IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA

William Keisling	)	
Plaintiff	)	CIVIL ACTION LAW
	)	
v.	)	
	)	No. 1:09-CV-2181
Richard Renn, et al	)	
	)	Hon. JOHN E. JONES III
Defendants	)	
	)	JURY TRIAL DEMANDED

PLAINTIFF'S BRIEF IN OPPOSITION
TO JUDICIAL DEFENDANTS' MOTION TO DISMISS
THE AMENDED COMPLAINT

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Table of contents

Table of Citations

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I. FACTUAL AND PROCEDURAL HISTORY

On November 4, 2009, Plaintiff Keisling filed a Complaint in the above-captioned case with the United States District Court for the Middle District of Pennsylvania.

This suit was brought under 42 U.S. Code Section 1983, and alleges widespread, systemic and ongoing unlawful activities in the York County, Pennsylvania, Common Pleas Courthouse, and the willful failure of the Pennsylvania Supreme Court to investigate and/or end these unlawful activities, which include reckless endangerment of children, influence peddling, case fixing, theft of good services, prostitution, allegations of court officers having sex with minor children, judges sitting on cases involving their own personal hidden financial interests, and other offenses, and the ongoing retaliation of said judges and court officers against Plaintiff Keisling for writing about and reporting these grievous unlawful activities.

The suit alleges that the defendant state judges regularly engage in unlawful activities which are personal and administrative in nature, and which by their very nature are exempt from any lawful judicial immunity.

Because these many unlawful activities have been, in essence, protected by state and federal court officials of late in Pennsylvania, the judicial defendants in this case continue to willfully and unlawfully deprive Keisling of substantive 1st and 14th Amendment protections of due process and equal protection before the courts.

Keisling has been, and continues to be, grievously deprived of his most basic rights before these state and federal courts, including, the right to a fair and impartial hearing before a fair and impartial judge; the right to discovery; the right to introduce evidence; the right to a day in court; and rights of appeal.

Plaintiff thereafter, on December 23, 2009, filed an Amended Complaint, including the Pennsylvania Supreme Court and its head administrator, Ronald Castille

On January 6, 2010, counsel for judicial defendants; the County of York and Pamela S. Lee; filed Motions and Briefs to Dismiss the Amended claims.

On February 4, 2010 a suggestion of bankruptcy was filed on behalf of Defendants MediaNews Group and Rick Lee, and proceedings against those Defendants were stayed by this court.

II. ISSUES

A. Whether Eleventh Amendment immunity bars Plaintiff's Complaint against Court Defendants.

Suggested Answer: No.

B. Whether Court Defendants are a "person" who can be sued under 42 U.S.C. § 1983.

Suggested Answer: No.

C. Whether Plaintiff has standing to assert a First Amendment claim against the Chief Justice when he has failed to state an injury in fact.

Suggested Answer: Yes.

D. Whether this Honorable Court should abstain from on-going state court actions pursuant to the Younger abstention doctrine.

Suggested Answer: No.

E. Whether the Rooker-Feldman doctrine bars Plaintiffs claims as his requested relief is inextricably intertwined with his state court action.

Suggested Answer: No.

F. Whether any claim for damages against Court Defendants is wholly barred by the doctrine of judicial immunity.

Suggested Answer: No

G. Whether the Court Administrator and Chief Justice are entitled to qualified immunity.

Suggested Answer: No.

H. Whether Plaintiffs claim is time-barred by the two-year statute of limitations for § 1983 actions in Pennsylvania

III. STANDARD OF REVIEW

In deciding a motion to dismiss, the factual allegations of the complaint must be accepted as true. *Graves* v. *Lowert,* 117 F.3d 723, 726 (3d Cir.1997). In particular, the court should look to whether sufficient facts are pleaded to determine that the complaint is not frivolous and to provide defendants with adequate notice to frame an answer. *Colburn* v. *Upper Darby Twp.,* 838 F.2d 663, 666 (3d Cir.1988). A court should dismiss a complaint only if it is clear that no relief could be granted under any set of facts that could be proved consistent with the allegations. *Graves* at 726. Thus, in order to prevail, a moving party must show beyond doubt that the plaintiff can prove no set of facts in support of his claim that would entitle him to relief *Conley v. Gibson,* 2L.Ed.2d 80 (U.S.1957).

IV. ARGUMENT

A. PLAINTIFF FAILS TO STATE A CLAIM OVER WHICH THIS HONORABLE COURT MAY TAKE JURISDICTION.

1. Plaintiff's claims against Defendant court entities, the Supreme Court of Pennsylvania and the York County Judicial District Court, are barred by the Eleventh Amendment and a state court entity is not a "person" subject to suit under 42 U.S.C. § 1983.

Plaintiff's complaint is not bound by 11th Amendment immunities, which are not absolute. Under the Rehabilitation Act, States waive their immunity when they accept federal funds. *Haybarger v. Lawrence County Adult Probation and Parole, et al.* The court has found that 11th Amendment immunity is waived when federal money is received from political subdivisions such as the Commonwealth of Pennsylvania, the County of York, York County Judicial District Court, its administrators, and the County of York, responsible for its district court, and the Supreme Court of Pennsylvania.

2. Eleventh Amendment immunity bars Plaintiff's complaint against Court Defendants in their official capacity.

"Judicial immunity provides broad protection for judges from suits for monetary damages." *Panayotides* v. *Rabenold,* 35 F.Supp.2d 411,415 (E.D.Pa.1999). "Like other forms of official immunity, judicial immunity is an immunity from suit, not just the ultimate assessment of damages." *Mireles* v. *Waco, 502* U.S. 9, 11 (1991). The United States Supreme Court has "generally been quite sparing in its recognition of claims to absolute official immunity." *Forrester* v. *White,* 484 U.S. 219,224 (1988). Furthermore, the United States Supreme Court "has been careful not to extend the scope of the protection further than its purposes require." Id.

The judicial defendants, in their Brief and Memorandum of Law in Support of Motion to Dismiss, write that "Plaintiff cannot maintain a suit against a judge for his judicial actions."

Although the judicial defendants has cited *Stump* v. *Sparkman,* 435 U.S. 349 (1978), it is clear that counsel has either missed or simply ignored the portions of the decision establishing without question that the test to determine whether an act is judicial is to look to the nature of the act itself, i.e. a function test, and not simply a claim of total and absolute judicial immunity that they make here. *Stump* at 362, *Mireles* at 11, *Forrester* at 540.

Defendants even frivolously and erroneously claim that Plaintiff "fails to make any factual allegations whatsoever ... involving non-judicial actions against Defendant judges ... though he attempts to categorize them as 'administrative actions and non-actions' involving their personal and administrative improprieties.

Rather, Defendants have it backwards. Defendants, in this and other recent cases in Pennsylvania, are attempting to claim judicial immunity for their blatantly personal and administrative improprieties, and lack of proper and lawful administration of justice by the Pennsylvania Supreme Court, and Chief Justice Castille.

The improprieties and unlawful conduct by the judicial defendants detailed in Keisling's complaint are obviously and overtly *administrative and personal* in nature.

In fact, the Brief and Memorandum of Law filed by the Pennsylvania Supreme Court in the instant case on behalf of the judicial defendants is one of the most troubling and dishonest pieces of writing Keisling has ever encountered, as full of evasion and lacking in honesty on par with briefs commonly filed on behalf of members of organized crime. The Pennsylvania Supreme Court in its brief is inventing, whole cloth, justifications for not upholding its administrative responsibilities in the administration of justice in Pennsylvania, as required by the Pennsylvania constitution. It is not judicial activism the state court here espouses; it is judicial *deactivism;* that is, we see here one shameless excuse piled atop another concerning the state court's peculiar position that it has no lawful responsibilities to competently and constitutionally administer state courts, judges and attorneys by its *own* rules, laws and constitutional mandates in Pennsylvania. In so doing it has willfully created an infamously unlawful and criminal environment in the courts of Pennsylvania.

In its Brief and Memorandum of Law, the Supreme Court of Pennsylvania not only defends its supposed right of the defendant state judges to blatantly break the law, but it insists on its intent to continue to break the law and deny Keisling equal and

impartial justice.

In the instant case, as in other recent infamous cases in Pennsylvania, the Pennsylvania Supreme Court now seeks leave, and cooperation, from the United States court system to blatantly harm its citizens, violate laws and shred the literal and implied guarantees of the United States Constitution.

Plaintiff, in his capacity as a writer, is currently researching and writing about the selling of some 6,500 children in the Luzerne County, Pennsylvania, court system. The legal nexus between the instant case and those of the victims in Luzerne County are striking and compelling. Complaints to the Pennsylvania Judicial Conduct Board and other authorities in both instances were ignored. Judges for some reason felt safe to totally ignore not only the law, but the administrative code governing their behavior — the Judicial Canon. The breakdown in the administration of justice in both cases are sweeping and striking. (It should here be noted, in passing, that the Pennsylvania Conduct Board operates unconstitutionally, in that it forbids any citizen who files a complaint to speak out, in violation of 1st Amendment guarantees of free speech.)

In Pennsylvania, both in and out of government, the question remains: how could such wholesale violations of law happen over years of time, and through literally thousands of cases?

Commenting on the situation in Luzerne County, one attorney involved in the case commented to Keisling on the utter powerlessness of the parents of the victimized children to do anything to help their youngsters. "What could they do?" the attorney asks. "They were really powerless to do anything." Such is Keisling's experience, as detailed not only in his Amended Complaint, but in the spurious, unlawful, and irresponsible, filings here presented by the Pennsylvania Supreme Court.

Certainly, the court system in Pennsylvania, ignoring as it does its own administrative rules and laws, makes it all but impossible for an average citizens to comprehend, or afford, equal access, and protections, in our courts.

Something much darker is also at play here, which Keisling, himself a frightened parent of a victimized child, well understands. When your child is threatened by a dishonest judge and an unapproachable court system, your first priority as a parent is to see that nothing even worse happens to your child. You, and your victimized child has, in effect, been made hostage by an outlaw court system.

Which now brings us to the peculiar filings of the Pennsylvania Supreme Court on behalf of the judicial defendants in the instant case.

Nowhere in its Brief and Memorandum of Law does the Pennsylvania Supreme Court deny any of the facts of unlawful activities perpetrated by the defendant judges, as outlined in Plaintiff's Amended Complaint.

Rather, in one disingenuous argument after another presented here, in boilerplate fashion, the Supreme Court of Pennsylvania shamelessly insists on complete and absolute immunity for any and all personal and administrative lawlessness of the defendants. These same stock, boilerplate arguments have been increasingly and consistently put forth of late by the Pennsylvania Supreme Court, and are by now well known to the federal court system, and even increasingly known to lay citizens in Pennsylvania.

The lawful answers to these spurious arguments are also well known.

In a deeper, more troubling, sense, the Pennsylvania Supreme Court in the instant case, and in other recent and infamous cases, is attempting to fashion and invent, whole cloth, a doctrine of total judicial immunity for *all* personal crimes and administrative unlawfulness committed by state judges.

For lack of a better term, what we see in the instant case is an invention by the state Supreme Court of a strange and unsettling new doctrine that can only be called *justice unobtainium*. That is, "justice" that cannot be attained by citizens, in violation of constitutional guarantees equal protection and due process, due to administrative incompetence or outright lawlessness of the Pennsylvania Supreme Court, in total aberration of its administrative and constitutional mandates. However, *justice unobtainium* represents, by its very nature, no justice at all.

In its Brief and Memorandum of Law, the Pennsylvania Supreme Court is attempting here to support its unlawful Doctrine of Justice Unobtainium by half truths, and self-constructed *wishlaw* — indeed, these are not established statutes found anywhere in Westlaw — in a transparent attempt to broaden and cover by blanket judicial immunities, not those decisions made on the bench, but any and all manner of personal and administrative improprieties, illegalities and criminalities, and actions done out of jurisdiction. The Pennsylvania Supreme Court, in the instant case and other recent cases, seeks the federal courts to here approve and countenance this wholly invented lawmaking by pique and fiat to protect its own administrative incompetence, negligence, and

outright personal and criminal misbehaviors, and actions clearly performed out of jurisdiction.

The instant case, moreover, when viewed from its proper perspective of the failures of the administration of justice in Pennsylvania, details a complete and willful failure of the Pennsylvania Supreme Court to lawfully and/or competently administer justice in Pennsylvania by its own published rules.

In short, there is here seen a complete and willful failure on the part of the Pennsylvania Supreme Court, and its officers, to uphold its own *administrative* rules and laws. The published rules governing the conduct of judges and attorneys in Pennsylvania were designed to prevent the very improprieties detailed in Keisling's Amended Complaint. That these rules governing the conduct of judges and attorneys have been of late totally ignored and uninforced by the Supreme Court of Pennsylvania has caused wholesale lawlessness, and the breakdown of the judicial system in Pennsylvania, as mandated by the Pennsylvania and United States Constitutions.

As in Luzerne County, Pennsylvania, the Supreme Court and the Judicial Conduct Board of Pennsylvania ignored *several* complaints filed by Keisling, leading to rampant and ongoing retaliations against Keisling and threats against his victimized daughter, by defendant judges, who often then acted outside their jurisdictions.

Defendants' brief states, "As judges of the court of common pleas they had jurisdiction to hear the custody, foreclosure and defamation matters, to deny recusal, and to rule on various motions."

But Defendant judges in all of these cases violated the Supreme Court administrative Judicial Canon against personal conflicts of interest and administrative reporting of criminal activities, made possible by the Supreme Court's refusal, as we see here, to enforce its own rules of Judicial Canon.

As stated in Plaintiff's Amended Complaint, "On February 18, 1999, Defendant Judge Richard Renn granted Keisling a psychiatric expert in the case, under Pennsylvania Court Rule 1915.8. Under Pennsylvania law, such an expert is required to present to the court the bountiful psychiatric records already in Keisling's possession (AmendCompl ¶33).

"A midstate attorney referred Keisling to a Dr. Neil Blumberg of Timonium, Maryland. On April 23, 1999, Keisling retained Dr. Neil Blumberg with a payment of

$2,500, for Dr. Blumberg's professional services (AmendCompl ¶34).

"Lauren McHenry repeatedly refused to submit to Dr. Blumberg's psychiatric examination, or comply with Defendant Judge Renn's February 18, 1999 order (AmendCompl ¶36).

"On or about June 29, 1999, Dr. Blumberg and Keisling had a telephone conversation. In this conversation, Dr. Blumberg offered an explanation of Defendant Renn's odd behavior (Amend.Compl. ¶43).

"Dr. Blumberg claimed an ongoing, personal, and business relationship with Defendant Judge Renn. Dr. Blumberg furthermore claimed to hold special sway with and understanding of Defendant Judge Renn's business practices, informing Keisling, in a highly inappropriate, disturbing and shocking manner, of his past and ongoing private and personal business dealings with Defendant Richard Renn (Amend.Compl. ¶44).

"The expert then offered to contact Judge Renn secretly and ex parte, to unlawfully and unethically advance Keisling's case with Judge Renn. Explicit in these statements made by Dr. Blumberg was a threat against the safety of the minor child, Ariel Keisling, if Plaintiff Keisling did not cooperate with what Keisling perceived to be Dr. Blumberg's alleged criminal conspiracy with Defendant Judge Renn. Dr. Blumberg told Keisling that Keisling had to be concerned about the safety of his daughter (Amend.Compl. ¶45).

"At all times, in fact, Keisling was foremost concerned about the safety of his victimized daughter (Amend.Compl. ¶46).

"It was Keisling's understanding and belief that Dr. Blumberg was demanding unlawful and secret payments to be made to Judge Richard Renn, or other unlawful considerations. Keisling, appalled, and deeply concerned for the safety of his minor daughter, told the expert he would do nothing illegal, to which the expert replied that "no one cares about a judge's conduct in Pennsylvania; you should be concerned about the safety of your daughter." (Amend.Compl. ¶47).

"Keisling understood this statement to be an explicit threat made against the safety of his already victimized daughter by Dr. Blumberg, and Defendant Judge Renn, and an attempt at extortion of Keisling. (Amend.Compl. ¶48).

"Dr. Blumberg further stated that influence peddling, ex parte and secretive dealings with financial and political supporters was a time-honored, common, and accepted

practice with the elected judges of the York County Common Pleas Court (Amend.Compl. ¶49).

At a July 7, 1999, contempt hearing brought about by Keisling's motion for special relief and contempt, Judge Renn instead mysteriously ruled that too much time had elapsed for Keisling to now have an expert, even though Defendant Judge Renn had sanctioned the expert.... (Amend.Compl. ¶67).

Defendant Judge Renn's Order reads, in part:

"Father has requested that we directed that mother undergo a psychiatric evaluation by Dr. Neil Blumberg of Maryland. The father's request comes extremely late in the proceedings, as we have noted by previous court order; and while we have addressed to some extent father's request the mother undergo a psychiatric evaluation in previous order of this date, we would point out at this point that father's request for this additional psychiatric evaluation is certainly untimely and at this point the Court cannot see justification for delaying the proceedings further to have still another evaluation." (Amend.Compl. ¶69).

"Defendant Judge Renn's untruthfully here suggested that this was a new matter that Keisling had only initiated at a pre-trial conference. In fact, the July 7, 1999, hearing was brought about by Keisling's own petition for special relief to compel McHenry to submit to an evaluation by an "expert" who Judge Renn had allowed Keisling to retain in February, at a cost to Keisling of $2,500 tendered to Defendant Judge Renn's business associate (Amend.Compl. ¶70).

On the first day of bench trial, on August 20, 1999, Defendant Judge Renn awarded majority custody of the minor child to the unmedicated mentally ill mother, and further attempted to limit communication between the victimized child and Keisling, who after all previously had been the minor child's primary caregiver, causing great and untold emotional damage to Keisling and the minor child. (Amend.Compl. ¶77).

Keisling's attorney then made a motion to use the psychiatric expert Dr. Blumberg merely as a rebuttal witness at bench trial, without benefit of evaluating Dr. McHenry, to rebut testimony from McHenry's *two* expert witnesses. (Amend.Compl. ¶78).

Defendant Judge Richard Renn, on August 20, 1999, taking up the motion to use Keisling's retained expert merely as a rebuttal witness, finally informed the litigants, "This Court has had a number of professional dealings with Dr. Blumberg when we were

in private practice. In fact, I've retained him to assist on a number of cases I'd say for probably the past 15 years." (Amend.Compl. ¶79). Exhibit 1.

Keisling reported Defendant Renn's improprieties to the Pennsylvania Supreme Court on repeated occasions, to absolutely no effect.

Keisling reported Defendant Renn's misbehavior to the State Supreme Court in an Allowance of Appeal dated February 15, 2001. Exhibit 2. *No investigation of Renn and his private dealings whatsoever ensued.*

Judges Renn's secret *personal* associate from his days in *private practice* attempts to extort Keisling and peddles influence with Judge Renn, and theft of honest services, in violation of Judicial Canon:

Canon 2. of the Pennsylvania Code of Judicial Conduct states, in part, for example,

"A Judge should avoid impropriety and the appearance of impropriety in all his activities. A. A judge should respect and comply with the law and should conduct himself at all times in a manner that promotes public confidence in the integrity and impartiality of judiciary. B. A judge should not allow his family, social, or other relationships to influence his judicial conduct or judgment. He should not lend the prestige of his office to advance the private interests of others; nor should he convey or knowingly permit others to convey the impression that they are in a special position to influence him...."

Canon 3. of the Pennsylvania Code of Judicial Conduct states, in part,

"A Judge should perform the duties of his office impartially and diligently." Renn is here only diligent to *protecting his own private interests.*

As a professional journalist Plaintiff questioned Defendant Judge Dorney about Renn's private associations in a letter to Dorney dated February 19, 2003. Exhibit 3.

Dorney then refused to recuse herself, and, in an act of retaliation, foreclosed on Plaintiff Keisling with an Order of Summary Judgment entered on July 3, 2003, even though Keisling was under stay in Federal Chapter 13 Bankruptcy Court as of July 2, 2003 (Exhibits 4 and 5). *In so doing, Defendant Dorney acted out of her jurisdiction.*

Plaintiff Keisling then filed a Complaint with the Judicial Conduct Board in May 2003. The Complaint is ignored, and no investigation whatsoever ensued. (Exhibit 6).

Plaintiff Keisling then wrote and published a book, *The Midnight Ride of*

Jonathan Luna, about Defendants Renn and Dorney, and the administrative failures of the Pennsylvania Supreme Court to investigate or act on their improprieties. (Exhibit 7).

Plaintiff in fact brought this matter of Defendant Renn and his personal associations from his private practice to the attention of the Pennsylvania Supreme and Superior Court several more times, at *every* opportunity before the court, also to no avail. This included a detailed state Supreme Court King's Bench petition filed by Plaintiff Keisling on April 8, 2008. (Exhibit 8)

The administrative failures of the Pennsylvania Supreme Court to fulfill its administrative responsibilities caused retaliations against Keisling from Defendant judges to this day.

In 2008 Plaintiff advised Renn in a Motion for Recusal that Renn's personal and private business dealings are a primary subject of Keisling's forthcoming book concerning judicial corruption. (Exhibit 9). Renn refused to recuse himself.

In April 2009, Defendant Renn refused to recuse himself from a case involving the book where Renn himself is discussed (Exhibit 7). In this hearing Defendant Renn even found himself reading private communications between Keisling and a television network concerning Defendant Renn.

Though clearly an attempt to restrain Keisling prior to his forthcoming writings concerning Defendant Renn, Pennsylvania case law is quite clear on Renn's obligation to recuse himself even if he inadvertently and in good conscience stumbled upon a personal conflict of interest amid case: While extra judicial considerations are preferred when ruling upon Motions for Disqualification, *sometimes opinions formed entirely from information learned in court proceedings are sufficient to disqualify a jurist who cannot abide an obligation to remain impartial.* See *Commonwealth V Bryant,* 476 A.2d 422 (Pa. Super 1984). "Opinions formed by the judge upon the basis of the facts introduced or events occurring in the course of the current proceeding may under limited circumstances constitute a valid basis for his disqualification."

The Juvenile Law Center of Philadelphia, handling the case involving 6,500 children in Luzerne County, Pennsylvania, points out that "Pennsylvania case law is in accord with the U.S. Supreme Court rulings in this area," citing McFall. McFall, of course, involved the Philadelphia Roofers Union scandal in which the FBI placed wiretaps on judges, suggesting that a judge should not have other interests in a case other

than those of the litigants, and the law.

"In *McFall*, this Court held that once even the appearance of impartiality of the court is called into question – as it has been in the Luzerne County Juvenile Court – defendants have been denied their right to a fair and impartial tribunal; their convictions must be set aside, and they must be granted new trials. 617 A. 2d at 711 (holding that defendants must be granted new trials in their criminal cases when judge failed to reveal circumstances that raised questions about her impartiality). In *McFall*, this Court's ruling that the defendants' convictions and adjudications be vacated was based on its finding that the judge's "agreement [to assist law enforcement] ...presents a situation palpably creating a circumstance where she would have an interest in the outcome of the criminal cases tried before her." *Id.* at 713. "Even in the absence of actual bias, a Judge must disqualify himself from any proceeding in which his impartiality might reasonably be questioned." *In the Interest of McFall,* 556 A.2d 1370 (Pa. Super 1989), affirmed with opinion, 617 A.2d 707 (Pa. 1992).

Knowing that Keisling has written about him in the present book, and plans to write about Renn in a forthcoming book, Renn then issued an order demanding Keisling reveal his sources, in violation of Keisling's 1st Amendment Rights and his Pennsylvania Shield Laws, in an act of unlawful prior restraint. (Exhibit 10).

Following these hearings Renn also refused to report allegations that attorney Heim boasts of having sex with minor children.

Renn here also violates judicial can concerning his *administrative* responsibilities: Canon 2 B reads:

> (1) Judges should diligently discharge their administrative responsibilities, maintain professional competence in judicial administration, and facilitate the performance of the administrative responsibilities of other judges and court officials.
>
> (2) Judges should require their staff and court officials subject to their direction and control to observe the standards of fidelity and diligence that apply to judges.
>
> (3) Judges should take or initiate appropriate disciplinary measures against a judge or lawyer for unprofessional conduct of which the judge may become aware.

Commentary

Disciplinary measures may include reporting a judge's or lawyer's misconduct to an appropriate disciplinary body.

Renn ignores the law, court rules and his *administrative* responsibilities, and obviously does not feel he must be impartial and uphold Keisling's rights to equal protection, because, due to lack of proper *administrative* enforcement of Judicial Canon by the state Supreme Court, he feels he does not have to give Keisling a fair hearing by recusing himself, because he does not have to suffer any consequences for breaking the law and rules of the court. Renn after all must protect *himself,* and not Plaintiff Keisling.

Keisling questions Judge Dorney about her associations and knowledge of Renn's private business dealings with the court expert, as well as her private dealings, and writes at length about Dorney's refusal to report criminal activities in his Luna book.

Dorney again violates Canon 2B:

(3) Judges should take or initiate appropriate disciplinary measures against a judge or lawyer for unprofessional conduct of which the judge may become aware. ... *Disciplinary measures may include reporting a judge's or lawyer's misconduct to an appropriate disciplinary body.*

Keisling reports Dorney to the Supreme Court and the Judicial Conduct Board, which refuses to act or investigate. Dorney retaliates, forces Keisling into bankruptcy protection, but forecloses on Keisling without a hearing *several days after the case is now in federal bankruptcy court — out of jurisdiction.*

Defendant Dorney then sits on a case involving Keisling in October 2008, within the statute of limitations of this 1983 action. (Exhibit 11.)

Keisling writes about Judge Kennedy's failure to *administer* the appropriate oaths of office to unqualified public employees; Kennedy retaliates by again foreclosing on Keisling without a hearing.

Keisling motioned for recusal of Judge Kennedy, noting that Judge Kennedy had a personal and professional conflict with Keisling in that Judge Kennedy was an ongoing subject of Keisling's writings. (Exhibit 12). In the normal course of his work, Keisling had been writing about Judge Kennedy in connection with allegations contained in a fed-

eral civil court suit, filed by former chief York county Detective Rebecca Downing on February 18, 2005. In her wrongful dismissal lawsuit, which was filed against the York County district attorney, whistleblower Det. Downing alleged deep-rooted corruption in the York County courthouse and DA's Office, including theft of items by the DA from courthouse evidence holding areas, electioneering in the courthouse, blatant cronyism and public endangerment. Detective Downing alleged that Judge John Kennedy administered the oath of office to lawfully unqualified county job seekers, in effect "rubber-stamping" unqualified political cronies for courthouse jobs, thus endangering public safety and further damaging the integrity of the courthouse staff. In 2006, Det. Downing's lawsuit was settled out of court by the county district attorney. A cash settlement was paid to Det. Downing to, in effect, buy her silence, though the underlying allegations have never been properly investigated and remain open.

The underlying allegation brought by Chief Detective Downing, and others, is that Defendant Judge Kennedy and other jurists in York County are uninterested and resistant in gathering facts of law, sometimes with catastrophic public results; these catastrophic results and the underlying negligence themselves are then covered up, while the whistleblowers, such as Chief Detective Downing and writer Keisling, are unlawfully punished, and retaliated against.

Defendant Chuk, *acting in administration,* does not inform Keisling that a defamation case has been re-assigned to Defendant Musti Cook, whose campaign manager is a principal in the law firm now before her, and who took referrals from that firm in while in *private practice,* in blatant violation of unenforced judicial canon.

Canon 2 C reads:

C. Disqualification

> (1) Judges should disqualify themselves in a proceeding in which their impartiality might reasonably be questioned, including but not limited to instances where:
>
> (a) they have a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the proceeding;
>
> (b) they served as a lawyer in the matter in controversy, or a lawyer with whom they previously practiced law served during such association as a lawyer

concerning the matter, or the judge or such lawyer has been a material witness concerning it...

This ethical misbehavior continues to this very day.

Judge Musti Cook then sits on a retaliatory ejectment case involving Keisling. Keisling files an appeal with Superior Court of Pennsylvania, and on January 25, 2010, Cook enters a statement offering a bald-faced lie in which she states Keisling never informed her of the appeal, and refuses to turn over the case files to Superior Court — again acting outside of her jurisdiction, and denying Keisling his state appeal rights. (Exhibits 12 and 13).

These blatantly personal and administrative misbehaviors and retaliations against Keisling go on an on, in large part because the Pennsylvania Supreme Court refuses to enforce its own administrative canon, rules, and laws.

3. Court Defendants are not a "person" who can be sued under 42 U.S.C. § 1983

Defendants are persons for the purpose of 42 U.S.C. § 1983. It is clear from the context, wording and focus of the complaint that the defendants are sued as individuals. Defendants' assertions are frivolous at best.

4. Plaintiff fails to state a cognizable case or controversy as to Chief Justice Castille because he has failed to show an "injury in fact" and thus lacks standing.

Defendant Castille is being sued in his official administrative capacity as chief administrator of the Pennsylvania court system, for violating Keisling federal rights in this, and previous cases, and so is ineligible for immunity. Having denigrated Keisling throughout their filings for bringing this instant case pro se, defendants claim in continuing personal and administrative arrogance that, "Plaintiff fails to provide any evidence that he sought an attorney or that an attorney refused to handle this matter for fear of Defendant Chief Justice Castille or disciplinary action." Defendants here seem to unlawfully require Keisling to surrender his attorney client privileges, which he will not do.

Defendants also well know, or should know, that a perspective litigant is also provided no affidavits or sworn statements by an attorney who refuses to handle a case. This is the legal equivalent of denigrating a sick man who is refused medical care, and is the ultimate of arrogance and privilege.

In its Brief and Memorandum of Law, Defendants do not dispute Castille's statement that the League of Women Voters's lawsuit, "slanders the entire Supreme Court of Pennsylvania with baseless and irresponsible charges.... The parties may have subjected themselves to sanctions, and the attorney may have subjected himself to disciplinary action."

Simply put, Defendant Castille is *incompetently or nefariously administering* a infamously corrupt court system in a blatantly corrupt, incompetent and unlawful fashion, and seeks to remedy this administrative travesty by silencing any and all complaints, and hiding behind non-existent immunities for his administrative failings.

In the instant matter, and other recent cases of note, the judicial defendants are claiming almost sovereign immunities. The Pennsylvania Supreme Court also makes selective and insiders' use of the King's Bench Maneuver, which grants the state Supreme Court all the powers of the English King's court from the year 1722. To here suggest that court chief administrator Defendant Castille does not understand that the weight of his words caused damage to Keisling would be laughable if it was not so sickening and incompetent.

As was the case with similar allegations of misconduct involving judges, bribery schemes and more than 6,500 helpless juveniles in Luzerne County, PA, the Supreme Court's disciplinary system was either non-existent, counter-mission, or unconstitutional, according to the pronouncements of another Pennsylvania Supreme Court Justice. As Pennsylvania Supreme Court Justice Joan Orie Melvin noted in a recent case involving an investigation of the state Judicial Conduct Board in the Luzerne County case, the State Supreme Court's non-existent judicial conduct mechanisms, "has not and will not follow through with the constitutional duty to investigate possible judicial misconduct" involving Pennsylvania judges.

In *Re: Interbranch Commission on Juvenile Justice,* Justice Melvin wrote, "The tenor of Article V, Section 18 contemplates that the JCB (Judicial Conduct Board) will not merely receive a complaint and sit idly by."

Yet that's precisely what happened with Keisling's complaint to the Pennsylvania Judicial Conduct Board, and other state courts, and the ongoing travesty of the instant complaint.

The great past, and *ongoing,* damage done to Keisling by the lack of lawful administration of justice in Pennsylvania involving judicial and attorney misbehavior is apparent and self-evident. The Judicial Conduct Board of Pennsylvania never had any intention, and to this day, as we see from Defendants' shameful filings, *has* no intention, of lawfully fulfilling its constitutional *administrative* obligations to investigate Keisling's complaints about Defendants Renn and Dorney and the others; Defendants, Castille, Renn, Dorney, Kennedy, Musti Cook and Chuk instead have every intention of continuing to unconstitutionally harm Keisling and strip him of his guaranteed rights for daring to speak out against them and their unlawful behaviors.

These are *official pronouncements* of members of the Pennsylvania Supreme Court, and amply demonstrate and prove Keisling's claim.

5. Plaintiff's claims are barred by the Younger abstention doctrine.

The Younger abstention does not apply, due to the aforementioned, and as more fully detailed in the Amended Complaint. Keisling has no appeal rights in Pennsylvania courts. Keisling was denied an appeal in foreclosure by Superior Court, and by the Pennsylvania Supreme Court, despite the fact that he was subject to the federal bankruptcy stay when Superior and Supreme Courts denied his appeal rights. As well, the current appeal to which Defendant Judge Musti Cook unlawfully and out of her jurisdiction refuses to turn over the case files to Superior Court concerns ejectment, not foreclosure. There is no appeal pending in state court affecting the federal complaint.

6. Plaintiff's claims are barred by the Rooker-Feldman Doctrine.

Like the Defendants' frivolous argument that the defendants are sued in their official capacities, which they are not, Rooker-Feldman arguments are just spurious and meritless. Plaintiff is suing to remedy the violation of his federally guaranteed rights, not to reverse or alter any state court decision.

B. Plaintiff fails to state a claim upon which relief can be granted.

This too of is frivolous; it is clear from the context, wording and focus of the complaint that Plaintiff has stated a claim.

1. Defendant Judges in their official capacity are entitled to judicial immunity.

As discussed more fully above, defendant judges are being sued for their private and administrative misbehaviors and unlawful private and administrative activities; defendant judges have no immunity for personal or administrative unlawful activities.

2. Chief Justice Castille and Court Administrator Chuk are entitled to qualified immunity.

The qualified immunity doctrine protects government officials from liability for civil damages "insofar as their conduct does not violate clearly established statutory or constitutional rights of which a reasonable person would have known." Harlow v. Fitzgerald, 457 U.S. 800, 818 (1982).

Courts apply the test articulated by the Supreme Court in Anderson v. Creighton, 483 U.S. 635 (1987), to determine whether the right is "sufficiently clear that a reasonable official would understand that what he is doing violates that right." Id. at 639-40.

Defendant Chuk repeatedly, and to this day, refuses to lawfully inform Keisling when he has assigned a judge to a case involving Keisling, as was the case with the conflict-of-interest assignment of Musti Cook to the defamation and ejectment cases. This amounts to unlawful star-chamber justice. Defendant judges and courts to this day refuse to turn over Keisling's ejectment appeal to its *lawful place of jurisdiction* in Superior Court. Defendants Udren, et al, and Federal Home Loan Mortgage have submitted a Motion for One-Judge Disposition of the case, though it is outside of the jurisdiction of York County Common Please Court. Defendants Chuk and Pamela Lee have yet to advise Keisling as whether they plan to continue to act *outside of their official jurisdiction.*

3. Plaintiff's Claims are barred by the statute of limitation.

This too is frivolous. Plaintiff's complaint makes it abundantly clear that these unlawful activities are active and continue to this day. For example, as discovery will show, and as Plaintiff's counsel knows or should know from the Complaint and Court records, and as discussed above, Defendants Renn and Dorney sat on cases involving Keisling in 2008 and 2009, at which time Keisling was not allowed fair or impartial hearings.

As well, due to the ongoing, conspiratorial and criminal nature of the acts committed, and being committed, by Judicial Defendants, the statute of limitations does not apply.

Conclusion

This Court should not dismiss any or all of plaintiff's amended complaint without permitting discovery. In *Alston v. Parker* 363 F.3d 229 (3rd Circuit Cir 2004) the 3rd Circuit made clear that plaintiffs in civil rights cases should be permitted discovery before complaints are dismissed. This Court should rule accordingly.

Wherefore, it is respectfully requested that this Court Deny the Motion to Dismiss filed on behalf of the judicial defendants, the Pennsylvania Supreme Court, the York County Common Pleas Court and Court Administrator Chuk.

Respectfully submitted,

_____

William Keisling IV, pro se
601 Kennedy Road
Airville, PA 17302
717-927-6377

February 19, 2010

IN THE COURT OF COMMON PLEAS OF YORK COUNTY,

PENNSYLVANIA

LAUREN MCHENRY	:	No. 97-SU-04511-03
VS	:	
WILLIAM KEISLING	:	Custody Trial

York, PA, Friday & Monday, August 20 & 23, 1999

Before Honorable Richard K. Renn, Judge

APPEARANCES:

CHRISTINA M. VELTRI, Esquire
For the Plaintiff

SUSAN M. SEIGHMAN, Esquire
For the Defendant

* * *

TRANSCRIPT OF PROCEEDINGS

* * *

Reported by:

Beth L. Ness, RMR
Official Court Reporter

Exhibit 1

can step down, sir.

MS. SEIGHMAN: Your Honor, may I just briefly address -- I'm not sure just who is coming in this afternoon. I understand that we only have one day to present our case. And if I am permitted to use rebuttal testimony, I am willing to stop my case earlier so that I only get one day and then have Dr. Blumberg come in on Monday. So I'm not sure if --

MS. VELTRI: I wouldn't be prepared for that, Your Honor. We were instructed at the pretrial that Mr. Keisling would have Friday and I would have Monday. My experts have had their calendars cleared for some time. They are not coming in until tomorrow.

THE COURT: We are going to stick with that schedule. You'll have the remainder of the day. We'll worry about Dr. Blumberg this afternoon.

* * *

(Whereupon, the luncheon recess was taken.)

* * *

THE COURT: Let's deal with the Dr. Blumberg issue. I've reviewed your memorandum. I've also reviewed the pretrial order that we issued in the case. And while I

I'm going to permit the testimony of Dr. Blumberg on Monday. Suffice to say that we've taken steps to avoid that occurrence in the future, but that raises another set of problems, potential problems.

This Court has had a number of professional dealings with Dr. Blumberg when we were in private practice. In fact, I've retained him to assist on a number of cases I'd say for probably the past 15 years, and we have a fairly high opinion of Dr. Blumberg's expertise.

However, having said that, given the subject matter of which he's expected to testify, I do not believe that would interfere with any decision I would ultimately have to make in this case, so I don't think the interests that we formerly had would be sufficient for me to unilaterally move for recusal.

But I throw that out to both of you, and I'll give you the weekend to think about it if you want to and present any motions that you feel might be appropriate on Monday.

MS. VELTRI: If I may, Your Honor, at this time I need to request reconsideration of the timing of the testimony. Being a moving party, the moving party is

IN THE SUPREME COURT OF PENNSYLVANIA

LAUREN McHENRY V. WILLIAM KEISLING
DOCKET NO. 13 MDA 2000

PETITION FOR ALLOWANCE OF APPEAL

Appeal from the Order entered October 4, 1999
in the Civil Court Division of the
Court of Common Pleas of York County, Pennsylvania
at No. 97-SU-04511-03

SUBMITTED BY:

WILLIAM KEISLING
601 KENNEDY ROAD
AIRVILLE, PA 17302
Telephone (717) 927-6377
Pro se

Exhibit 2

STATEMENT OF QUESTIONS PRESENTED FOR REVIEW

By disallowing Father the use of his appointed expert in a child custody case, when Mother was allowed an expert, was the father treated inequitably before the courts?

By not compelling Mother to submit to Father's appointed expert, did the court err in not ensuring as full as record as possible was presented in determining the best interests of the child?

Should a demonstrably mentally ill Mother be compelled, with good cause having been shown, to submit to Father's expert?

Did the trial court judge commit ethical misconduct by not immediately disclosing an ongoing personal and business conflict of interest with Father's appointed expert, and by later disallowing Father's use of the retained expert?

Did the trial court judge further commit ethical misconduct by allowing Father's expert to believe the expert had special sway over the trial court judge, thereby allowing the expert to attempt to enter into an alleged and unsuccessful criminal conspiracy, whereby the the expert demanded unlawful payment alleged by expert to be for the benefit of the trial court judge?

Was an undue burden placed on the Father, who fearful of an alleged criminal conspiracy involving the safety of his child, to enforce the trial court judge's ongoing disregard for obvious ethical and alleged criminal misconduct?

A CONCISE STATEMENT OF THE CASE

The Mother in this custody case, Lauren McHenry, is a demonstrably mentally ill woman afflicted with untreated bipolar disorder. Mother on several occasions was hospitalized for threatening the life and safety of the minor child, events which led to the initiation of this custody case. Pennsylvania Rule of Civil Procedure 1915.8 provides for the mental or physical examinations of persons involved in a custody dispute. Mother was allowed an expert, to which Father, William Keisling, was compelled by the court to submit. Father was granted an expert by the court, and retained the expert, but Mother refused to submit. The court refused to compel Mother to submit to Father's expert. On May 10, 1999, Keisling petitioned the trial court for, *inter alia,* special relief and to hold McHenry in contempt to compel McHenry to submit to Keisling's expert. The court refused to act expeditiously to find Mother in contempt for not submitting to Father's expert.

Father's expert, a psychaitrist based in Timonium, Maryland, claimed an ongoing, personal and business relationship with the Judge, York County Common Pleas Judge Richard Renn. Father's expert claimed to have a special sway over Judge Renn, telling the Father, "When I work with Richard, Richard gets at least $10,000. Isn't that why you retained me as your expert?" The expert then offered to contact Judge Renn secretly and ex parte, by telephone, to unlawfully an unethically advance the Father's case with Judge Renn, in return for unlawful compensation the Father understood that the expert was demanding for his secret business partner, Judge Renn. Keisling understood that that expert was demanding an unlawful and secret payment be made to Judge Renn. Keisling told the expert he would do nothing illegal, to which the expert replied that "no one cares about a judge's conduct in Pennsylvania; you should be concerned about the safety of your daughter."

The father refused to enter into any unlawful activity with the psychiatric expert or his retained expert's longstanding business partner, Judge Richard Renn. Father told the psychiatric expert that the expert had been retained to lawfully ensure the safety of the minor child, who had been repeatedly threatened by the bipolar mother. Father refused to have the psychiatric expert telephone Judge Renn directly, and instead directed the expert to write a letter to Judge Richard Renn. The expert, on on June 29, 1999, wrote Judge Renn directly on the Father's behalf, pretending that he did not know Judge Richard Renn. In open court, Judge Richard Renn, while acknowledging the receipt of the letter from the psychiatric expert, did not immediately disclose the conflict with his business partner, who was attempting to gain a secret and unlawful payment for Judge Renn. Keisling still refused the expert's

request to tender an unlawful payment to Judge Richard Renn, even while Judge Renn had a contempt complaint before him demanding the Mother be compelled to submit to Father's expert. Father however still refused to pay the expert any unlawful payment that that expert alleged was to directly or indirectly benefit Judge Richard Renn or Judge Renn's undisclosed business interests. At a July 7, 1999, contempt hearing brought about by Keisling's petition for special relief and contempt, Judge Renn ruled that too much time had elapsed for Keisling to now have an expert. Instead Judge Renn ruled that the case was now ready to go to trial. Keisling was forced to go to trial on August 20, 1999, without benefit of a expert. The case proceeded to trial.

On the first day of bench trial, on August 20, 1999, Keisling's attorney made a motion to use the psychiatric expert merely as a rebuttal witness, without benefit of evaluating the parties, to rebut testimony from McHenry's two expert witnesses. Judge Richard Renn, on August 20, 1999, taking up the motion to use Keisling's retained expert merely as a rebuttal witness, informed the litigants, "This Court has had a number of professional dealings with Dr. Blumberg when we were in private practice. In fact, I've retained him to assist on a number of cases I'd say for probably the past 15 years." Keisling, aware that Judge Renn previously had disregarded ethical requirements to divulge his secret business relationship with the expert, and aware of an ongoing and criminal conspiracy involving the expert and Richard Renn, was at all times fearful for the safety of his daughter before the bench of a judge Keisling understood to be corrupt and unethical judge, Richard Renn.

Yardbird Books

P.O. Box 5333
Harrisburg, Pennsylvania 17110

February 19, 2003

Sheryl Ann Dorney
Judge, Court of Common Pleas of York County
York County Courthouse
28 E. Market Street
York, PA 17401

Dear Judge Dorney,

I am a writer and investigative reporter currently completing a book about government, court and police corruption in York County, Pennsylvania. I have received many credible and collaborated allegations of endemic, systematic and unchecked corruption in York County courts and various county administrative offices. These allegations have been made by many individuals, including, most relevant to this letter, Dr. Neil Blumberg of Timonium, Maryland.

Due to the serious and collaborated nature of the allegations made by many individuals, including Dr. Blumberg, and my desire for accuracy and completeness, I am seeking interviews and comment from individuals who have worked on court cases involving Dr. Blumberg, among other matters. One of these cases, the Commonwealth of Pennsylvania v. William Michael Stankewicz, was tried by you in 2001.

Mr. Stankewicz was a mentally ill individual who attacked several children and school administrators with a machete in Winterstown, York County, in 2001, following many months of repeated and unheeded warnings of violence made by Mr. Stankewicz to employees of the York County Children and Youth Services office, threats which were recklessly ignored by these county employees. Dr. Blumberg was retained in this case.

As a writer and a father, I have the mixed blessing of having first-hand knowledge of these matters. Dr. Blumberg had involvement in a separate court case which concerned threats of death and injury made by an unmedicated, mentally ill mother against a child. I have personal knowledge of this case, as the child is my daughter. As I was attempting to protect my daughter before York County courts, I was referred to Dr.

Exhibit 3

Blumberg, who alleged deep, endemic, systematic and unchecked corruption in York County courts.

Dr. Blumberg, unaware that I am an investigative reporter, demanded from me a kickback in excess of $10,000, which Blumberg proposed to carry to Richard Renn, a York attorney who in recent years won election to York County Common Pleas Court. Blumberg characterized Renn as an ongoing and secret business associate, dating from Mr. Renn's days as a private attorney, when the two, he said, would often practice together. Blumberg openly peddled his influence with Mr. Renn. In explaining his fee schedule to me, Dr. Blumberg told me: "When I work with Richard, Richard gets at least $10,000."

Dr. Blumberg furthermore insisted he regularly conducts his business association with Mr. Renn in an ex parte, or one-sided and secretive, fashion. Blumberg explained that as a matter of standard practice he handles such matters privately with Renn, who he characterized as his old friend and business partner. Blumberg stated that when working on cases with Renn, Blumberg normally privately speaks ex parte with Renn at Renn's home, an arrangement insisted upon by Renn. Blumberg moreover alleged deep corruption in York County Courts and administrative offices. Dr. Blumberg furthermore spoke of systematic failure of knowledgeable persons to report or investigate allegations of improprieties in York County. Dr. Blumberg told me that no one in York County cares about such illegal arrangements. Blumberg told me, among other things, "no one cares about a judge's conduct in Pennsylvania; you should be concerned about the safety of your daughter."

Knowing that Dr. Blumberg's demands were illegal, improper, and dangerous to my daughter and other children caught in a similar dilemma, I immediately rebuffed Blumberg demands for a kickback or any ex parte communications with Renn. Instead, I suggested Blumberg write an open letter to Mr. Renn and send a copy to opposing counsel, stating the serious nature of the mother's illness. As a journalist covering court corruption and as a board member of Common Cause Pennsylvania, I knew that if Renn and Blumberg indeed had a long-standing business association, as alleged by Blumberg, Renn was obligated to *immediately* disclose this conflict, as demanded by judicial canon. This letter written Blumberg by to Renn was sent on June 29, 1999.

Blumberg chose to write Renn under the false and dishonest pretense that the two long-time associates did not know each other. In open court, Renn, while acknowledging the receipt of the letter from the psychiatric expert, did not as the law requires immediately disclose the conflict with his longstanding business associate, who in turn was demanding from me a payment to Judge Renn in return for a supposed advantage in my case. Instead of an immediate recusal, as demanded by law, Renn complained that the letter from his secret associate had come *to his chambers.* Renn's complaint that this correspondence was addressed to him at the

courthouse further reinforced Blumberg's insistence that Renn demands his business dealings with Blumberg be handled secretly through Renn's private residence.

I meanwhile continued to ignore Blumberg's ongoing demand to tender an unlawful payment to Judge Renn, even while Renn had a contempt complaint before him demanding the mentally ill mother be compelled to submit to Blumberg. While I continued to refuse Blumberg's demand of a kickback for Renn, Renn meanwhile refused to compel the mother to submit to Blumberg. This attempt to coerce me went on, amazingly, *for weeks.* Renn, having received no payment as demanded by Blumberg, instead suddenly moved the case to trial, without instructing the mentally ill mother to submit to Blumberg. The mother remains an unmedicated bipolar who was *twice* hospitalized for threatening the life of the child.

On the first day of bench trial, on *August 20, 1999,* nearly two months after Renn received the aforementioned dishonest letter from Blumberg, my attorney made a motion to use Blumberg merely as a rebuttal witness. Due to Renn's unethical behavior, Dr. Blumberg had been given my $2,500 retainer for performing little or no work. Renn, on August 20, 1999, taking up my attorney's motion to use Blumberg merely as a rebuttal witness, at last informed the litigants, "This Court has had a number of professional dealings with Dr. Blumberg when we were in private practice. In fact, I've retained him to assist on a number of cases I'd say for probably the past 15 years." As you know, Renn's unethical and dangerous misbehavior in this matter, concerning a child's safety, is a clear violation of judicial canon.

Later I would learn that Renn as a judge actively solicits business for Blumberg. In fact, I would learn, I had been referred to Blumberg thanks to a recommendation made by Renn to an intermediary. Blumberg, in turn, peddles his influence with Renn and demands kick-backs, and ex parte communications, with Renn.

The case I write to you about here is all the more troubling because my child's maternal grandmother at the time was a caseworker of a *Children and Youth Services agency*. The grandmother had refused, as required by law, to report the threats against her grandchild.

I have reported Dr. Blumberg's illegal overtures and allegations to a number of varied and surprising parties, all who *refuse to even report* these improprieties and Blumberg's criminal allegations, as required by law. As a further consequence of my attempts to report Blumberg's allegations against Renn, I have been unable to retain legal counsel in York County.

Such judicial and administrative corruption is a fact of everyday life in York County, I'm told. Charges of official and or police involvement in crimes ranging from murder, prosritution, bribery, and cover-up of same,

are commonplace. To stand up against this endemic corruption, I'm told again and again, means threats against one's life, livelihood, home, and even the safety of one's children.

A member of the staff of York County Children and Youth Services, for example, recently related to me that she was instructed by a supervisor, under penalty of dismissal, to falsify court and administrative documents as a matter of standard practice. At the time, Children and Youth Services of York was under threat of suspension by the Commonwealth of Pennsylvania. This was contemporaneous to Mr. William Michael Stankewicz's unheeded threats made to Children and Youth, resulting in the harm to school children at the hands of a man in an obvious and historic need for mental health treatment.

In April 2002 I informed York attorney Barbara Stump of Dr. Blumberg's attempted influence peddling, demands for a kickback and ex parte communications involving Mr. Renn. Attorney Stump, ignoring her duties as an officer of the court, steadfastly refused to report these allegations to the appropriate authorities, and instead asked me to leave her office. Attorney Stump suggested I "go to Dauphin County" if I was unhappy with York County corruption.

In January 2003, while investigating the Stankewicz case, I similarly informed Mr. Stankewicz's attorney, Bruce C. Blocher, the York County public defender, of Dr. Blumberg's allegations against our courts in general and Mr. Renn in particular. Mr. Blocher voiced his refusal to do anything about Dr. Blumberg's allegations, in clear abdication of his responsibilities to his client, and his obligations as an officer of our courts.

I and every other parent and citizen have the right and expectation to insist upon the safety of our children in our courts and county offices. Ms. Stump and Mr. Blocher led me to understand that they are more concerned with their participation in business-as-usual practices of York County corruption, and their participation in a corrupt system that is no doubt lucrative to them, and to other insiders, though ultimately dangerous to our children.

I am here writing to seek your comments concerning the Stankewicz case, which you tried in 2001. I would appreciate your comments concerning reports of falsification of records, and reckless endangerment of children, involving York County Children and Youth Services.

Court records indicate you were told that Mr. Stankewicz was taking several powerful drugs to fight his mental illness, including Thorazine and Prozac, medications which, at the time of his attack, were unavailable to him. Further, you told Mr. Stankewicz that you were aware that he had made threats "throughout the last several years."

Court records also indicate that Mr. Stankewicz, before his attack in Winterstown, had repeatedly warned the staff of York County Children and Youth Services that he planned violence. Children and Youth Services did nothing to secure the help even Mr. Stankewicz says he badly needed, and for which he says he cried out, resulting in disaster for our county's children. Nowhere in the record do I see you calling into question the obvious negligence of county Children and Youth Services. Dr. Blumberg, retained in the Stankewicz case, was used by York County to treat this case merely as criminal, glossing over county mental health failings. The gross negligence of Children and Youth Services has been covered-up, and this agency's negligence ultimately resulted in Mr. Stankewicz's attack against our children.

Please comment on the perception that Mr. Stankewicz's case is the fruit of unscientific and medically unsound political decisions made in the last two decades cynically designed to save funds by turning the mentally ill lose on our communities. In York county, this criminalization of the mentally ill is manifested by almost weekly accounts of untrained police officers shooting, killing and otherwise harming mentally ill citizens, unimpeded and apparently with the blessing of corrupt courts such as we suffer in York County.

In Mr. Stankewicz's case, you state on the court record on November 5, 2001, "We are familiar with Dr. Blumberg and his qualifications. He had testified previously not only before this judge, but I am sure before other judges n York County as well."

What are your recollections concerning these "other" cases and judges involving Dr. Blumberg of which you spoke? What is your understanding of the payment received by Blumberg in the Stankewicz case? I would also like to know whether you ever have had discussions with Richard Renn concerning Dr. Blumberg, particularly whether Renn or another party has recommended Dr. Blumberg's services to you or others. As well, I would like you to list any cases where Mr. Renn, as a private attorney, may have practiced before you while enlisting Dr. Blumberg as an expert. Have you ever met Dr. Blumberg in a social setting?

As you are a long-time county elected official, and a former employee of the District Attorney's office, I would like you to also comment on other issues of county corruption and public endangerment.

As I'm sure you know, Democratic York mayor Charles Robertson was recently accused of the 1969 murder of Lillie Belle Allen, due, we are told by the district attorney and his assistant, to Mayor Robertson's participation in a "White Power Rally" in Farquhar Park, which supposedly instigated Allen's murder. The recent trial of Mayor Robertson produced testimony that Republican William Hose, who is currently the county sheriff, and Republican Barry Bloss, today the county coroner, also attended this rally with Robertson. Yet the same logic which caused

Democrat Robertson to be charged with murder has produced no indictment against Republican Hose and Bloss. Please comment.

As well, I would like you to comment on allegations and testimony that many state and local police participated or witnessed Allen's murder, and covered-up same, with the decades-long acquiescence of the district attorney's office, where you were once employed.

Lastly, I have been told my many York Countians that Russell Wantz, the owner of the Schaad Detective Agency, is known throughout York County to be a principal in a Wrightsville message parlor as well as a silent partner with the late Larry Keeney in the business of "escorts" and prostitution. Mr. Wantz, a friend of the district attorney, is widely held to enjoy protection from prosecution or investigation. Mr. Wantz's detective agency currently provides security, with Mr. Hose's office, at our county courthouse. Bluntly put, in this day of heightened security, do you find it ironic or merely business-as-usual in York County that a known pimp and an accused participant in a botched police murder are standing guard at the doorways of our courthouse? What sort of message does this send to our citizens, and our youth?

Do you have any comments on the fear of retaliation and retribution many York Countians have expressed to me, which they say prevents them from coming forward to fight or report crimes such as these? Please comment concerning the deaf ear turned by county judges who greet these victims.

Please feel free to respond at length. Please respond to the above address or, if you prefer, you may schedule a face-to-face interview.

Sincerely,

William Keisling

cc: Barbara Stump, Esq.
Bruce C. Blocher, Esq.
York County Medical Society

bcc

Date	Action	Type	Pages
04/15/2005	*DEFTS BRIEF IN SUPPORT OF PRELIMINARY OBJECTIONS W/CERT OF SVC (Volume: 00054-Blip: 00244)	04053	
03/31/2005	*MOTION TO VACATE SUMMARY JUDGMENT ORDER OF 7/1/03 & RE-ENTER ORDER (Volume: 00046-Blip: 00091) GRANTING SUMMARY JUDGMENT W/PLTF'S MEMO OF LAW & CERT OF SVC	04672	
07/29/2003	SUGGESTION OF BANKRUPTCY (Volume: 00114-Blip: 0222)	04799	
07/03/2003	MEMORANDUM AND ORDER (Volume: 00099-Blip: 0490) PLTF'S MTN FOR SUMM JDGMNT GRANTED BY THE CT SHERYL ANN DORNEY J	05149	
07/03/2003	NOTICE GIVEN RE: PA R. C. P. 236 (Volume: 00099-Blip: 0490) MAILED TO LAUREN MC HENRY ATTY FOX & WILLIAM KEISLING 7/3/03 @3PM	04089	
07/01/2003	ORDER OF COURT (Volume: 00098-Blip: 0071) THIS MATTER & PACKET OF MATERIALS WILL BE DIRECTED TO JUDGE DORNEY BY CT J S KENENDY J	04602	
07/01/2003	NOTICE GIVEN RE: PA R. C. P. 236 (Volume: 00098-Blip: 0071) FAXED TO ATTY FERRO 7/1/03 @1:30PM MAILED TO ATTY KEISLING 7/1/03 @3PM	04089	
06/03/2003	OPINION AND ORDER (Volume: 00081-Blip: 0314) DEFTS' MOTIONS FOR SANCTIONS & MOTION FOR LEAVE DENIED BY THE CT JOHN S KENNEDY J	04096	
06/03/2003	NOTICE GIVEN RE: PA R. C. P. 236 (Volume: 00081-Blip: 0314) MAILED TO LAUREN MC HENRY ATTY FOX & WILLIAM KEISLING 6/3/03 @3PM	04089	
05/21/2003	*ORDER AND DECREED THAT THE DEFT SHALL PERMIT AN INSPECTION OF THE (Volume: 00074-Blip: 00238) ENTIRE PREMISES AND PROVIDE ENTRY THERETO ON 05-31-03 BY THE COURT JOHN S KENNEDY JUDGE	05293	
05/19/2003	ANSWER (Volume: 00073-Blip: 0122) (FAX COPY)& OBJECTIONS TO W KEISLINGS MOTION FOR SANCTIONS FOR PLTFS FAILURE TO ANSWER	04107	

Exhibit 5

COMMONWEALTH OF PENNSYLVANIA JUDICIAL CONDUCT BOARD 225 Market Street Harrisburg, PA 17101-2126 (717) 234-7911		OFFICIAL USE ONLY Rec'd. _____ File No. _____ County _____ Type _____

CONFIDENTIAL COMPLAINT QUESTIONNAIRE

12-96

INSTRUCTIONS: Please print or type. The verification at the bottom of this page must be signed. Use the back of this form to explain your complaint. If you wish to provide documents to support your allegations, please attach copies of those documents. Documents can not be returned. This Board's jurisdiction extends only to Justices of the Supreme Court of Pennsylvania, Judges of Pennsylvania's State Courts, District Justices, and Magistrates.

YOUR NAME: William Keisling

YOUR ADDRESS: 601 Kennedy Road
Airville, PA 17302

YOUR TELEPHONE: HOME (717) 927-6377 OTHER ( )

WHICH JUDICIAL OFFICER ARE YOU COMPLAINING ABOUT?

☐ DISTRICT JUSTICE ☒ JUDGE ☐ OTHER _____

NAME: Sheryl Ann Dorney

CITY: York, Pennsylvania COUNTY: York

IDENTIFICATION OF CASE INVOLVED (if applicable):

COURT TERM AND NUMBER: 2001-SU-06002-0 & 2000-SU-030406-06

Your involvement in this case: ☒ Litigant ☐ Witness ☐ Attorney ☐ Other

Has this case been appealed? ☐ Yes ☐ No

NAME OF PLAINTIFF: 1. Providian National Bank
2. National City Bank

PLAINTIFF'S ATTORNEY:
Attorney's Address:
Attorney's Telephone: 1. Valerie Park (215) 348-5200 2. Mark Udren Assoc. 856-482-1199

NAME OF DEFENDANT: William Keisling

DEFENDANT'S ATTORNEY:
Attorney's Address: pro se
Attorney's Telephone:

VERIFICATION: I believe that these written statements are true. The statements in this complaint are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

_____ _____

Date Signature

Exhibit C

Please use this page to explain your complaint, providing as much detail as possible. Attach additional pages if needed.

(see attachment)

I am a writer of books and articles. Our community in southern York County has recently been visited by several horrific tragedies which require the vigilant attention of our newspapers and our writers. Two years ago, a mentally ill man with a machete broke into one of our elementary schools and hurt several kindergartners and teachers, having spent years warning unheeding local agencies of his illness and his plans. Several weeks ago, a fourteen year-old-boy shot and killed himself and his principal at school. As well, there are important issues of public integrity which require the public's careful examination. The mayor of York was recently brought to trial for involvement in a 1969 murder of a young woman. The mayor was acquitted but, at trial, testimony placed our current county sheriff and our coroner, when they were young policemen, at events leading up to the murder. These are some of the issues I am writing about, which our community has a vital interest in, and for which my readers have responded supportively.

I have been approached by several community members who have complained to me about endemic public corruption and malfeasance in our community, and their inability to report these problems to our courts and our officials. Some of this information concerns a case which was tried before York County Common Pleas Judge Sheryl Ann Dorney, involving individuals in close association with her, and her handling of a case of vital importance to our community.

At the time I had two civil cases pending before the York County Court of Common Pleas. These cases have been assigned to Judge Sheryl Ann Dorney. On February 20, 2002, I wrote Judge Dorney advising her that I had been given information concerning a case she had tried, an issue of grave import to our community, involving the safety of our children and the integrity of our institutions, issues which require my vigilance, as well as Judge Dorney's comment and her appropriate action. At the same time, I filed motions appropriately demanding Judge Dorney to recuse herself from my civil cases, due to our obvious professional conflict.

Judge Dorney did not responded to my request for recusal, nor did she report the information I provided her to the appropriate court or otherwise non-conflicted authorities, as required by judicial canon. Instead, on May 6, 2002, Judge Dorney entered an order for summary judgment against me on one of the cases.

Judge Dorney is misusing her position in an attempt to threaten me into silence, to keep vital information from our community members, and, to protect her interests and those of her associates.

I am entitled to impartiality before our courts. The judicial canon requires Judge Dorney to hold her office not merely with impartiality, but to act with without even the *perception* of partiality. As well, judicial canon requires Judge Dotney to recuse herself when issues relating to her interests, or those of her colleagues, are at stake. By not recusing herself from my civil cases Judge Dorney has not only violated my rights to impartial justice, she has repeatedly violated judicial canon and brought disrepute to our judiciary.

Sincerely,

William Keisling

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

PROVIDIAN BANK,		
PARK LAW ASSOCIATES, et al	:	NO. 2001-SU-06002-0
Plaintiffs	:	
	:	
vs.	:	
WILLIAM KEISLING,	:	
Defendant		

MOTION FOR RECUSAL

Now comes Defendant William Keisling to hereby demand recusal of Judge Sheryl Ann Dorney in the above captioned matter. Several professional conflicts exist between Defendant Keisling and Judge Dorney which preclude an impartial hearing by Judge Dorney on this case.

Defendant Keisling has informed Judge Dorney that her handling of a previous case, and allegations of improprieties by an expert who has testified before Judge Dorney, are among the subjects of a forthcoming book written by Defendant Keisling.

As well, Defendant Keisling has asked Judge Dorney to comment upon numerous, serious breaches of public trust in York County, including instances of court and attorney improprieties, and failure of court officers to report same, all of which require Judge Dorney's comment for publication.

Defendant Keisling's absolute right to an impartial hearing, and his absolute right to equal protection before the courts, would be violated and irreparably harmed by Judge Dorney's continuance in this case.

Further affiant sayeth naught.

Respectfully submitted,

William Keisling
601 Kennedy Road
Airville, PA 17302

Date: February 19, 2003

ance for everyone but them. This, in the police agency once described by Theodore Roosevelt as the finest in the world. It's shameful.

These problems in our state police denote not only a lack of oversight, as has plagued the FBI, but also a lack of public involvement. Americans are being conditioned to be fearful of speaking out against problems or outright corruption in our police forces and our courts.

How bad is it? One day a court expert told me of an influence-peddling scheme involving York County, Pennsylvania, Common Pleas Judge Richard Renn.

This expert it so happened had testified in a prominent case before another judge, York County Common Pleas Judge Sheryl Ann Dorney. It was an important case involving children attacked at school by a mentally ill, machete-wielding man. The attack turns out to have been preventable. Two county agencies neglected to pass along warnings to authorities. As a result, children were hurt. The allegations demand investigation.

I wrote Judge Dorney a registered letter in February 2003, ten months before Jonathan Luna's death, informing her of the new information in her case, and asking for an interview.

In the same letter, as a courtesy, I passed along to Judge Dorney the town newspaper's allegations that security personnel were running a sex ring in her courthouse, and that there was not a mechanism in place to properly review the backgrounds of the guards. By this time, making matters worse, the county sheriff, William Hose, had been accused in open court of helping to instigate the murder of Lillie Belle Allen, the young, black, minister's daughter caught in a police ambush in 1969. It was a year after the mayor of York had been acquitted by a jury for the same murder. Charming town, isn't it?

I wrote Judge Dorney, "In this day of heightened security, do you find it ironic or merely business-as-usual in York County that an alleged pimp and an accused participant in a botched police murder are standing guard at the doorways of our courthouse? What sort of message does this send to our citizens and our youth?"

I concluded by passing along the oft-heard complaint that, "the fear of retaliation and retribution (prevents citizens) from coming for-

Exhibit 7

IN THE SUPREME COURT OF THE

COMMONWEALTH OF PENNSYLVANIA

No. _____

William Keisling

Applicant

v.

National City Mortgage Co.

Respondent

APPLICATION FOR KING'S BENCH JURISDICTION

AND/OR EXTRAORDINARY RELIEF

Application for Immediate Supreme Court Review, Pursuant to 42 Pa. Cons. Stat. § 726 and Pa. R. App. P. 3309, of National City Mortgage Co. v. William Keisling pending in the Court of Common Pleas of York County, Pennsylvania, No. 2000-SU-03406-06

William Keisling, *pro se*
601 KennedyRoad
Airville, PA 17302
717.927.6377

Exhibit 9

APPLICATION FOR EXTRAORDINARY RELIEF

TO THE HONORABLE JUSTICES OF THE SUPREME COURT OF PENNSYLVANIA:

AND NOW, comes the Petitioner, William Keisling, in accordance with PA.R. App. P. 3309, and 42 PA.C.S.A. § 726, and hereby respectfully petitions this Honorable Court to exercise its extraordinary jurisdiction and hear the matter pending before the Court of Common Pleas of York County, Pennsylvania at 2000-SU-03406-06 and further states,

INTRODUCTION

1. This matter involves an issue of immediate and significant public importance, affecting public interest and public safety, while ensuring right and justice be done.

2. Petitioner is a writer working on a series of books concerning systemic public corruption in York County, Pennsylvania, and is also a Defendant in a long-running mortgage foreclosure action first filed in York County Common Pleas Court by Respondent National City Mortgage Co. on July 14, 2000, several times withdrawn and reinstated by Respondent, and last reinstated on March 26, 2001, and now docketed on No. 2000-SU-03406-06.

3. In its Complaint for Mortgage Foreclosure, Respondent National City Mortgage Co. states that Petitioner Keisling failed to pay contracted mortgage payments beginning in "11/01/99." The mortgage contract involves the Petitioner's home at 601 Kennedy Road, Airville, in York County, Pennsylvania.

4. Petitioner Keisling on February 5, 2002 filed his answer and counterclaim, specifically denying the mortgage company's claims, providing as court exhibits copies of the canceled checks, disproving false claims made by

the mortgage company in its complaint(s). These checks were received from Keisling by National City Mortgage Company, and subsequently cashed by National City Mortgage, from November 1999 through March 2000 (after which Respondent refused to accept mortgage payments).

5. Petitioner Keisling was thereafter flagrantly deprived of due process and equal protection in York County and Pennsylvania appellate courts.

6. In the course of this matter, Petitioner Keisling was repeatedly denied discovery in violation of the Pennsylvania Rules of Civil Procedure (Pa.R.C.P.); was denied his right to an impartial judge; was at all times subjected to Court behavior well beyond prejudicial; Keisling was openly ridiculed by the Court; Keisling was repeatedly told he would be denied due process and his day in court; Keisling was denied a single hearing on issues of triable fact; was denied reasonable access to an attorney; was in the course of this litigation physically beaten, unlawfully jailed, repeatedly threatened; deprived of basic civil rights and forced to witness the safety and due process of those close to him likewise threatened by officers of the York County Court and other employees of the York County Courthouse, as more fully discussed below.

7. Despite obvious issues of triable fact (i.e., that *Keisling paid his mortgage,* as indicated by the submission of numerous canceled checks, his pleadings specifically denying the allegations of the mortgage company, and other issues of triable fact contained in Keisling's court filings), two York County judges *twice* ruled by Summary Judgment against Keisling in violation of Pa.R.C.P. and case law.

8. In the course of these proceedings, both York County judges refused to grant Keisling discovery, or enforce Keisling's demands regarding

interrogatories and other discoveries from Plaintiff. While these outstanding issues of discovery continued, both judges signaled their intent to grant Plaintiff Summary Judgment, in violation of Pa.R.C.P. and case law. (Judgment ceases to be judicial if there is condemnation in advance of trial, Escoe v. Zerbst, 295 U.S. 490 [Cardozo, J. 1935]. Summary Judgment is only warranted where "there is no genuine issue of any material fact as to a necessary element of the cause of action or defense which could be established by discovery or expert report." Pa.R.C.P. 1035.2[1]; and, a motion for Summary Judgment may only be granted when the pleadings, depositions, answers to interrogatories, admission and affidavits, and expert witness reports demonstrate that there is "no issue of any material fact as to a necessary element of the cause of action or defense" Schroeder v. Commonwealth, Dept. of Transportation 710 A.2d 23, 25 [1998], and Pa.R.C.P. 1035.1 et seq.)

9. Both judges also refused to recuse themselves when issues of professional and personal conflict arose with Keisling. Even in the absence of actual bias, a Judge must disqualify himself from any proceeding in which his impartiality might reasonably be questioned. In the Interest of McFall, 556 A.2d 1370 (Pa. Super 1989), affirmed with opinion, 617 A.2d 707 (Pa. 1992). Judgment ceases to be judicial if there is condemnation in advance of trial, Escoe v. Zerbst, 295 U.S. 490 (Cardozo, J. 1935).

10. On November 2, 2005, Judge John S. Kennedy, ignoring Keisling's pleadings and submitted evidence, entered an order granting Summary Judgment to National City Mortgage, claiming Defendant Keisling "failed to make a legal defense to Plaintiff's claim and that Plaintiff is entitled to Summary Judgment as a matter of law," after arbitrarily and capriciously refusing to allow Keisling either discovery or an attorney.

11. As evidenced by the 11-page docket sheet attached hereto, Petitioner Keisling repeatedly attempted to defend himself, but his filings and defenses in this matter were repeatedly ignored and rebuffed by two county judges who are subjects of Petitioner Keisling's writings as a journalist.

12. As a result of these issues of triable fact being ignored, Keisling's home has been scheduled for Sheriff's Sale on April 28, 2008.

13. Applicant respectfully requests that this Court grant the following relief:

a. Assume immediate plenary jurisdiction over this action;

b. Stay the pending Sheriff's Sale of the subject's property so that the case may be properly and fairly adjudicated;

c. Order a new a new trial and discovery in this case, presided over by a judge or judges not having professional or personal conflicts with Keisling, as required by the interests of justice;

d. Restore Applicant Keisling's lawful appellate rights in this case;

e. Enter in favor of Applicant other such relief as may be deemed by the Court to be necessary and appropriate to further the ends of justice.

THE APPLICANT

14. Applicant is William Keisling, a professional writer of books, and citizen of Pennsylvania. Many of Keisling's books involve vital issues of public interesr, including matters of government corruption and other topics of compelling public concern.

15. For more than a decade Keisling has been engaged in researching and documenting unaddressed allegations of corruption in and around York County and its courthouse and how this unchecked systemic corruption has grown to threaten the safety of the children of York County. The subject matter researched by Keisling include long-standing allegations of child abuse; neglect

leading to endangerment and serious injury ro children; prostitution activities, and related allegations involving officers of the court and others working in and around the York County Courthouse.

16. As a professional writer, Petitioner Keisling has extensively studied and written about the role played by York County Judges in protecting those responsible for these atrocities; the alleged perpetrators often are the professional or political associates of the judges. Simply put, the York County judiciary protects those with ties to courthouse personnel while, conversely, punishing those who questions such judicial protection and favoritism.

17. For instance, in 2000 through 2002, Keisling investigated the police-aided killing in 1969 of a minister's daughter named Lillie Belle Allen. Implicated in the murder were current employees of the York County Courthouse and the York Sheriff's Department. Keisling wrote of the murder, subsequent cover-up and eventual trial in his book The Wrong Car. At the tiime Keisling was researching the book, in February 2001, he was carried from a hospital sick bed, unlawfully arrested, physically assaulted and briefly jailed on a fraudulently obtained bench warrant issued from the York County Courthouse.

18. Following his unlawful jailing and beating, Keisling filed a federal civil rights lawsuit against the responsible parties (Keisling v. Helwig et al, 1:03-CV-0117). In depositions for that case York County Sheriff William Hose revealed that one of his deputies had fraudulently and intentionally changed Keisling's address on a notice for a court hearing unrelated to the instant action, prompting an unlawful bench warrant and Keisling's beating and unlawful arrest.

19. In this federal civil case Keisling was awarded an out-of-court settlement from one of the responsible parties, but the presiding federal judge

granted immunity to courthouse personnel behind the attack on the writer. After Keisling's beating, in a series of criminal and civil actions in state and federal court addressing Ms. Allen's murder, Sheriff William Hose and his deputy were alleged to have participated in events leading to the civil rights murder of Lillie Belle Allen.

20. While the example cited above was a case of retaliation where Keisling was the victim, those who are most hurt by these unlawful practices are the citizens of York County; most notably and horrifically in recent years its children. This case is another example of retaliation against Keisling.

21. As a journalist and social activist, Petitioner Keisling has long investigated and writen about deep-rooted negligence in the care of children in the York County Court system, and matters in which officers of the court and others in York County have contributed to, or concealed, catastrophic injury to children and others. Rather than recognizing, addressing and curing the myriad problems, officers of the court in York County have used this and other cases to punish and attempt to silence writer Keisling.

THE RESPONDENT

22. The Respondent, National City Mortgage, Co., is a mortgage lender, accused of predatory lending practices in this and other cases in courts across the commonwealth and country.

23. Little or no harm to the Respondent will be caused by this Court's furtherance of justice in this case. Petitioner Keisling has paid the mortgage company tens of thousands of dollars in payments since this foreclosure case was filed. Moreover, a 2005 real estate appraisal of the property suggests a property value of $270,400, well above the amount National City Mortgage claims to be owed. While little or no harm will befall Respondent, Petitioner Keisling will be irreparably harmed if this Court fails to act.

BASIS OF APPLICATION

24. Pursuant to both its King's Bench powers preserved by Article V of the Pennsylvania Constitution and Pennsylvania Rule of Appellate Procedure 3309, and as statutorily provided in 42 Pa. Cons. Stat. Ann. § 726, this Court "may, on its own motion or upon petition of any party, in any matter pending before any court or magisterial district justice of the Commonwealth involving an issue of immediate public importance, assume plenary jurisdiction of such matter at any stage thereof and enter a final order or otherwise cause right and justice to be done." 42 Pa. Cons Stat. Ann. § 726.

25. The Court in the past has found it appropriate to exercise plenary jurisdiction where, in addition to involving an issue of immediate public importance, the exercise of the Court's jurisdiction "may well advance the ultimate determination of the case." Comm, v. $9,847.00 U.S. Currency, 550 Pa. 192. 196 (1997).

26. As stated before, this case is a matter of public importance in that its handling heretofore reflects retaliation for, and attempted suppression of, Petitioner and writer Keisling's investigation of deep-rooted negligence in the care of children in the York County Court system, and other matters. Officers of the court and others in York County at various times have contributed to, or concealed, catastrophic injury to children and others. It is of vital importance to the public for one to be able to investigate or criticize wrongdoing by those holding the public trust, without fear of retaliation. Officers of the court have used this and other cases to punish writer Keisling for his work.

27. In the current economic climate where foreclosures have increased astronomically, there are few matters of greater public importance than the protection of citizens' homes from seizure without due process. This case involves just such a seizure where hostile procedural barricades were

consistently placed in the way of discovery and a fair and open trial. Keisling, through no fault of his own, has also been unlawfully stripped of his appeal rights, thus circumventing an all-important check on the lower court's capricious and vindictive actions.

28. The out-of-control environment in the York County Common Pleas Court is, at least in part, due to the systemic failure of proper oversight of our judicial branch and other agencies. The Pennsylvania Supreme Court should exercise plenary jurisdiction over this matter to not only establish principles of impartial justice in this particular case, but also to demonstrate its willingness to recognize, address and understand the deeper underlying problems in our court system, and to rectify these deficiencies.

29. The right to a fair trial is the cornerstone of our judicial system. Further, abdication or careless failure to protect the sanctity of our laws and public safety, meant as they are to protect all, including the smallest atoms of our society -- our children and our homes -- can only indicate the gravest decay and ultimate failure of any existing judiciary.

STATEMENT OF MATERIAL FACTS

30. Applicant incorporates the allegations set forth in paragraphs 1 through 29, as though fully set forth herein.

31. Following Petitioner Keisling's Answer and Counterclaim filed on February 5, 2002, Keisling served upon National City Mortgage his First Set of Interrogatories on March 7, 2002.

32. On August 8, 2002, the case was assigned to York County Common Pleas Judge Sheryl Ann Dorney.

33. Respondent National City Mortgage steadfastly refused to answer the First Set of Interrogatories.

34. On January 23, 2003, Plaintiff National City motioned for Summary Judgment.

35. Keisling wrote Judge Dorney a letter of journalistic inquiry dated February 19, 2003, attached hereto, advising Judge Dorney that she was a subject in Keisling's forthcoming book. To that end, Keisling questioned Judge Dorney about research indicating that she had mishandled what amounted to a county negligence case involving the catastrophic injury of children and a school teacher. In that case, several county offices, including the York County Children and Youth Services and a United States congressmen, were shown to have failed to pass along repeated warnings of threats of an impending attack, of what turned out to be school children. In Judge Dorney's courtroom the negligent county insiders were protected; left unprotected by Judge Dorney were the children of York County. In his letter, attached hereto, Keisling relates that his own daughter's safety had been repeatedly threatened by members of the courthouse staff. Judge Dorney was also questioned by writer Keisling about outstanding allegations that various members of the courthouse staff had allegedly participated in the 1969 murder of Lillie Belle Allen, the subject of Keisling's book The Wrong Car. Judge Dorney was also questioned about allegations of a long-running prostitution activities involving courthouse staff, associates, and contractors, and other matters of systemic corruption at the courthouse affecting the safety of York Countians. "Do you have any comments on the fear of retaliation and retribution many York Countians have expressed to me, which they say prevents them from coming forward to fight or report crimes such as these?" Keisling wrote Judge Dorney. On the same day Keisling wrote Judge Dorney, Keisling filed a Motion for Recusal with Judge Dorney, citing the obvious conflict between Judge Dorney and Keisling. Judge Dorney

took no action on these pressing issues of public safety and refused to recuse herself.

36. On February 21, 2003 Defendant Keisling served upon Plaintiff his Response in Opposition to Plaintiff's Motion for Summary Judgment, citing obvious issues of triable fact before the court, such as canceled checks showing that Keisling had in fact met his contractual obligations. Pa.R.C.P. states that a moving parties is only entitled to summary judgment when "there is no genuine issue of any material fact as to a necessary element of the cause of action or defense which could be established by discovery or expert report," Pa.R.C.P. 1035.2(1).

37. On April 1, 2003, Defendant Keisling motioned for sanctions against Plaintiff National City Mortgage for Plaintiff's failure to answer the First Set of Interrogatories. Throughout this period of time, as reflected in the docket, Keisling repeatedly demanded discovery in this case, but was every time denied discovery by Judge Dorney and, later, Judge Kennedy, both of whom consistently voiced their intent to forgo discovery in order to immediately grant Plaintiff its Motion for Summary Judgment.

38. In business court before Judge John S. Kennedy on May 19, 2003, Keisling was openly ridiculed by Judge Kennedy. Judge Kennedy at this hearing stated his resolve to disallow either discovery or a trial for Keisling in this case, in violation of Keisling's right to due process and equal protection of law and Pa.R.C.P. Later the court would enter an Order denying Defendant's Motion for Sanctions.

39. A motion for summary judgment is only warranted where "there is no genuine issue of any material fact as to a necessary element of the cause of action or defense which could be established by discovery or expert report." Pa.R.C.P. 1035.2(1). "If, after completion of discovery relevant to the motion,

including the production of expert reports, an adverse party who will bear the burden of the proof at trial failed to produce sufficient evidence of facts essential to the cause of action or defense" to submit the question to the jury. Pa.R.C.P. 1035.2(2)

40. Moreover, a motion for summary judgment may only be granted when the pleadings, depositions, answers to interrogatories, admission and affidavits, and expert witness reports demonstrate that there is "no issue of any material fact as to a necessary element of the cause of action or defense" Schroeder v. Commonwealth Dept. of Transportation 710 A.2d 23, 25 (1998), and Pa.R.C.P. 1035.1 et seq.

41. In order to successfully bring a motion of summary judgment, the moving party must demonstrate that there are no genuine issues of material fact for which the Court is to decide. First Wisconsin Trust Company v. Strausser, 439 Pa.Super. 192, 653 A.2d 688, (1994). Once the moving party has met this burden, the non-moving party must produce sufficient evidence on an issue essential to the case on which he bears the burden of proof such that a jury could return a verdict in his favor. Ertel v. Patriot News Co., 544 Pa. 93,674 A.2d 1038, (Pa. 1996) Pa.R.C.P. 1035.3.

42. Additionally, the record should be examined in the light most favorable to the non-moving party and summary judgment should only be granted where the entitlement to judgment as a matter of law is free and clear of doubt. Electronic Laboratory Supply Co. v. Cullen, 712 A.2d 304 (Pa. Super. 1998). Further, the court must give the non-moving party the benefit of all reasonable inferences which may be drawn from the facts. Spain v. Vicente, 315 Pa. Super. 135, 461 A2d 833 (1983).

43. In the instant case, Petitioner Keisling, having specifically denied the allegations in the Complaint, having produced canceled checks proving that

he in fact paid his mortgage, having filed a counter-claim, and having repeatedly attempted to gain discovery, more than produced "reasonable inferences" that Respondent National City Mortgage was *not* entitled to Summary Judgment.

44. The case against Keisling was not "free and clear of doubt" as stipulated by Pa.R.C.P. and Pennsylvania case law. Yet, Judge Dorney and Judge Kennedy repeatedly made it clear to Keisling that they had no intention of fulfilling their obligations to the law by granting Keisling due process or a fair trial in this case.

45. Having no recourse in state court to save his house from foreclosure, Keisling filed a federal Chapter 13 bankruptcy procedure to save his house on July 1, 2003. *Two days later,* on July 3, 2003, in violation of the federal bankruptcy stay then in place, Judge Dorney unlawfully entered an order granting Summary Judgment to National City Mortgage. The order was later found void due to the stay in the federal proceedings about which Judge Dorney knew or should have known.

46. Petitioner Keisling emerged from Chapter 13 in 2005, whereupon Keisling was notified that the foreclosure case was reassigned to Judge John S. Kennedy. Keisling motioned for recusal of Judge Kennedy, noting that Judge Kennedy had a conflict with Keisling in that Judge Kennedy was an ongoing subject of Keisling's writings. In the normal course of his work, Keisling had been writing about Judge Kennedy in connection with allegations contained in a federal civil court suit, filed by former chief York county Detective Rebecca Downing on February 18, 2005. In her wrongful dismissal lawsuit, which was filed against the county district attorney, whistleblower Det. Downing alleged deep-seated corruption in the York County courthouse, including theft of items from evidence holding areas, blatant cronyism and public endangerment. Detective Downing alleged that Judge John Kennedy administered the oath of

office to unlawfully qualified county job seekers, in effect "rubber-stamping" unqualified political cronies and thugs for jobs, thus endangering public safety and further damaging the integrity of the courthouse staff. In 2006, Det. Downing's lawsuit was settled out of court by the county district attorney. A cash settlement was paid Det. Downing to, in effect, buy her silence, though the underlying allegations have never been properly investigated and remain open.

47. The underlying allegation brought by Chief Detective Downing, and others, is that Judge Kennedy and other jurists in York County are uninterested and resistant in gathering facts of law, sometimes with catastrophic public results; these catastrophic results and the underlying negligence themselves are then covered up, while the whistleblowers, such as Chief Detective Downing and writer Keisling, are unlawfully punished. As part of his investigative journalism work, Keisling wrote a letter to Judge Kennedy on June 6, 2005, which was docketed with a contemporaneous recusal motion, questioning Judge Kennedy about Det. Downing's allegations and other courthouse matters, including uninvestigated allegations that members of the courthouse staff were regularly involved in theft, prostitution and influence peddling activities. I wrote Judge Kennedy, "In her complaint in the United States District Court for the Middle District of Pennsylvania, Downing writes, 'On May 7, 2003, Defendant (Stanley) Rebert hired (John) Daryman as a detective. On May 20, 2003, Daryman took the oath of office before Judge Kennedy. Daryman, however, had not yet taken a polygraph examination as required by the established rules and regulations.' Following the oath which Downing reports that you carelessly and unlawfully administered to Daryman, Detective Daryman was arrested for driving while under the influence of alcohol. An official with the Pennsylvania Chapter of Mothers Against Drunk Driving expressed the obvious concern to me that me that Detective Daryman

endangered the lives of innocent people by driving under the influence, and that you, by your failure to ensure that Daryman was of good character and lawful conduct before you swore him, share blame, and responsibility. I require your comment. I would like to know what corrective action, if any, you have taken to see that Detective Daryman is in full compliance with the law."

48. Keisling furthermore queried Judge Kennedy regarding reports of alleged prostitution activities involving courthouse employees, their associates, and/or contractors, including courthouse security provider Russell Wantz, and further allegations that at least two York County judges attended a sex club event involving bizarre sex practices, in which, *inter alia,* a naked young woman or women were tied to a carnival wheel. Despite his having heard these legitimate concerns, Judge Kennedy took no action to uphold public safety or the law as required by Judicial Canon. On December 10, 2007, courthouse and state security provider Russell Wantz was arrested on alleged prostitution charges in Harrisburg, Dauphin County, Pennsylvania.

49. On June 8, 2006 Petitioner Keisling filed a Motion for Recusal with Judge John S. Kennedy. The Motion for Recusal cites the following case law:

a. A Judge is required to disqualify himself when his impartiality can reasonably be questioned, see Commonwealth v. Bryant, 476 A.2d 422 (Pa. Super 1984). "While rare, judicial bias does exist in Pennsylvania, and it cannot be tolerated where manifest." Bryant, supra.

b. Next to the tribunal being in fact impartial is the importance of it appearing so, Shraaer v. Basil Dighton Ltd., (1924), 1 Kings Bench 274, 284 as quoted in Glendenning v. Sprowls, 405 Pa. 222 (1961). See also Argo v. Goodstein, 228 A.2d 195 (Pa. 1967).

c. Judgment ceases to be judicial if there is condemnation in advance of trial, Escoe v. Zerbst, 295 U.S. 490 (Cardozo, J. 1935).

d. Even in the absence of actual bias, a Judge must disqualify himself from any proceeding in which his impartiality might reasonably be questioned. In the Interest of McFall, 556 A.2d 1370 (Pa. Super 1989), affirmed with opinion, 617 A.2d 707 (Pa. 1992). Litigants ought not face a judge where there is a reasonable question of partiality. Alexander v. Primerica Holdings. Inc., 10 F3d 155 (C.A. 3 1993), see also In Re Antar, 71 F3d 97 (C.A. 3 1995); and Blanche Road Corp. v. Bensalem Township 57 F3d 253 (C.A. 3 1995). Impartiality and even the appearance of impartiality in a judicial officer are the sine qua non of the American judicial system, Lewis v. Curtis, 671 F2d 779 (C.A. 3 1982). Even judges who would personally do their best to try and balance the scales of justice may sometimes find it necessary to recuse themselves to protect appearances of impartiality. Aetna Life Insurance Company v. Lavoie, 475 U.S. 813 (1986). Public confidence in the judicial system mandate, at a minimum, the appearance of neutrality and impartiality in the administration of justice. When a judge is the actual trier of fact the need to preserve the appearance of impartiality is especially pronounced. La Salle National Bank v. First Connecticut Holding, 287 F3d 280 (C.A. 3 2002).

50. Judge Kennedy refused to recuse himself from the case and instead misused his public office and trust by attempting to intimidate and silence Petitioner and writer Keisling. Keisling was made to understand in court before Judge Kennedy that Keisling would be deprived of due process and other of his rights by Judge Kennedy in retaliation for Keisling's journalistic and whistle blowing responsibilities.

51. In business court and in his writings, Judge Kennedy was consistently discourteous and demeaning to Keisling, was openly partial and

prejudicial, given to fits of ridicule, and repeatedly expressed his pre-conceived intent to unlawfully deny Keisling due process of law. For instance, on May 19, 2003, Judge Kennedy rebuked and berated Keisling at length for mispronouncing or misspelling a complicated legal term, and ridiculed Keisling for his insistence of his rights to discovery and a day in court where the facts of the case could be publicly heard and weighed.

52. Judge Kennedy also disallowed Keisling's chosen attorney reasonable time to enter an appearance in this case, effectively disallowing Keisling the right to counsel. Thereafter Keisling felt intimidated and fearful in Judge Kennedy's courtroom. At all times Judge Kennedy, and Judge Dorney, acted the role of adversary attorneys before Keisling, not as impartial jurists.

53. This situation continues to this day in York County Common Pleas Court in this and other cases where Keisling is routinely not notified of hearings and his due process is otherwise flagrantly violated.

54. On November 2, 2005, as previously noted, Judge Kennedy granted, in a blatantly capricious and arbitrary manner, Respondent National City Mortgage's Motion for Summary Judgment, ruling that Defendant Keisling has "failed to make a legal defense."

55. On January 17, 2006 Judge Kennedy entered judgment against Defendant Keisling.

56. On February 16, 2006, Defendant Keisling filed a Notice of Appeal to the Superior Court of Pennsylvania.

57. On March 31, 2006, Defendant Keisling filed his Concise Statement of Matters Complained of on Appeal with Superior Court, citing, as discussed above:

a. Issues of triable fact were ignored;

b. Appellant was deprived of proper discovery;

c. Judges Dorney and Kennedy, having concealed issues of personal and professional conflict with Appellant, failed to properly recuse themselves from this case, and unfairly deprived Appellant of his day in court.

58. On June 1, 2006, to once again save his home from pending Sheriff's Sale, Defendant Keisling had no choice but to invoke the federal Chapter 13 bankruptcy statutes, thus automatically staying all state proceedings.

59. On June 19, 2006, a Suggestion of Bankruptcy was duly entered into the docket, presumably then under supervision of Pennsylvania Superior Court.

60. On July 25, 2006, however, Superior Court of Pennsylvania unlawfully ignored the federal stay and entered an order dismissing Keisling's Appeal for Failure to File a Brief, even though no brief was lawfully required as this matter at all times remained under the jurisdiction of the federal court and subject to the ongoing federal stay. On August 15, 2006, while the matter was still under federal stay, Superior Court denied Appellant's application to reinstate the appeal pending the lifting of the federal court stay. On August 29, 2006, Superior Court again unlawfully violated the federal stay by entering an order dismissing Petitioner Keisling's appeal.

61. On October 4, 2007, the federal stay was lifted on the property at 601 Kennedy Road. A Sheriff's Sale has been scheduled on this docket number for April 28, 2008.

62. The foregoing is detailed here not to incite, nor to rancor, Justices of the Pennsylvania Supreme Court, but to raise the Court's interested concern, to appeal to the law and to the sense of even-handed fair play written in the law. There was not a "failure to make a legal defense" in Keisling's case; Petitioner Keisling entered a defense and attempted to have that defense heard, many,

many times. He simply was not heard, and was not allowed to be heard, and was, in fact, ignored; he was assaulted, unlawfully jailed, and threatened for contemptible, unreasonable, inequitable and unlawful reasons by the Common Pleas Court of York County, Pennsylvania.

63. To deny Petitioner Keisling a day in court, an attorney, discovery, and the right to an appeal, is unlawful, unfair and is not justice: It's the definition of injustice. To make Keisling fear for his safety, and that of his child, is beyond the pale of what is acceptable in civilized societies.

64. Further, Petitioner Keisling's appeal rights were unlawfully taken from him by Superior Court, leaving him no recourse but the present application.

ISSUES FOR REVIEW

65. Whether petitioner Keisling was unjustly deprived of discovery in this case in violation of Pennsylvania Rules of Civil Procedure and case law, as well as other laws of Pennsylvania, and United States laws of equal protection.

66. Whether Summary Judgment can be imposed in a case when outstanding issues of triable fact, and obvious evidence, have been deliberately ignored or otherwise treated with partial derision by the trial court.

67. Whether Petitioner Keisling should lose appeal rights in state court when matter is under protective federal court stay.

CLAIM FOR RELIEF

68. Applicant incorporates the allegations set forth in paragraphs 1 through 67, as though fully set forth herein.

69. The order(s) granting summary judgment to Respondent National City Mortgage finding Keisling failed to make a legal defense is procedurally and legally deficient in that Keisling in fact made a legal defense involving issues of triable fact, and provided compelling evidence in support of his claim. Keisling

in fact produced evidence and a legal defense that he paid the mortgage and provided a defense that Respondent National City Mortgage repeatedly violated its contractual agreements and obligations with Keisling. The Order granting Summary Judgment entered November 2, 2005, violates Keisling's rights to due process and equal protection.

70. Respondent Keisling furthermore was denied his rights to due process and equal protection when he was deprived of his lawful appellate rights by Pennsylvania Superior Court while the case was under the federal bankruptcy stay.

71. These unlawful and procedurally deficient injustices and other collateral unjust acts having been committed, Petitioner Keisling's house is scheduled for Sheriff's sale on April 28, 2008. The Sheriff's Sale of the house without due process in state court will cause Petitioner Keisling irreparable harm, and should be stayed pending proper adjudication of this case.

72. Stripped of his lawful right to appeal and redress of these outstanding grievances, Keisling now files this claim for King's Bench Jurisdiction and/or Extraordinary Relief with the Pennsylvania State Supreme Court.

NOTICE TO PLEAD

73. Respondents are hereby notified to plead to this Application for King's Bench Jurisdiction and/or Extraordinary Relief within fourteen (14) days of service hereof.

REQUEST FOR RELIEF

WHEREFORE, Applicant respectfully requests that this Court grant the following relief:

a. Assume immediate plenary jurisdiction over this action;

b. Stay the pending Sheriff's Sale of the property involved in this case until such time, if ever, findings of fact in open court properly adjudicates such a Sheriff's Sale;

b. Order a new a new trial and allow discovery in this case, presided over by a judge or judges not having professional or personal conflicts with Keisling, as necessary and appropriate to further the ends of justice.

d. Restore Applicant Keisling's lawful appellate rights in this case.

e. Enter in favor of Applicant other such relief as may be deemed by the Court to be necessary and appropriate to further the ends of justice.

Dated: April 18, 2008

By:_____

William Keisling. *pro se*
601 Kennedy Road
Airville, Pennsylvania 17302
717.927.6377

IN THE COURT OF COMMON PLEAS OF YORK COUNTY
CIVIL DIVISION

National City Mortgage Co.,

Plaintiff,

v.

William Keisling
Lauren J. McHenry,

Defendants.

NO. 2000-SU-03406-06

ORDER

AND NOW, to wit, this 2nd day of November, 2005, upon consideration of Plaintiff's Motion for Summary Judgment pursuant to Pa.R.C.P. 1035.3(d) and upon consideration of the Reply, if any, filed by Defendant, William Keisling hereto, the Court hereby determines that Defendant, William Keisling only, has failed to make a legal defense to Plaintiff's claim and that Plaintiff is entitled to Summary Judgment as a matter of law, and the Court, therefore, **ORDERS AND DECREES** that Judgment, in rem, shall be entered in favor of the Plaintiff and against Defendant, William Keisling only, in the amount of $190,327.16 (as calculated from the Complaint), together with ongoing per diem interest, escrow advances, and any additional recoverable costs to date of Sheriff's Sale; and for foreclosure and sale of the mortgaged property.

It is further **ORDERED AND DECREED** that Defendant's New Matter and Counterclaim are hereby denied and dismissed, with Prejudice.

3060315402B2

BY THE COURT:

J.

1. Plaintiff is the Corporation designated as such in the caption on a preceding page. If Plaintiff is an assignee then it is such by virtue of the following recorded assignments:

Assignor: N/A
Assignments of Record to: N/A
Recording Date: N/A

2. Defendant are the individual designated as such on the caption on a preceding page, whose last known address is as set forth in the caption, and unless designated otherwise, is the real owner and mortgagor of the premises being foreclosed.

3. On or about the date appearing on the Mortgage hereinafter described, at the instance and request of Defendant, Plaintiff (or its predecessor, hereinafter called Plaintiff) loaned to the Defendant the sum appearing on said Mortgage, which Mortgage was executed and delivered to Plaintiff as security for the indebtedness. Said Mortgage is incorporated herein by reference in accordance with Pa.R.C.P. 1019 (g).

The information regarding the Mortgage being foreclosed is as follows:

MORTGAGED PREMISES: 601 Kennedy Road
MUNICIPALITY/TOWNSHIP/BOROUGH: Lower Chanceford Township
COUNTY: York
DATE EXECUTED: 2/17/98
DATE RECORDED: 2/17/98 BOOK: 1314 PAGE: 4864

The legal description of the mortgaged premises is attached hereto and made part hereof.

4. Said Mortgage is in default because the required payments have not been made as set forth below, and by its terms, upon breach and failure to cure said breach after notice, all sums

secured by said Mortgage, together with other charges authorized by said Mortgage itemized below, shall be immediately due.

5. After demand, the Defendant continues to fail or refuses to comply with the terms of the Note as follows:

(a) by failing or refusing to pay the installments of principal and interest when due in the amounts indicated below;

(b) by failing or refusing to pay other charges, if any, indicated below.

6. The following amounts are due on the said Mortgage as of 5/23/00:

Principal of debt due and unpaid	$142,714.00
Interest at 7.5% from 11/01/99 to 5/23/00 (the per diem interest accruing on this debt is $29.73 and that sum should be added each day after 5/23/00)	6,094.65
Title Report	250.00
Court Costs (anticipated, excluding Sheriff's Sale costs)	280.00
Escrow Overdraft/(Balance) (The monthly escrow on this account is $200.08 and that sum should be added on the first of each month after 5/23/00)	46.26
Late Charges (monthly late charge of $50.59 should be added on the fifteenth of each month after 5/23/00)	304.14
Attorneys Fees (anticipated and actual to 5% of principal)	7,135.70
TOTAL	$156,824.75

7. The attorney's fee set forth above are in conformity with the mortgage documents and Pennsylvania law, and will be collected in the event of a third party purchaser at Sheriff's Sale. If the

YARDBIRD BOOKS
601 KENNEDY ROAD PH. 717-927-8280
AIRVILLE, PA 17302

60-7563g
2313
990014615

4425

DATE Nov 18 1999

Pay to the order of National City Mortgage $ 1274.25

Twelve hundred seventy-four and 25/100 DOLLARS

York Federal

MEMO 872188-4

1:231375630: 9900146 15" 4425

WILLIAM KEISLING
LAUREN J. MCHENRY
Payments not received by the due date are considered late.

LOAN NUMBER	DUE DATE	AMOUNT DUE
872188-4	NOV 01,99	$1223.58
	IF NOT REC'D BY	AMOUNT DUE
	NOV 18,99	$1274.25

MAKE CHECK PAYABLE TO:

National City. Mortgage
PO BOX 85020
LOUISVILLE KY 40285-5020

REGULAR PAYMENT		
ADDITIONAL PRINCIPAL		
ADDITIONAL ESCROW		
LATE FEES		
TOTAL PAYMENT		

87218848000012235620000127425 8

1:5000"0003: 0122356872188 4"001

Received 11/19/99 Doreen Wentz

YARDBIRD BOOKS/Kristin
601 KENNEDY ROAD PH. 717-927-8240
AIRVILLE, PA 17302

55-7563/2313 9 990014615

4475

Feb 29 00

Pay to the order of National City Mortgage $ 1400.00

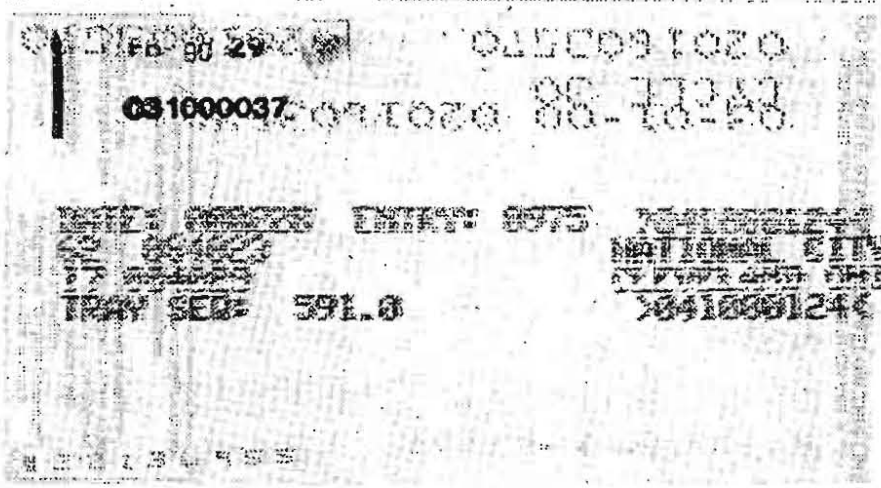
Fourteen Hundred and 00/100

York Federal

Memo 972188-4

William M.

:231375630: 9900146 15" 4475 "0000140000"



National City.
Mortgage

March 31, 2000

National City Mortgage Co.
3232 Newmark Drive • Miamisburg,
Telephone (937) 910-1200

Mailing Address:
P.O. Box 1820
Dayton, Ohio 45401-1820

William Keisling
Lauren J McHenry
601 Kennedy Rd
Airville PA 17302

Dear Customer:

Enclosed is your check/money order no. #4482 & ncm #343808 dated 03/20/00 & 03/30/00 in the amount of $1450.00 & 176.44.

The funds have been returned to you because of the following:

__xx__ We are unable to accept a payment for less than the total amount due, without you first making arrangements with

_____ Payments must be made with certified funds, a cashier's check or money order. You were previously advised this requirement by written correspondence.

_____ Our records show that you broke your commitment to send us the total amount due and have not called us to discu the reason.

_____ Other:

We would like to help you. Please call our Collection Department at 1-800-523-8654, between the hours of 8:15 a.m. - 6:00 p.m. EST Monday through Thursday and 8:15 a.m. - 5:00 p.m. EST Friday.

Sincerely,

Cashier, Collection Department

Loan No. 872188-4, Enclosure

DR601
PT6

YARDBIRD BOOKS / Keisling
601 KENNEDY ROAD PH. 717-927-6282
AIRVILLE, PA 17302

60-7563
2313
990014615

4482

Date Mon 20 00

Pay to the order of National City Mortgage $ 1450.00

fourteen hundred fifty and 00/100 Dollars

York Federal

872188-4

⑈2313756301⑈ 990014615⑈ 4482

on obtained
ge Company is
lding company.

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

NATIONAL CITY MORTGAGE,	:	NO. 2000-SU-03406-06
Plaintiff	:	
	:	
vs.	:	
WILLIAM KEISLING,	:	
Defendant		

CONCISE STATEMENT OF MATTERS COMPLAINED OF ON APPEAL

In accordance with the orders of John S. Kennedy, Judge, of March 17, 2006, and March 23, 2006, both of which direct appellant William Keisling to file a concise statement of the matters complained of on appeal, pursuant to PaR.App.P. 1925(b), appellant William Keisling submits the following. The matters complained of on appeal shall include, but may not be limited to, the following:

1. Issues of triable fact were ignored.

2. Appellant was deprived of proper discovery.

3. Judges Kennedy and Sheryl Anne Dorney, concealing issues of personal and professional conflict with Appellant, failed to properly recuse themselves from this case, and unfairly deprived Appellant of his right to a day in court.

Submitted by,

William Keisling, *pro se*
Defendant/Petitioner
601 Kennedy Road
Airville, PA 17302
(717) 927-6377

National City Mortgage

v.

William Keisling

IN THE SUPERIOR COURT OF PENNSYLVANIA

(C.P. Co. No. 2000 SU 03406-06)

No. 324 MDA 2006
Filed:July 19, 2006.

ORDER

AND NOW, this 19th day of July, 2006 the appeal in this matter is **DISMISSED** for failure to file a brief.

Per Curiam

TRUE COPY FROM RECORD
Attest:
JUL 19 2006
Deputy Prothonotary
Superior Court of PA - Middle District

National City Mortgage	:	IN THE SUPERIOR COURT
	:	OF PENNSYLVANIA
	:	
	:	(C.P. York County
v.	:	No. 2000 SU 03406-06)
	:	
	:	No. 324 MDA 2006
William Kelsling	:	Filed: August 15, 2006

ORDER

Upon consideration of the application of appellant to reinstate the above-captioned appeal, the application is **DENIED**.

Per Curiam

TRUE COPY FROM RECORD
Attest: AUG 15 2006
J. McCullough
Deputy Prothonotary
Superior Court of PA - Middle District

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Sheryl Ann Dorney
York Co Courthouse
28 E. Market St
York PA 17401

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X [signature] ☐ Agent ☐ Addressee

B. Received by (Printed Name) | C. Date of Delivery 2/24/03

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type
☑ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number (Transfer from service label) 7002 2410 0000 4124 3835

PS Form 3811, August 2001 Domestic Return Receipt 102595-02-M-1540

7002 2410 0000 4124 3835

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YORK PA 17401

Postage	$ $0.60
Certified Fee	$2.30
Return Receipt Fee (Endorsement Required)	$1.75
Restricted Delivery Fee (Endorsement Required)	$0.00
Total Postage & Fees	$ $4.65

HARRISBURG PA USPS 02/20/2003 Postmark Here

Sent To: Sheryl Ann Dorney
Street, Apt. No., or PO Box No.: York Co. Courthouse 28 E Market
City, State, ZIP+4: York PA 17401

PS Form 3800, June 2002 See Reverse for Instructions

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

NATIONAL CITY MORTGAGE,: Plaintiff	NO. 2000-SU-03406-06
vs.	:
WILLIAM KEISLING, Defendant	:

MOTION FOR RECUSAL

OF JUDGE RICHARD RENN

Now comes Defendant William Keisling to hereby demand recusal of Judge Richard Renn in the above captioned matter.

1. Defendant is a writer of books and other media concerning issues of compelling public concern.

2. As Judge Richard Renn is well aware, Judge Renn is a primary subject of a forthcoming, long-researched book and other media on the endangerment of children in the York County Common Pleas Court, particularly Judge Renn's mishandling of cases involving threats against a child by family members of Children and Youth Services employees, and related subjects, including long-term consequences to the child and family, and related ongoing demands for investigations of Judge Renn and his business associates.

3. A Judge is required to disqualify himself when his impartiality can reasonably be questioned, see ***Commonwealth v Bryant***, 476 A.2d 422 (Pa. Super 1984). While rare, judicial bias does exist in Pennsylvania, and it cannot be tolerated where manifest. ***Bryant***, supra.

Exhibit 9

4. Next to the tribunal being in fact impartial is the importance of it appearing so, *Shraaer V Basil Dighton Ltd.*, (1924), 1 Kings Bench 274, 284 as quoted in *Glendenning V Sprowls*, 405 Pa. 222 (1961). See also *Argo v Goodstein*, 228 A.2d 195 (Pa. 1967).

5. Judgment ceases to be judicial if there is condemnation in advance of trial, *Escoe v Zerbst*, 295 U.S. 490 (Cardozo, J. 1935). Defendant Keisling's research and experience with Judge Renn indicates Judge Renn has no intention of being impartial in this case, and that Judge Renn is more concerned about protecting Judge Renn by whatever means at his disposal than properly administering the law.

6. Even in the absence of actual bias, a Judge must disqualify himself from any proceeding in which his impartiality might reasonably be questioned. *In the Interest of McFall*, 556 A.2d 1370 (Pa. Super 1989), affirmed with opinion, 617 A.2d 707 (Pa. 1992). Litigants ought not face a judge where there is a reasonable question of partiality. *Alexander v Primerica Holdings. Inc.*, 10 F3d 155 (C.A. 3 1993), see also *In Re Antar*, 71 F3d 97 (C.A. 3 1995); and *Blanche Road Corp. v Bensalem Township* 57 F3d 253 (C.A. 3 1995). Impartiality and even the appearance of impartiality in a judicial officer are the sine qua non of the American judicial system, *Lewis v Curtis*, 671 F2d 779 (C.A. 3 1982). Even judges who would personally do their best to try and balance the scales of justice may sometimes find it necessary to recuse themselves to protect appearances of impartiality. *Aetna Life Insurance Company v Lavoie*, 475 U.S. 813 (1986). Public confidence in the judicial system mandate, at a minimum, the appearance of neutrality and impartiality in the administration of justice. When a judge is the actual trier of fact the need to preserve the appearance of impartiality is especially pronounced. *La Salle National Bank v First Connecticut Holding*, 287 F3d 280 (C.A. 3 2002).

7. Appearances of justice could only be satisfied by Judge Renn's disqualification from this and all other cases involving Defendant Keisling. *Mayberry v Pennsylvania*, 400 U.S. 455 (1971). See also *Commonwealth v Stevenson*, 393 A2d 386, 394 (Pa. 1978).

8. While extra judicial considerations are preferred when ruling upon Motions for Disqualification, *sometimes opinions formed entirely from information learned in court proceedings are sufficient to disqualify a jurist who cannot abide an obligation to remain impartial.* See *Commonwealth V Bryant,* supra. Opinions formed by the judge upon the basis of the facts introduced or events occurring in the course of the current proceeding may under limited circumstances constitute a valid basis for his disqualification. *Sales v Grant,* 158 F3d 768 (C.A. 1998), quoting *Liteky v United States,* 510 U.S. 540 (1994). If through obduracy, honest mistake or simple inability to obtain self knowledge, the judge fails to acknowledge a disqualifying predisposition or circumstances, an appellate court must order recusal no matter what the source. Ibid. *Liteky.* Judge Renn would have to be disturbingly obdurate and self-possessed not to recognize his fundamental inability to hold a fair hearing for your Defendant. The integrity of the judiciary must not be compromised by appearances of impropriety and the conduct at issue need not rise to the level of actual prejudice. *Commonwealth v Sharp,* 683 d 1219 (Pa. Super 1996).

WHEREFORE, your Petitioner **WILLIAM KEISLING** respectfully requests the voluntary disqualification of the Honorable Judge Richard Renn from further presiding over any proceedings in the above captioned case or any other case involving Defendant.

Respectfully submitted,

Date: April 28, 2008

William Keisling
601 Kennedy Road
Airville, PA 17302
(717) 927-6377

APR 1 3 2009

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

Russell L. Wantz Jr. et al
~~COMMONWEALTH OF PENNSYLVANIA~~

vs.

William Keisling

: 2005 SU 0741 01
: CP-67-CR- -20
: CP-67-CR- -20
: CP-67-CR- -20
:
: Criminal / Civil

ORDER Granting Motion to Dismiss Objections

AND NOW, this 3rd day of April, 2009, upon consideration of the Petition / Motion dated March 2, 2009 filed by the ☒ Plaintiff ☐ Commonwealth ☐ Defendant ☐ Other _____ requesting dismissing of objections, the request is ☒ GRANTED. ☐ DENIED. ☐ GRANTED IN PART AND DENIED IN PART.

All objections to interrogatories asserting a journalistic privilege based on state or federal law are hereby dismissed and overruled. Defendant shall supply complete answers to Plaintiff by the close of business April 24, 2009.

A copy of this Order has been served on ☒ Petitioner ☒ Respondent, and shall be served on ☐ Petitioner ☐ Respondent ☐ Other: _____

BY ~~THE COURT~~

(PRINT) Richard K Renn Judge

rev. 10/22/07 rkr

Exhibit 10

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

NATIONAL CITY MORTGAGE, Plaintiff	:	No. 2000-SU-3406-Y06
v.	:	
WILLIAM KEISLING, Defendant	:	Civil Action-Law

APPEARANCES

Alan M. Minato, Esquire
Counsel for Plaintiff

William Keisling, Pro Se

2008 OCT -2 PM 3:11
REGIONAL CENTER
YORK, PA

ORDER

AND NOW, TO WIT, this 2nd day of October, 2008 it is hereby **ORDERED** and **DIRECTED** that Defendant's Objection to Plaintiff's Praecipe to Assign Case for One-Judge Disposition is **OVERRULED.** Defendant's request for oral argument is **DENIED.**

The prothonotary shall provide notice of this Order as required by law.

BY THE COURT:

SHERYL ANN DORNEY, JUDGE

Exhibit 11

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Yardbird tv
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Projects
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Evidence room thefts, drug use, misappropriation of drug funds

Top county detective charges lawbreaking in central Pennsylvania DA's office

Posted February 27, 2005 -- A corrupt, ingrained system of insider justice exists in central Pennsylvania, says a top county detective who until recently had worked in the York County, PA, District Attorney's office. The allegations were made by Becky Downing, former chief York County detective, who until late in 2004 worked for York County District Attorney Stanley Rebert.

Downing's allegations are documented in a federal [illegible] filed on February 18, 2005. Her allegations echo and reinforce allegations reported in The Midnight Ride of Jonathan Luna. Downing's 33-page complaint details, among other things:

Former York County, PA Chief Detective Becky Downing. "Ms. Downing discovered that Defendant Rebert, as the chief policy maker for the DA's Office, employed a policy, practice, and/or custom of improper and/or unlawful conduct."

-- A corrupt system of insider justice prevails in central Pennsylvania. An insiders' friends network is protected from prosecution, while outsiders are unlawfully spied upon and persecuted.

-- Items including slot machines, stolen from the evidence rooms, and other public property, were unlawfully kept in the homes of DA Rebert and his associates.

-- Money from an unaccountable Drug Tast Force fund is used for unlawful and secretive purposes.

-- Associates of the DA's of questionable background and character are allowed to work in law enforcement without proper and thorough background checks.

Chief Detective Downing's complaint includes the following:

Pattern of unlawful conduct: "Ms. Downing discovered that Defendant Rebert, as the chief policy maker for the DA's Office, employed a policy, practice, and/or custom of improper and/or unlawful conduct.... Defendant Rebert wanted to portray to the public that he commanded a professional law enforcement agency.

Exhibit 12

Theft of slot machine(s) from the evidence room: "(Rebert) had the detectives retrieve a slot machine, which had been unlawfully removed from evidence, from his home.... Defendant Rebert had the two detectives place the slot machine in his office....

On April 10, 2003, Ms. Downing removed the slot machine (which was previously unlawfully removed from evidence and placed in Defendant Rebert's home) from Defendant Rebert's office and destroyed it along with other evidence that was being destroyed on that date.... Defendant Rebert objected because he wanted to keep the slot machine."

Intervening on behalf of friends in DUI cases: "On November 19, 2001, Defendant Rebert requested that Ms. Downing intervene in a DUI investigation involving the wife of the CEO of a large printing company. 88. Ms. Downing refused to intervene and advised Defendant Rebert that it would be improper and or unlawful for him to do so."

Lack of accountablility in Drug Task Force funds: "On August 14, 2003, Ms. Downing advised Defendant Rebert that (Assistant DA William) Graff improperly continued to permit former employees to have and use York County cell phones for reasons unrelated to legitimate official county business. The cell phone bills were being paid with funds from the Drug Task Force."

Lack of proper background checks of DA's associates: "On May 30, 2002, Ms. Downing learned that Defendant Rebert intended to hire John Daryman ("Daryman") as a detective even though Daryman never applied for the open position and the application deadline had passed. On May 20, 2003, Daryman took the oath of office before Judge Kennedy. Daryman, however, had not yet taken a polygraph examination as required by the established rules and regulation.... It is believed and therefore averred that as of the date of the filing of this Complaint, Daryman has yet to take and pass the required polygraph exam."

Official DA's Office badges passed out to community members: "On January 31, 2002, Defendant Rebert's wife requested that Ms. Downing provide her with an official DA's Office badge. Ms. Rebert advised Ms. Downing that she wanted to give the official DA's Office badge to a local dentist. Ms. Rebert stated that if she provided the dentist with the official DA's Office badge, the dentist would provide 'free' dental work to Youth Build students. Ms. Downing refused to provide Ms. Rebert with the official DA's Office badge. Ms. Downing confronted Defendant Rebert about the Improper/unlawful distribution of official law enforcement badges. Defendant Rebert stated to Ms. Downing that he previously had (the former chief detective) provide him with the official badges, which he distributed to office personnel and friends. Ms. Downing advised Defendant Rebert that this practice was improper and/or unlawful. At least one official DA's Office badge has been confiscated by a law enforcement officer when a local business man displayed it to the officer during a traffic stop."

The stinkin' badges : "At least one official DA's Office badge has been confiscated by a law enforcement officer when a local business man displayed it to the officer during a traffic stop."

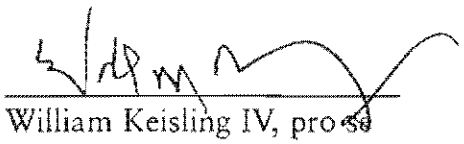
Cocaine addict in the DA's office: "In October of 2004, Ms. Downing advised Defendant Rebert that it was improper for him to refuse to investigate, discipline, and/or prosecute an employee for (1) stealing and improperly displaying crime scene photographs, (2) unlawfully representing that they were an assistant district attorney, (3) improperly attempting to intervene in criminal investigations, and (4) coming to work while addicted to cocaine."

>> To read the full text of Becky Downing's complaint on your web browser (HTML) click here. (124 k. Page will open in a single, separate window; please allow time for page to load.)

>> To download Downing's complaint in PDF format (108 k), click here. >>

CERTIFICATE OF COMPLIANCE

I, William Keisling, pursuant to Local Rule 76.8 (b) (2), certify that the foregoing brief contains 6,402 words based on Microsoft Word's word count function.



William Keisling IV, pro se

Dated: February 19, 2010

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA

William Keisling Plaintiff	)	CIVIL ACTION LAW
v.	)	No. 1:09-CV-2181
Richard Renn, et al Defendants	)	

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on February 19, 2010, he personally caused to be served upon the following a true and correct copy of the foregoing Plaintiff's Brief in Opposition to the Judicial Defendants' Motion to Dismiss the Amended Complaint to the following individuals by mailing same first class, postage pre-paid, U.S. Mail:

Judge John E. Jones III
United States District Court
Middle District of Pennsylvania
U.S. Courthouse
228 Walnut Street
Harrisburg, PA 17108

Hon. J. Andrew Smyser
Magistrate Judge
United States District Court
Middle District of Pennsylvania
U.S. Courthouse
228 Walnut Street
Harrisburg, PA 17108

Geri Romanello St. Joseph, Esq.
Administrative Office of PA Courts
1515 Market Street, Suite 1414
Philadelphia, PA 19102
Lead counsel for Judicial Defendants

Michael W. Flannelly, Esq.
Solicitor of York County
York County Administrative Center
28 East Market Street, 2nd Floor
York, PA 17401

Riley & Renn et al
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Date: February 19, 2010

IN THE UNITED STATES DISTRICT COURT FOR
THE MIDDLE DISTRICT OF PENNSYLVANIA

William Keisling Plaintiff	)	CIVIL ACTION LAW
v.	)	No. 1:09-CV-2181
Richard Renn, et al Defendants	)	

ORDER

AND NOW, this _____ day of _____, 2010, upon consideration of Judicial Defendants' Motion to Dismiss, it is hereby ordered that,

Defendants' Motion is DENIED.

_____

U.S.D.J.