

January 7, 2004

To whom it may concern:

My name is Robert G. Kearns, Jr. and I have written at least twice to the United States Department Of Justice about rampant judicial corruption. In both instances my complaint requested an investigation of Judge Hiram A. Carpenter of the Common Pleas Court of Blair County, Pennsylvania. In reply I had once received a response from the Justice Department that the heinous violations of me and my daughter's civil rights was a state matter. It grieves me to say that because of the Justice Departments lack of concern or action into this public corruption problem, I and my entire family remain disheartened, judicially raped, and psychologically numb. Still I remain steadfast that the judicial corruption in this case is in the Justice Departments jurisdiction to investigate. This is especially true when state law enforcement is derelict and refuse to enforce the laws of Pennsylvania or protect me and my daughter's constitutional rights as citizens of the United States and as provided by 18 USC 241 CONSPIRACY AGAINST RIGHTS.

The violations in the matter of Frederick vs. Kearns (Docket # 96 GN 2139) were conspired and committed by a rogue judge, various professionals of the psychiatric field, and state and county agencies. The criminal acts committed while acting under the color of law include but are not limited to as follows:

(1) Denial of due process of law. (2) Subornation of perjury. (3) Tampering with public records. (4) Tampering with and fabricating physical evidence. (5) Obstruction of justice. (6) Failure to provide equal protection of the laws. (7) Endangering the welfare of a minor child. and (8) Criminal conspiracy to commit all the above.

Judge Carpenter's July 14, 2000 order further denied me and my daughter our constitutional right to the pursuit of happiness which has resulted in my daughter's persistent self mutilation, and mental deterioration. To cover up my daughter's family court inflicted emotional difficulties she has been forced to take destructive psychotropic drugs to ease her emotional pain and broken heart for seven years.

Over the past few years I and other family members have sent the Justice Department numerous documentation evidencing or more clearly outlining the judicial abuses and conspiracy that had taken place during this custody procedure. I trust that the information is still on file and available to you for review. If not I can provide you with the documentation upon request.

On July 29, 2002 this complainant had a custody modification hearing before specially presiding Judge William Henry. During the course of that hearing Dr. Richard Bennett the psychiatrist who provides my daughter psychotropic drugs was the only witness who testified for the plaintiff mother. At this hearing I, my sister, and brother also testified. Reminiscent of the multiple expert witnesses who testified before Judge Hiram Carpenter

during a series of custody hearings beginning in April 2000, was that Dr. Bennett's expert testimony and credibility equally collapsed on the witness stand. What was ironic about the July 29th, hearing was that my attorney Anthony Zanon predicted in a letter dated April 26, 2002 (attached hereto) that regardless of how inconsistent, incredible, or obscure the testimony may be from the plaintiff's expert witnesses, the new visiting judge would not consider it a viable factor to modify Judge Hiram Carpenter's custody order of July 14, 2000. On April 29, 2002 I and my brother met with Attorney Zanon at which time he told us verbally that despite the probability that I will beat the plaintiff mother's expert witnesses at the July 29, 2002 hearing the judge would "overlook" any inconsistent testimony regardless of how controversial or damaging it might be to the plaintiff's case and "will" alternatively order me to seek a professional counselor. I contend that nobody, not even psychic Miss Cleo, could have predicted this play by play scenario unless they had been acting in complicity with or forewarned that the judge's determination was concocted and preconceived in advance of the evidentiary hearing.

On August 19, 2002 Judge William Henry interviewed my daughter privately in his courtroom in total disregard of the guidelines set forth in Pennsylvania Code-Rule 1915.11. Appointment of Attorney for Child. Interrogation of Child. Attendance of Child at Hearing or Conference subsection (a) and (b).

On August 19, 2002 Judge Henry issued an order that identically paralleled Attorney Zanon's scripted scenario of April 29, 2002. Judge Henry totally ignored the psychiatric abuse of my daughter, the medical fraud, the medical abuse, and the blatant perjury that Dr. Bennett exposed and proved via his own presented documentation and testimony. Otherwise speaking Judge Henry allowed a self incriminating felon to walk free while imposing an abusively restrictive order, punitive in nature, against me and my helpless daughter.

Even though Judge William Henry's court order was an artifice to further separate me from my daughter and judicially bind my hands and feet I attempted to initiate and comply with Judge Henry's order to seek reunification counseling. Thwarting my best efforts the plaintiff mother and her attorney Paula Aigner deliberately rejected and defied the August 19, 2002 court order. Accordingly, a petition was filed by Attorney Zanon and a hearing was set for November 18, 2002 to address and define the actual intention of Judge Henry's order. After the hearing Attorney Zanon talked with me, my brother and sister. What was strikingly contradictory to Judge Henry's order, Attorney Zanon told us that Judge Henry supposedly was extremely impressed with my presentation on July 29, 2002. Attorney Zanon also told us that Judge Henry allegedly had expressed concerns to him that my daughter was severely brainwashed. Yet, Judge Henry has allowed my daughter to remain in an isolated, dangerous and psychologically abusive state of existence for an additional year.

Judge William Henry's August 19, 2002 order essentially maintained Judge Hiram Carpenter's order of July 14, 2000 while implementing the same unlawful tactics to craft his spurious order punitive in nature and which continually deprives this complainant of his father /daughter relationship without just cause.

The first family counselor I hired told me in December 2002, that my daughter needs to see justice in this matter before she could even begin to heal emotionally.

### In Summary:

The court, Honorable William L. Henry, issued an order dated August 19, 2002, that amends Judge Hiram A. Carpenter's court order of July 14, 2000 and the Orders of the Court violated the constitutional rights of this complainant and minor child daughter, contrary to the laws of Pennsylvania and the United States of America. The Orders of the Court deprived this complainant and daughter our fundamental liberty interest as protected and secured by the U.S. Constitution and secured under settled law. The Orders of the Court were conceived in a prejudicial forum in violation of the Code of Judicial Conduct, and in direct disregard of the duties of the presiding judges. The Orders of Court failed to specify the facts or the law under which the orders were crafted, and fail to support its conclusions with facts in the record. The Orders of Court constitutes an arbitrary and capricious MIS-application of law which evidences prejudice and bias of the court. And the Orders of Court deprives this complainant and his minor daughter equal protection of law, and substantive due process, thereby denying this complainant and his daughter fundamental fairness and substantial justice.

Wherefore, I am again asking that the United States Department Of Justice initiate an investigation into the criminal acts carried out by Judge Hiram Carpenter and his cadre of accomplices.

Respectfully,

Robert G. Kearns, Jr.

Enclosures:

Impeachment Petition against Judge William Henry  
Impeachment Petition against Judge Hiram Carpenter  
Complaint against Attorney Anthony Zaroni



U.S. Department of Justice

Civil Rights Division

ANM:yf:jh  
DJ 144-64-0

Criminal Section - PHB  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530

FEB 17 2004

Mr. Robert G. Kearns, Jr.  
RR#3 Box 254A1  
Hollidaysburg, PA 16648

Dear Mr. Kearns:

This is a response to your letter dated January 7, 2004, in which you allege judicial misconduct in the legal matter before the Honorable Hiram A. Carpenter.


We have carefully reviewed the information which you furnished. However, we have concluded that your complaint does not involve a prosecutable violation of federal criminal civil rights statutes. This is not a judgment on the truth or merit of your complaint, it is simply to inform you that this is not the type of case that this office could prosecute. Accordingly, we are unable to assist you.

We regret that we cannot be of further assistance to you.

Sincerely,

Albert N. Moskowitz  
Section Chief  
Criminal Section  
Civil Rights Division

By:

  
Ysmael Fonseca  
Paralegal Specialist  
Criminal Section