House directors wrote hundreds of scurrilous letters during a three-year period. They sent them to the appellant, media, his professional associates, his friends and colleagues, also filed them with government agencies as false and misleading reports. Then, *ex parte* (communicating in secret with bias), they gave copies of undeclared statements and accusations to Judge Doerty who entered selected items, and copied part of what they posted on the Internet, into evidence without allowing cross-examination or a rebuttal.

Any reasonable person can compare the declarations with published Council House propaganda to determine that perjury, subornation, and conspiracy occurred as part of a planned campaign commenced at least four months before the first hearing. During oral argument, Becker even mentioned “a campaign” which shows that she suspected perjury when she said::

. . . if there is no opportunity to cross-examine people who are making complaints or to somehow try to ferret out if these are really true allegations as opposed to being perhaps some kind of a campaign against an unpopular person.

Simply put, the issues boil down to a conspiracy that has developed among members of the judiciary and a group of greedy racists who practice elder abuse. They have defied law and government regulations for personal gain. They want to cover up the equity that they own in a facility built with government funds and the misuse of operating funds furnished by US Department of Housing and Urban Development (HUD).

Morally, the building should return to the taxpayer upon liquidation of the assets or retirement of leases. At least, it should become a cooperative for the benefit of senior citizens. The directors have invested nothing and exploit loopholes in government regulations. They commit elder abuse to silence dissenters. Becker’s opinion does nothing more than cover up elder abuse and the unlawful activities of other judges, lawyers, and their kin.

Council House directors have misappropriated government funds to the prejudice of elderly people without the resources to defend themselves. They have then tried to cover up egregious cruelty

meted to elders by their managers. The judiciary and HUD carry just as much blame as the directors for the incarceration of people innocent of any crime. In one year, the directors had four elderly people incarcerated and denied them due process of law.

Council House “non-profit” directors have accepted public money and have no right to privacy. They remain subject to review despite judges who grant them immunity. One must admire their business acumen, they apparently now own three superior court judges - James A. Doerty, Michael C. Hayden, and Anthony P. Wartnik - all with a guilty until proven innocent mentality. Appellate judges Mary Kay Becker, Marlin J. Appelwick, and Ann Schindler, have now joined the club if they did not already covertly belong to it.

Typically, the court entered *ad hominem* into court records as evidence (emphasis added): “He *may* have difficulty modulating his behavior due to organic brain damage suffered as a consequence of his many years of chronic severe alcoholism”. And, perjury by Lynn W-rtn-k included this choice phrase about an elderly reporter whom she has never met “. . . the man *should* be given a *thorough* mental health evaluation.”

Such behavior by Lynn C. W-rtn-k, who has no psychiatric experience (apart from her own private shrink), remains totally unacceptable. She took part in having this reporter jailed for almost four months then later perjured herself to have him transferred to solitary confinement with 23-hour lock down.

Lynn, and her co-conspirator Sheila, former co-presidents of Council House, have allowed the present situation to develop and now use unlawful means to cover it up in a consort with their “executive director” Stephen A. M-itch-ll. A lawyer who knows Sheila has characterized her as a controlling and belligerent woman. Wife of Craig S. Sternberg (a Seattle bankruptcy lawyer) she sits on the board of both Council House and Herzl-Ner Tamid synagogue. [*Hornet Nests*]

Elder abuse, neglect, and exploitation has now reached substantial proportions. Administrators frequently insinuate themselves as surrogate parents into the lifestyles of elders on the unwarranted assumption that they cannot look after themselves. With claims of charitable works they exploit them. At Council House, managers frequently indulge in or approve: physical assault, neglect, and, financial exploitation. HUD and City of Seattle (CoS), the oversight authorities, regularly practice wilful blindness. [*Elder Abuse - Preface*]

This commentary (and links to it) include only a few cases of elder abuse and the subsequent cover up by Council House, their tame judges, and *laissez faire* agencies. Read the links to the opinion to realize the extent of elder abuse that Becker’s opinion condones. [*Elder Abuse - Introduction*]

Becker did not consider the source and content of the declarations that Doerty used in his “findings”. Or, that he refused to allow cross-examination which would have shown that they

contained multiple perjury suborned by Council House directors and managers. Instead she has ratified Doerty's findings in a general denial of due process.

Civil rules do not allow arbitrary or general denials (denying all allegations in a complaint). This applies especially when the complainant declares a readiness to verify the allegations under an oath. A judge can only use a general denial when he/she intends in good faith to controvert all the formal assertions of fact.

Neither Becker nor Doerty have controverted all the averments (declarations and assertions) in the complaints as the law requires. Instead, they have arbitrarily rejected or accepted them to suit their own predisposition and political aspirations by condoning perjury. They both know about the authorship or subornation of most of the perjured declarations by Felipe J-cqu-s yet continue to accept them as evidence.

Felipe J-cqu-s, by his own admission, lives in darkness. In an autobiographical "confession" in which he boasts about his deviant behavior, he variously refers to his anti-Semitism, neo-fascism, misogyny, homophobia, and violence. He then projects those traits onto other people. He proudly agrees with the comparison of him with Marquis de Sade and acts accordingly. With de Sade as his alter ego, he openly propounds atheism, claims noble birth, takes violence to the limit, and claims that he received a Jesuit education in Paris. [*Noblesse Oblige*].

J-cqu-s has admitted authoring most of the 43 declarations for M-tch-ll to suborn. Becker and Doerty knowingly based their findings on them. J-cqu-s now claims that he has 34 affidavits ready for use in future court hearings and that he awaits the next move by lawyers. He claims that he has saved them to support "devastating" things that he will say in court with impunity. [*Impunity*]

Becker must feel very flattered that an avowed perjurer, misanthrope, misogynist, and sadist now supports her findings. In a mailing the day after she published her opinion (14 Jun 04) he used the same racist and xenophobic rhetoric that he used when he wrote the perjured declarations. One does not need a rhetor to recognize and interpret the similarities. [*Croak*]

By her blanket acceptance of perjured documents without allowing refutation, Becker implicitly supports her source - a racist vigilante. She gives the impression that she condones violence with her courtroom assumptions and neglect to address perjury by M-tch-ll and J-cqu-s.

Perhaps she gets a vicarious thrill from J-cqu-s admitting that he drove over a screaming African-American while enjoying the noise from turning his legs to pulp, or, perhaps she does not like Chinese and supports J-cqu-s in shooting the big toe off a Chinese man with threats to shoot off all the others - preposterous assumptions in keeping with her own courtroom rhetoric about this author.

J-cqu-s has spent time in jail for violence which implies that other judges do not agree with Becker. His sojourn at Betty Ford Center for substance abuse does not seem to have changed him much. In recent years, he has consistently terrorized tenants at Council House under the auspices of Stephen M-tch-ll who uses him as his principal Kapo and scribe. Council House directors, with full knowledge of the circumstances, turn a blind eye by implicitly condoning assaults upon tenants. [*Five Kapos*]

Minimally, J-cqu-s needs observation and probably confinement like his hero de Sade. J-cqu-s and the hysterical M-tch-ll present a desperate and probably deadly combination. When left to their own devices they lay the groundwork for another disaster.

J-cqu-s has a heart condition and does not have long to live, consequently, he does not care what he does and frequently says so. A walking time bomb primed to detonate, he has a capacity for violence usually attributed to suicide bombers. He consistently attacks people and uses death threats when he does not get his own way. He has issued yet another death threat since publication of Becker's opinion. [*Croak*]

J-cqu-s has already violently assaulted this writer and made several death threats to him. He has also made death threats against other Council House tenants mostly with racist, homophobic, or xenophobic motivation. No wonder the tenants live in fear.

Two people have already died due to management abuse and lack of oversight by HUD and CoS. Both agencies had prior warning of the risks and problems yet chose to ignore them.

Council House directors, and now Doerty and Becker, evidently tolerate both M-tch-ll and J-cqu-s for political purposes. They cover up their own flagrant abuse of power and the law. Becker, by her opinion and demeanor, has effectively sanctioned elder abuse. She has given succor to an individual who has lived a life of violence and depravity. [*Noblesse Oblige*]

Becker would not last five minutes as an ethical journalist charged with holding people harmless. Intelligent people would not buy a used car from her after reading her opinion. She has become a sitting duck. She will probably share ultimate responsibility with Doerty and the directors when the next act of violence or death occurs at Council House.

Perhaps Becker should invite J-cqu-s to Bellingham for the weekend to listen to his philosophy and shoot ducks with him. After all, if Antonin Scalia can do it so can she. However, she should not disclose her ethnicity while J-cqu-s holds a gun. [*Impunity*]

J-cqu-s distributed *Croak* to a blanket Internet audience. It needs shortening, however, I found it impossible to edit without destroying the genre so I have linked the entire piece. I have edited the names of his victims to hold them harmless.

J-cqu-s, in a consort with M-tch-ll, manufactured most of the evidence that Becker used to support her opinion. She apparently acknowledges their help by quoting their *ad hominem* and validating it in her opinion. [*Croak*]

Princess Becky must by now have realized that she has courted the wrong frog. She kissed him expecting a prince, instead, she awakened the Marquis de Sade:

Then she began to weep, and wept louder and louder and was inconsolable. It was no use, whether she wanted to or not, she had to take the frog with her. Then she seized him, bitterly angry, and threw him with all her strength at the wall. Adapt. Jacob and Wilhelm Grimm, *The Frog Prince*.

When will the princess use her judicial power to throw J-cqu-s and his accomplices against the wall?

Lawyers for the appellant have instructions to give her a chance to redeem herself in an answer to a motion for reconsideration - issued to comply with legal practice much against collective feelings. This writer would prefer to use the constitutionally protected expression recently endorsed by US Vice President Cheney. [*Noblesse Oblige*]

Council House directors will probably allow prosecution of M-tch-ll, J-cqu-s and their accomplices only when they have a need for scapegoats to save themselves - they will lead these goats to a public slaughter. Higher courts with ethical standards will know how to sort sheep from goats then reverse the previous decisions. They have already recognized the merits of the case with their unanimous decision which forced the appellate court to hear it. [*Supreme Court Decision*]

M-tch-ll has evidently not realized the duplicity inherent in the all-Jewish Council House board of directors. They recently promoted him from administrator to "executive director". Does he not realize that as the only goy on the board he becomes a prime candidate for scapegoat? Has he not realized that they promoted then used another goy - his predecessor - as their whipping boy? Does he not know about pattern or practice?

However, disposing of M-tch-ll and his thugs will not bring back the people who have died or rehabilitate the elderly people whom Council House directors, their managers, and their Kapos have abused. Hopefully, the public prosecutor will act before anyone else gets hurt.

Powerful people get what they want by deception, distortion, and judicial compromise, they demonize their adversaries to achieve their goals. Becker fits the mold admirably and deserves the disgrace that she has brought upon herself.

In this commentary, I do not intend to rebut what Becker has written with particularity because I have already refuted the perjured statements at length and have no need to duplicate the work of my lawyers. Instead, I will link paragraphs in the opinion to the relevant paragraphs in previously published articles.

Then readers can decide for themselves about the validity of her opinion - “her” opinion because the other two judges only acted as make-weights. One can understand how M-tch-ll and J-cqu-s coerced elderly people into committing perjury when one compares them with the concurring judges - both constituencies have imitated lemmings by following a dominant leader over a cliff.

These op/ed remarks do not constitute legal opinion. The legal argument appears in the briefs and the motion for reconsideration filed with the Court (06 Jul 04). That motion gives Becker and her sheep an opportunity to redeem themselves by honest appraisal and reversal. [*Motion for Reconsideration*]

Lawyers litter most documents with citations and footnotes to achieve conformity of style and reference. The author has edited the opinion for readability by omitting them. All citations and notes appear in the original document. The links access relevant paragraphs in previously published articles. Readers can decide for themselves about the validity of Becker’s opinion and send their comments to [*Becky’s Boutique*]. Copyright only applies to the commentary. The truncated opinion belongs in the public domain.

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