



Center for Family Justice, P.O. Box 21996, Albuquerque, NM 87154
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BY FAX: (505) 476-2226

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Governor Bill Richardson
490 Old Santa Fe Trail
Room 400
Santa Fe, NM 87501

Won't You Come Home, Bill Richardson?

An Open Letter and Petition of Protest

Dear Governor Richardson,

Last December, when the New Mexico Supreme court declared that state judges were not subject to the same laws as others in state government in *State of New Mexico v. Charles Maestas*, we hoped that your reaction of incensed rhetoric would shed some light on the unconstitutional administrative practices the courts have substituted for judicial procedures. Instead, you wrangled a Government Conduct Act which excludes substantive reform of a judiciary that has more in common with gangsterism than democracy.

This stance by the courts of New Mexico that they are not constrained by laws that affect the rest of the citizenry and employees of government is analogous to Dick Cheney's recent claim that he is also not bound by Constitutional authority. It is simply an example of unaccountable and irresponsible behavior by those employed by the people. Worse, it is a violation of the trust to which your offices are bound:

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding. *Article VI, Clause 2, Constitution of the United States*

Among the issues you and other governors have ignored over the years include but are not limited to the following:

1. The New Mexico Supreme Court's power to "revoke or amend statutory provisions that conflict with the Court's procedural rules," even when they conflict with state and federal statutes and Constitutions (*Clarke v Harapat*, NMCA Docket# 26,195, 2007). Therefore, is New Mexico "an inseparable part of the federal union," where "the constitution of the United States is the supreme law of the land," as *Article II, Section 1*, of the state Constitution provides? Or have *Sections 2*, wherein "all political power is vested in and derived from the people: all government of right originates with the people, is founded upon their will and is instituted solely for their good,"



and 3, wherein, “the people of the state have the sole and exclusive right to govern themselves . . .” of the same Article collectively known as the Bill of Rights been abolished in favor of judicial domination?

2. Allowing non-judicial administrative courts that are not constrained by procedure or Constitutional limits. “To avoid an arbitrary discretion in the courts, it is indispensable that they should be bound down by strict rules and precedents, which serve to define and point out their duty in every particular case that comes before them . . .” Alexander Hamilton, *Federalist No. 78*. One should also consider that “uncontrolled processes of litigation can be and have been used as a vehicle for extortion.” *Nixon v. Fitzgerald, 457 U. S. 106 (1986)*. Of course, where *Section 18* commands, “No person shall be deprived of life, liberty or property without due process of law; nor shall any person be denied equal protection of the laws,” we seem to have a judiciary that does not comprehend the meaning of duty to its oaths to support the Constitutions of the nation and state.

3. It has become routine for state courts to send citizens to incarceration for debt, in spite of *Section 21* stating, “No person shall be imprisoned for debt in any civil action.”

4. Allowing judges of the state to misuse federal funds, thereby defrauding the nation’s and state’s taxpayers.

5. Imposing a race-based system on all citizens by adopting the Navajo Peacemaker Court System over due process standards commanded for all citizens who are not of Native American descent.

6. Allowing judges to hold office without securing fidelity bonds that ensure faithful performance of duties under the oath of office.

7. Allowing judges and other officers of the court to file false police reports against citizens who challenge their power.

8. Allowing abuse of minor children by refusing to investigate good faith charges of abuse by parents or other responsible parties when the cause is custody in domestic relations.

9. Allowing judges and lawyers to impose a reign of terror on families and their relations because they have a system of secret self-governance which conflicts with the New Mexico Bill of Rights as cited above. The FBI defines domestic terrorism as “the unlawful use, or threatened use, of force . . . by a group or individual based and operating entirely within the United States . . . without foreign direction committed against persons or property to intimidate or coerce . . . the civilian population, or any segment thereof in furtherance of political or social objectives.” All of the above contributes to this definition.

The pundits say that your resumé is among the finest in the race for President. But a resumé is not a record, and the sorry record you bring to the table includes a pattern of disdain for the plight of ordinary citizens living under the aristocratic and unconscionable hubris of an outlaw judiciary. You need to come home and polish your bona fides as a public servant and loyal employee of the people of New Mexico before you demonstrate a similar lack of fidelity for office to the families of the rest of the United States.

The undersigned joins in protest over your preference for fulfilling personal ambition while neglecting your duty to your employers, the People of New Mexico.



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Sincerely,

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unavailable

Ralph Gutierrez, Vice President

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See Janice Blevins (by L. Cumiford, telephonically approved)

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