

ALFIO S. LANUTO
275 CANTERBURY DRIVE
RAMSEY, NEW JERSEY 07446

May 14, 2009

VIA FACSIMILE AND U.S. POSTAL EXPRESS MAIL

Loretta King, Esq.
Acting Assistant Attorney General
U.S. Department of Justice
Civil Rights Division
Rm. 5643
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Dear Ms. King:

I am an attorney at law of the State of New Jersey. My family, consisting of my wife Domenica ("Nella"), our children Gabriella, Alessandro ("Alex"), Adriana, Davide, Marco and I reside in Ramsey, County of Bergen, New Jersey, since 2003, a seemingly quiet town of approximately 14,000 residents 40 minutes northwest of New York City, in many ways typical of suburban America. Our family has been beleaguered by a pattern of harassment, intimidation and abuse by local authorities commencing in July, 2007 by a pattern of police misconduct by the Ramsey Police Department ("RPD") violating our civil rights under color of law including unlawful arrest and detention, unlawful search, police harassment and abuse of power, the failure of any public official, including the Bergen County Prosecutor ("BCP") to take required official action, who, cognizant of the RPD criminal misconduct and deprivation of our civil rights as described herein, refused to take any action to protect our family and our constitutional rights, and the knowing and complicit participation in the persecution of our family by the responsible local justice authorities with deprivation of our civil rights in connection with trial for asserting our constitutionally protected civil rights, jeopardizing our family's personal safety, security and permanent health.

For the compelling reasons more fully described herein and in the supporting materials submitted herewith, I entreat the United State Department of Justice ("USDOJ") of the urgent need for intervention into this matter, including comprehensive criminal investigation as well as the extraordinary civil remedy of attaining immediate Federal injunctive relief enjoining the egregiously unlawful and humanly intolerable conduct by these local authorities, necessary to mitigate against additional irreparable harm coming

to our entire family from these bad faith prosecutions complicity participant in the pattern of abuse against us, prosecution maliciously brought with no hope of attaining any valid conviction, and particularly and willfully not only imperiling my wife's state of permanent health, but now having become "life threatening," according to the medical opinion of Steven V. Pacia, M.D., Director, Division of Neurology, Lenox Hill Hospital, New York, a copy of which is annexed hereto, Exhibit 1; a medical condition notoriously well known and documented to these authorities in the specific and earlier reports and warning by primary care physician Gary Horbar, M.D., of April 1, 2009, Exhibit 2, and especially known to local authorities by their personal knowledge of the longstanding medical history as documented in the attached Domenica Lanuto Ramsey Medical History ("Medical History"), Exhibit 3, containing many emergency medical calls to which local authorities had responded.

This matter has occurred against a backdrop of that which we have since discerned as community ill will against our family for standing apart from the previously undisturbed homogeneity of this small community, as more fully described in attachment hereto, Ramsey Background, Exhibit 4. For example, our son Alex founded the first club "Junior Statesmen of America" in the Ramsey High School, initiating political discourse among the students challenging the locally prevailing right wing dogma, sending shockwaves into many homes whose children then questioned and in some cases even broke with their parent's long held right wing beliefs. Our family's exercise of our First Amendment rights had been trammled by the removal of our lawn signs in each of our last presidential elections in the darkness of night: this commenced in 2004 when our lawn signs in support of presidential candidate John Kerry were removed and replaced with the Republican political signs. And even our family traditions and practices, including our children's adherence to a code of behavioral rectitude, observance of our family's daily practice of dining together at the family table, as well as our attendance at Sunday church services as a family unit, were being met with derision.

The pattern of overt hostilities against us, however, does not first appear to us until the denial of our right to an accurate police traffic accident report involving our then 17 year old daughter, Adriana, in July, 2007, a copy of which is annexed hereto, Exhibit 5, and then with personal denigration against me for challenging that said report by the subject patrolman, Ptl. Brad Smith, with the tacit complicity of his supervising officers. Prior to this relatively minor matter of this random traffic accident no one in our family had ever had any interaction of any kind whatsoever with any person of the RPD; no criminal histories, no involvement in local affairs, and no personal involvement with any persons within the RPD, except as one might normally expect as parents within our small scholastic community.

Far more troublesome still, however, is the escalated pattern of harassment, intimidation and abuse occurring against our family and our home strangely contemporaneously with and as our family's vocal and early support of then candidate Barack Obama became more well known, later to include also our son's volunteer work for the Obama campaign, as described more fully in the annexed Ramsey Background, Exhibit 4. In the weeks prior to the presidential election, this would also include the *de rigueur* removal of our lawn signs supporting candidate Barack Obama, as the racist commentary raged about in our Ramsey community.

The pattern described in the attached Ramsey Background, Exhibit 4, documents the legions of the unexplained vandalism against our home, anonymous threats of violence shouted from behind our home late at night, character assassination, and the RPD attempt to falsely implicate our then 13 year old son in a serious school incident in May, 2008, merely days after the position of Juvenile Officer was assumed by the same Brad Smith, as documented in Ramsey Background, Exhibit 4. This attempt was thwarted by my own immediate inquiry into the school matter firmly establishing the incontrovertible facts exonerating my son.

On the date of July 1, 2008, merely moments after the offending patrolmen are recorded in radio contact with Brad Smith, "Brad, you know this guy don't you?" with "Brad" responding "Yeah," our family home was assailed by the RPD in a ruse perpetrated under the this pretext of investigating an anonymously telephoned allegation of some nebulous "disturbance," albeit patently false, the details of which are provided in the annexed Account of July 1, 2008, Exhibit 6, and as entirely corroborated by the DVD recording, itself, annexed hereto in its entirety, Exhibit A, together with the certified transcript of same, Exhibit 9, and expert report of the acoustical analysis of that recording, Exhibit 8, as more fully described herein below, including herein also the recording of that anonymous, false allegation, a true copy of that recording in the edited and disparate provided to us by the authorities among two separate and non-sequential tracks of Exhibit B.

The annexed recording of the incident of July 1st, Exhibit A, as described below herein details the torment and turmoil of our family besieged by the RPD as the number of their forces swelled and their endless and brazen abuse, harassment, intimidation, and assaults culminated with their lawless invasion of our home with massive force attacking our family as my convalescing wife, Nella, recovered from a loss of consciousness she had suffered earlier and to whose aid I had been called at my office by our 13 year old son, Marco, all while my terminally ill father anxiously awaited my arrival as he lay in a hospital bed awaiting perilous cancer surgery at Mt. Sinai Hospital. I was falsely arrested and imprisoned while asserting our constitutionally protected civil rights, including the assertion of our Fourth Amendment right against their unlawful entry and search of our home

without warrant and, indeed, without any cause, whatsoever, as the record of their search, itself, confirms.

I never arrived at the hospital to comfort my father, nor could I continue to be of aid to my wife. The RPD saw to that as they unlawfully detained me in their holding cell while they conspired with one another and scurried to contrive false charges against me. Their abhorrent atrocities then continued in my absence as they shamelessly proceeded to contemptuously harangue Nella in our own home and berate our young Marco, 13 years of age, as he bravely sought to protect his mother from the heinous cruelty he was witnessing, while unlawfully searching our home, subjugating our family to that almighty omnipotence secularly known to itself as the RPD. The manifest depravity of the RPD would prove limitless as they would then exacerbate the faltering health of my wife, the mother of our five children, in retaliation for her protests against my unlawful arrest and openly attempting to alert our County Police and State Police of her concern for my safety in the unlawful custody of the brutal RPD, her alarm for my safety being especially heightened by the death of one of our neighbors while in their custody in March, 2004, copy of press article reporting that death being annexed hereto, Exhibit 11, by then fabricating false charges against her, too. Indeed, on their own recording, Exhibit A, the RPD is heard making the statement "she should go, too" after Nella's protests of my arrest as described herein above, also recorded thereon. Even the RPD Chief, Brian Gurney in subsequent discussions with counsel in August, 2008 and in the presence of Municipal Attorney Peter Scandariato, did not deny that charging Nella, too, was "piling it on."

The annexed Exhibit A consists of the entirety of the videotape recording of this incident from the RPD's own Mobile Vehicle Recorder ("MVR") providing substantially only an audio record, however, as the RPD inexplicably pointed the video recorder away from the incident, so that only peripheral video events could be recorded, contrary to their own written policy requiring otherwise, included herewith among "Discovery," Exhibit 13. Also annexed hereto is the Certified Transcript of that audio recording and as annotated by Expert Report of the acoustical analysis performed by Legal Audio, New York as well as supporting expert's curriculum vitae, Exhibit 8; Memorandum of Law detailing the salient facts of the incident and analysis of the firmly entrenched constitutional law applicable thereto incontrovertibly demonstrating these criminal charges so untenable as mandating administrative dismissal thereof, Exhibit 7, which includes transcriptions of relevant telephone and dispatch recordings leading to the RPD invasion of our home, the entirety of those recordings in precisely the manner provided to us also being annexed hereto, Exhibit B, together with our transcriptions of those recordings, Exhibit 12; each of the actual criminal complaints filed against us by the RPD and the RPD Police Reports filed of the incident,

Exhibit 10. All documentary evidence produced in response to our discovery requests is also annexed hereto, Exhibit 13.

As indicated herein above, all discovery as provided to us in submitted herewith, including all the telephone recordings and police dispatch recordings as provided to us, and ancillary communications concerning the incident, including telephone communications of our requests of other local law enforcement to come to our aid against the RPD misconduct, recorded telephone conversation with my wife as I was being unlawfully held by RPD, Exhibit A, as well as our transcription of those recordings, Exhibit 12. I enclose herewith also copy of my Curriculum Vitae for perusal as relevant to the USDOJ assessment of this urgent matter, Exhibit 19, containing also contact information for me including also office address and telephone number.

Having deprived us of our civil rights under color of law these local authorities then also conspired to conceal their egregious pattern of conduct against us. The examination of the within and accompanying materials demonstrates a concerted legion of falsified police reports, false criminal complaints, false statements to the Court, falsification of evidence, and the suspicious absence of evidence that would prove exonerating to us, as more fully described herein below. This is clearly and most singularly exemplified by their denial of entering our home immediately upon their arrival. Their own recording, Exhibit A, incontrovertibly proves otherwise. While they artfully pointed the video camera of their Mobile Vehicle Recorder ("MVR) away from the front door to our home so as to not capture the criminal misconduct they had set out to inflict upon us, the audio record of that MVR, Exhibit A, reveals to even an untrained ear the moment of entry as occurring merely seconds subsequent to the moment the RPD is seen on that videotape to enter upon our premises. The acoustical analysis by Legal Audio scientifically establishes their entry into our home instantly upon their arrival, the Expert Report annexed hereto, Exhibit 8, and as also indicated on the annotated certified transcript, Exhibit 9. Legal Audio enhanced and analyzed the audio and has provided a report of the location of all the audio content, indoors and outdoors, independently demonstrating that the police entry into our home occurred instantly upon their arrival.

Also among their innumerable manufactured allegations the RPD police reports claim that the police officers were met with "yelling and screaming" upon their arrival. Their own recording, Exhibit A, incontrovertibly proves otherwise. The recording evidences clearly that upon RPD arrival I ask "What happened?" in placid tone and manner. The RPD reports to the contrary are proven false by that RPD recording, itself, Exhibit A, evidencing also that Rothenburger then enters our home, and while inside our home he is then heard on that recording to demand searching our home, disrupting our family privacy and peace, engaging in confrontational conduct agitating our

family, refusing repeated requests by both my wife and I that he leave, hindering my wife's recovery, and impeding us from even speaking with one another as we are subjected to several minutes of this unintelligible police misconduct before voice is first raised in necessary protest against this deplorable intrusion.

Further example of the fabrications among these authorities is the contention that an anonymous telephone call summoning police had been placed from our home. Their own dispatch recording proves otherwise, Exhibit B, wherein the RPD dispatcher clearly states he has no call back number for the caller, also evidenced in the transcription of those recordings, Exhibit 12. That contention, itself, however, is not credible given currently prevalent technology of enhanced caller identification systems maintained by police that would not only have precluded anonymity of any such call, but would have clearly shown that any such call did not, in fact, come from our home. The falsity of the RPD contention is further rendered absurd by the absolute impossibility of any call at all being associated with our address, as we had ceased the use of landline entirely, prior to this incident: there was no telephone at our home. The RPD CAD record of the incident, suspiciously indicating that it had been modified prior to release to us, indicates no telephone number for the call, see Exhibit 13. The within describes but only a few illustrations of the plethora of fabrications, as additional examination of these records would reveal.

The very next morning, July 2, 2008, my wife, our sons Alex, then 21 years of age, and Marco, then 13 years of age, walked directly into the Office of the Bergen County Prosecutor ("BCP"). Our family met with Assistant Prosecutor Denyse Galda, my wife's former student whom my wife had been teaching Italian at the Ramsey Adult School, and then also with Lt. Amendola. We lodged our personal complaints exposing the misconduct of the RPD, without any benefit of or assistance of counsel and without any limitation on submitting to their inquiry of us or our children regarding the matter, seeking their assistance in investigating and prosecuting this police misconduct in violation of our civil rights. BCP has refused to conduct any such investigation, in violation of its own stated policy mandating same, as referenced herein below, nor has it even replied to our personal complaints exposing this police misconduct. Rather, it is we, who have complained of this police misconduct, who are being prosecuted with the willful concerted action by the several police officers and the authorities involved with criminal complaints and police reports that are palpably falsified, as contradicted by the contents of their own recordings concerning the incident, Exhibit A, Exhibit B, and transcriptions of same, Exhibit 9, Exhibit 12, as well as the acoustical analysis and expert report, Exhibit 8.

Meanwhile, the RPD contend that no videotape recording capturing the entirety of the incident exists, the production of which would defeat their

false claims against us and reveal the criminality of their own conduct against us, despite the requirement of having made a complete video recording of the entire incident according to their own written policy, see Discovery, Exhibit 13. RPD Sgt. Ridel boasted to my son, Alex, the night of July 1st that they had video of the entire incident. We have demanded this video evidence, with the hope that there was, in fact, video record capturing the entirety of the incident: exculpatory evidence which would be incontrovertibly exonerating for us, in direct contravention of the RPD fabricated and preposterous claims, but damning for the RPD, itself, vividly detailing their unconscionable lawlessness. Contrary to their first claims, the RPD has since changed its position and claims that no such video record exists, a contention utterly not credible, especially given the sheer number of patrol vehicles at the scene at a multitude of angles that could not possibly escape capturing the entirety of the incident. Additionally, Legal Audio's analysis of the RPD recording reveals it is the recording taken only from Fiore's microphone as he remained outdoors. No recording has been produced to us from Rothenburger's microphone, who immediately enters our home, missing within the suspicious void of evidence.

Following these arrests we have been stalked by the RPD and forced to live in a state of siege in our own home for the past year, with deleterious impact to our family's health and well being; we had been forced by prudence to home school our children, denying them the right to attend our public schools, rather than subject them to any further police misconduct at school, and upon later then returning them to school, prudence again has compelled us to forego school lockers to protect them from the risk of falsely planted materials in their lockers, further, indeed, asking our son's guidance counselor for the courtesy of keeping his books and materials in his own office, and to periodically search same, for the sole purpose of being able to attest to the absence of any improper materials in our son's possession. My wife ceased teaching in the Ramsey Adult School feeling unsafe in moving about Ramsey after these atrocities committed against our family. We have been forced to live under extreme precautionary measures to protect ourselves against additional police misconduct; living under our own videotape surveillance and sometimes even under private guard; never leaving anyone alone in the home, regularly checking our vehicles every morning, and often foregoing driving altogether.

The RPD pattern of harassment, intimidation and abuse against our family has extended to include the same against our private investigators, as they, too, have been harassed and intimidated by the RPD while investigating the RPD misconduct against us. On the night of February 8, 2009, Investigator Richard Rivera, a former police officer now specializing in police misconduct violating civil rights, was lured into Ramsey by the Chief of the Ramsey Police, Brian Gurney, to deliver VHS tapes to the Ramsey Police Headquarters expecting to receive videotape evidence we were seeking. Moments after

leaving the Ramsey Police Headquarters in his vehicle, however, Mr. Rivera was unlawfully stopped, harassed and abused by a Ramsey Patrolman Matthew J. Rork, one of the very same Patrolman involved in the harassment of our family which Mr. Rivera was investigating, and the subject of other unsavory conduct particularly as occurred May 25, 2008 and described in attached Ramsey Background, Exhibit 4. The videotape of that incident is enclosed, Exhibit C. It is self evident in the misconduct vividly depicted therein, harassing, abusing and intimidating Mr. Rivera for his investigation into the pattern of police misconduct against our family. This recording, itself, is a composite of the videotape of the incident obtained by Mr. Rivera from the RPD which mysteriously excluded any audio recording, contrary to their stated policy, a practice we have since realized common to these patrolmen to deliberately leave evidentiary gaps that they could later complete at will to achieve their nefarious purposes, as they did in the incident of July 1, 2008 at our home. Indeed, many of the techniques of their misconduct are eerily similar to that which they employed at our home, too. Mr. Rivera had recorded the audio of the incident himself, however, and produced this composite recording. Chief Gurney, upon learning of Mr. Rivera's own audio recording of the incident, rather than initiate the mandated internal affairs investigation and discipline against the offending Ptl. Rork for his egregious misconduct, has led Mr. Rivera to expect to be prosecuted by the BCP for his lawful audio recording of RPD misconduct in his unlawful traffic stop.

The Rivera recording demonstrates Mr. Rivera is first stopped by Rork without even ostensible cause, the manufacturing of pretext for which is later seen vacillating among nebulous "suspicion," suspicion of intoxication, and even, ludicrous as it may be, for driving within the speed limit. With Rork's microphone turned off, the abusive and confrontational conduct to provoke Mr. Rivera is clear from the inception and throughout the entirety of the incident, as the recording shows. Meanwhile, additional RPD officers arrive and are depicted on the recording. They are seen unlawfully interrogating Mr. Rivera repeatedly, demanding to know what he is doing in Ramsey, where he is coming from and where he is going. This, of course, is despite their actual knowledge he had only a few moments earlier been in RPD headquarters at the invitation of the Chief, himself, while in the conduct of lawful investigation of the RPD misconduct against our family, and inferring the ill advisability of his investigative activities of RPD on our behalf. The recording illustrates additional example of the RPD method for abuse of authority as Rork feigns detecting odor of alcohol and orders Mr, Rivera to exit his vehicle, as they proceed to abuse Mr. Rivera further and order him to perform a sobriety test while inexplicably refusing Mr. Rivera's request to administer a breathalyzer test upon him or even smell his breath. Throughout the entire time the RPD is detaining Mr. Rivera out of his vehicle without his coat in the wintry freeze of that February night. The RPD is seen trying to move Mr. Rivera out of the line of sight of their patrol vehicle's MVR,

as they seek to continue to unlawfully interrogate and harass Mr. Rivera without visual record of their intended conduct against him, believing they had already eliminated audio record by having turned off their own microphone. Mr. Rivera repeatedly asks to be allowed to retrieve his coat from his vehicle. They refuse, berating Mr. Rivera as they seek to extract his consent to enter his vehicle as the condition for being allowed the benefit of his coat. RPD suggests Mr. Rivera does not belong in the town of Ramsey, all while Mr. Rivera endures this entire abuse in the shivering cold of winter, without a coat, for nearly half an hour. Mr. Rivera's trained ability to remain within the visibility of the MVR camera capturing his impeccable demeanor prevented additional harm from coming to him and his unwavering composure despite these affronts ultimately compels RPD release of him from their unlawful detainment, but not without RPD edict of preeminence with the admonition "you give us back talk that's what you get.," by Rork.

On another such occasion, occurring on or about the morning of February 6, 2009, Chief Gurney unlawfully harassed and brusquely interrogated another of our duly licensed private investigators while in the lawful conduct of his profession in our aid and then enlisted the "wall of blue" utilizing another local police chief related to the investigator to advise him to terminate his investigation. The investigator did so terminate his services, and the "wall of blue" prevailed again to further impede our ability to defend ourselves against RPD misconduct. Both the investigator and his related chief of police have insisted on remaining nameless.

Even my father's time of terminal illness was by now being consumed, as he died, with his knowledge of our family falsely prosecuted and besieged by the RPD, compelled to live under our own videotape surveillance and under private guard even on Christmas Eve to protect ourselves from these street thugs brandishing badge and gun. Moreover, our family was robbed of valuable time together with my father, time now forever lost, as we were compelled to tend to the exigencies of this criminality of the RPD, those whom society had entrusted to serve and protect us all being precisely those now robbing our family of our peace, security and our health. This persecution of our family by RPD would permeate my father's consciousness with apprehension for our family and incredulity, no longer able to recognize the country to which he and my mother had emigrated from Italy in 1959, through his last breath the evening of March 9th, tragically, as I told this story to a callous Ramsey community.

Each of the local and State authorities has willfully refused to honor their legally required responsibilities and duties of their offices to protect us from this police misconduct violating our constitutional rights and to prosecute the RPD crimes. These authorities numerous failures in duty to take required official action have included the absence of any internal affairs investigations of any of the incidents, as required by their own stated positions of policy: no

internal affairs investigation of the pattern of harassment against us, their unlawful invasion of our home July 1, 2008 and conspired falsified charges against us; no investigation by either the RPD or the BCP of their criminal behavior against our family nor of their conspired concealment of that criminal behavior depriving us of our constitutionally protected civil rights; no internal affairs investigation of the police misconduct in the matter of the unlawful Rivera traffic stop of February 8th.

There has been not even a response to our personal complaint and appeal to the BCP, despite statements of policy claiming the required investigation of all such matters, as expressly made by Bergen County Prosecutor John Molinelli, himself, on the record of proceedings of the New Jersey Advisory Committee on Police Standards Public Hearing, held April 26, 2007, the relevant excerpts containing Mr. Molinelli's testimony being appended hereto, Exhibit 18, pp.13-47. Mr. Molinelli discusses therein the Standard Operating Procedures ("SOPS") promulgated by his office governing the use and operation of the MVRs in patrol vehicles by his local police departments, as contained on p. 13, and p. 26, line 9 through p. 27, line 7. The RPD contention that the video recordings we have sought do not exist is inconsistent with these SOPs. Unless we are to believe that none of the six police officers at the scene observed these SOPs, then one can conclude only that they refuse to provide them to conceal their criminality at the scene and the falsity of their reports, and to conceal our corroborative evidence to hinder our defense. More telling still, however, is that Mr. Molinelli also describes, p. 43 line 23 through p. 44 line 1, and p. 45 line 23, through p. 46 line 4, the policy of the BCP regarding complaints received by his office against local police, a policy which, incredibly enough, was violated by that office in ignoring our personal complaints to Assistant Prosecutor Denyse Galda and to Lt. Amendola the morning of July 2nd. To the best of my knowledge, no report of our complaint was filed, no investigation was made by the BCP, no monitoring of the mandatory local internal affairs investigation was made by the BCP, nor any prosecutions brought by the BCP for the pattern of harassment and abuse, police misconduct and civil rights violations against us by the RPD, contrary to Mr. Molinelli's claims.

Additionally, the formal submission made on October 6, 2008 to the BCP, as the locally responsible authority, Exhibit 14, together with all supporting materials including Memorandum of Law, Exhibit 7, Certified Transcript, Exhibit 9, MVR recording, Exhibit A, Police Reports and Criminal Complaints, Exhibit 10, meticulously detailing the basis of the mandated administrative dismissal of these charges against us under the requirements of the responsibilities of that office has been entirely ignored, rendering the BCP tacitly complicit in the violation of our constitutional rights in failing to take required official action and willfully and knowingly leaving us to be preyed upon by police misconduct of the RPD.

These several failures of the BCP constituting the failure of a public official to take required official action, are rendered more egregious still by the history of the conduct of his office with blatant disregard for the principle of equal protection of the public under our laws: while the BCP's Prosecutor John Molinelli has been reported to hold that "there's got to be a crime," as a prerequisite to any criminal prosecution, while responding to press inquiries concerning his absence of any investigation or prosecution of the activities of close political figures subsequently indicted by the Office of the United States Attorney, as contained in the copy of the annexed newspaper article, Exhibit 15, a premise that has since been demonstrated by these ensuing Federal indictments against his associates as have been mere pretense for the intentional inadvertence accorded political bosses, the general public has been abandoned to be preyed upon, even where there has been no commission of any crime, by police misconduct with palpably falsified criminal charges and violations of civil rights unfettered by the legally mandated responsibility of supervision and protection of the public against such misconduct by the BCP as the chief law enforcement officer in the County, contravening all notions of equal protection under our laws. Indeed, it is unwritten policy that the BCP averts prosecution of police misconduct, well known to local police and thereby encouraging further police misconduct emboldened by the comfort and knowledge of impunity.

The humanly intolerable conditions created by the totality of these circumstances and without any lawful authority upon which we have been able to rely for lawfully required aid has already brought irreparable emotional and physical harm to our entire family, with untold long term emotional consequences for our children, still in their formative years, for whom we fear irreversible consequences from this continuing trauma. The toll upon my wife's health, who already had been previously suffering from faltering health, has been demonstrably calamitous with additionally looming irreparability of imminent harm according to the attached medical report of Steven V. Pacia, M.D. describing the condition as now "life threatening," Exhibit 1, in addition to the previously accompanying medical report of Gary Horbar, M.D. as submitted to the Court, Exhibit 2, with a longstanding history well known to local authorities as described in the attached Medical History, Exhibit 3.

The responsible state authorities who have refused to come to our aid and have all but ignored the entirety of the matter except to prosecute us, now willfully and manifestly comprise the most egregious part of this pattern of harassment, intimidation and abuse of our family, as we have asserted our constitutional rights and have complained of the police misconduct depriving us of those constitutionally protected rights. The current prosecutor, Andrew Samson, engages in prosecutorial misconduct to prosecute a set of facts where the ostensible basis of the arrest, the closing of the front door with the RPD outside, does not constitute a crime as a matter of law, as treated in

detail in the attached Memorandum of Law, Exhibit 7, willfully acting as a co-conspirator in the effort to violate us of our civil rights. Moreover, the prosecutorial misconduct is more egregious still by presenting factual contentions to the Court, as contained in the attached letter brief to the Court of February 2, 2009, Exhibit 16, which the prosecutor knows, or must know to be false according to the prosecutorial responsibilities under the New Jersey Rules of Professional Conduct, as contradicted by the State's own putative evidence, including contradictory to their own recording of the incident as provided to us in discovery, Exhibit A, and contrary to their own police reports, Exhibit 10, albeit themselves falsified, in addition to the internal contradictions of fact contained on the face of the prosecutor's submissions to the Court.

As just one such instance, Mr. Samson claims the RPD never entered our home until after my arrest, a contention known to him to be false as contrary to the content of their own recording, Exhibit A, further exemplified in the annexed annotated transcript, Exhibit 9, placing the RPD inside our home within mere seconds of their arrival. Additionally, Mr. Samson's falsity is contradicted on the face of the criminal complaints and police reports, themselves, all annexed hereto within discovery, Exhibit 10, which if true, would place the RPD inside our home, independently of the confirmation of their immediate entry into our home by the findings of the expert acoustical analysis, whose report is annexed hereto, Exhibit 8. Moreover, Mr. Samson's preposterous contempt for truth is further demonstrated as he contends therein that my wife was contemporaneously both "passed out" at the time of that RPD entry into our home in his strained attempt to manufacture a cause for that unlawful entry he claims also never to have occurred at all, while at the same time running about assaulting police officers, Exhibit 16, which is, of course, not only impossible, even metaphysically, but which is also incontrovertibly refuted by the aforementioned RPD's own recording of the incident, Exhibit A together with the certified and scientifically annotated transcript of same, Exhibit 9, expert report, Exhibit 8, as well as refuted by the RPD police reports, themselves.

This perjury by the prosecutor is conduct violating all tenets of professional responsibility; moreover, it is criminal misconduct, itself, mandating prosecution. This malicious and untenable prosecution and the professional and criminal misconduct of this Prosecutor is most revolting, however, as the knowing participation willfully comprising part of the firmly established pattern of harassment and abuse of our family. No valid conviction can be obtained thereby. Moreover, Mr. Samson is heinously a knowing and willful participant in this pattern of harassment and abuse calculated to cause irreparable harm to our family, our children, and especially to my wife, given the aforesaid medical condition of my wife, as well known to these local authorities.

The impudence of such flagrant and blatantly verifiable misconduct by this Prosecutor Samson would be inexplicable of an attorney otherwise subject to professional disciplinary sanctions, but for his pedigree as the son of a former Attorney General of the State of New Jersey with presumptive entitlement of impunity for his professional and criminal misconduct. I am eminently aware of the peril attendant the enmity of a politically powerful family. I must believe, however, that we are still a nation of laws, not a nation of men.

The state of my wife's ill health has been willfully caused to continue to deteriorate, as confirmed by Dr. Pacia, Exhibit 1, Dr. Horbar, Exhibit 2, and as detailed in Medical History, Exhibit 3, by the escalation of misconduct in this pattern of harassment still further with the knowing participation of and complicity of local criminal justice officials and supervising law enforcement authorities, including the aforesaid patently unlawful prosecution, replete with palpable prosecutorial misconduct, willfully complicit in the firmly established pattern of harassment and abuse depriving us of our constitutionally protected civil rights.

This prosecutorial misconduct to wrongfully obtain convictions against us has been more than merely condoned by the Court, Roy F. McGeady, P.J.M.C., presiding, as the Presiding Judge of the Vicinage 2, Municipal Court, Bergen County. Rather, the Court has, itself, engaged in its own unconscionable judicial conduct in the course of these bad faith prosecutions, willfully exacerbating the burden of the persecution against us, knowingly imperiling my wife with gravely deleterious harm to her physical and emotional health resulting from the willful aggravation of the medical conditions not only well known to prosecuting local authorities, as amply demonstrated by the Medical History, Exhibit 3, but also documented to the Court by Dr. Horbar on more than one occasion, including the attached report of April 1st, Exhibit 2, expressly disregarded by this Court while subjecting Nella to still additional oppression in ordering Nella to appear despite the medical contravention, aggravating the ill state of her health with losses of consciousness still further and leading to Dr. Pacia's medical concerns of these effects upon Nella having become "life threatening," as annexed hereto, Exhibit 1. Moreover, my wife's medical condition has repeatedly required emergency hospital care, recently including that of December 27, 2008 leading to urgently mandated surgery this January 15, 2009, while the Court continued in ruthlessly demanding her appearance despite the aforesaid overwhelming and incontrovertibly contravening medical report of Gary Horbar, M.D. annexed hereto, Exhibit 2. While Dr. Horbar's incontrovertible documentation of April 1, 2008 detailing my wife's state of ill health continued to be of no moment to the Court, this same Judge McGeady unconscionably ordered our appearances April 2nd even as I too, then also became personally incapacitated in excruciating pain and under heavy medication in Lenox Hill Hospital, New York, by severe injuries, including a concussion and severely torn tendons which I sustained in an accidental fall in Dr. Horbar's office the

direct result of the Court-induced state of mindless frenzy as I sought to tend to both the critical medical needs of my wife, medical needs that were being willfully exacerbated by the aforementioned unscrupulous actions of this Court, while also struggling to tend to the needs of our defense against the unrelenting cruelty of these spurious, bad faith prosecutions complicit in the pattern of harassment against us. A copy of these medical reports including Lenox Hill Hospital confirmations of same are annexed hereto, Exhibit 17.

To further exacerbate the impact of burden upon my wife being caused by these unlawful criminal proceedings against us, this Court, upon receipt of the aforesaid medical reports of my wife's condition and the medical risks posed by the rigors of those proceedings, proceeded to add still additional, previously unscheduled hearings, including a new hearing for May 7th, with the peculiar attendance and involvement of the Ramsey Municipal Attorney, Peter Scandariato, while the Court contemplated punitive measures sought against us in exploitation of the inescapable impediments of both our medical infirmities April 2nd. On the evening of April 28th, upon reading the contents of legal correspondence describing the "draconian" oppression we faced, the intolerability of such stress, as warned by Dr. Horbar, caused my wife to suffer a seizure. Dr. Horbar's examination of my wife for this seizure raised additional, serious medical concerns, referring her for examination by Steven V. Pacia, M.D., Director, Division of Neurology, Lenox Hill Hospital. Upon his examination of Nella on May 6, 2009, Dr. Pacia's is "concerned that these spells are life threatening and she should not be under stress of legal proceedings at this time," Exhibit 1. The callous disregard for the portentous warnings of Dr. Horbar, Exhibit 2, by the entire spectrum of complicit participants in these malicious criminal proceedings have now brought Nella to a "life threatening state," and requiring hospitalization, Exhibit 1. Suffering yet another episode of seizure Nella was admitted to Lenox Hill Hospital May 12th, remaining under Hospital admission as of this writing. Relentlessly, the Court maintains the trial date scheduled for May 21, 2009.

I urgently beseech all appropriate intervention of the USDOJ into this matter to prevent further irreversible injury to our family, including all appropriate criminal investigations in addition to all civil remedy enjoining of this egregious pattern of misconduct depriving us of our constitutionally protected civil rights. Police and complicit local authorities have conspired to injure, oppress, threaten and intimidate our family to deprive us of the free exercise of our civil rights as protected by the Constitution and laws of the United States, urging investigation of criminal civil rights conspiracy in violation of 18 U.S.C. 241. Moreover, police and complicit local authorities have acted purposefully and willfully under "color of law" to deprive our family of our civil rights protected under the Constitution and laws of the United States, resulting also in bodily injury, urging investigation of deprivation of rights under color of law in violation of 18 U.S.C. 242, having further willfully interfered with our children's right to enjoyment of a public education, as

Loretta King, Esq.

Page 15

May 14, 2009

described hereinabove, a federally protected activity under 18 U.S.C. 245. By copy of the within a Complaint is filed with the District Office, Newark, New Jersey of the Federal Bureau of Investigation ("FBI"), and a copy of the completed Complaint Form annexed, Exhibit 20, with Duty Agent and Identification Number as listed therein.

Moreover, the entirety of these criminal proceedings have proven a mere instrumentality for the subjugation of our family to the misconduct of police and willfully complicit local authorities violating civil rights under color of law, with bad faith criminal proceedings against us specifically for asserting our civil rights, prosecuted for no purpose other than as part of the complained of pattern of harassment, with no hope of attaining any valid conviction therefrom and causing irreparable harm to our family, our children, and now especially "life threatening" to my wife, as described herein. Accordingly, I urgently appeal to the discretion of the USDOJ to intervene in obtaining urgently needed Federal injunctive relief enjoining the bad faith State criminal proceedings unremittingly pressing against us comprising part of the pattern of harassment against our family, necessary to avert further irreparable harm to our family from this firmly established pattern of harassment and abuse.

Sincerely,

/S/

Alfio S. Lanuto

cc: Shanetta Cutlar, Esq. (VIA FACSIMILE AND U.S. POSTAL EXPRESS)
Chief, Special Litigation Section
United States Department of Justice
Rm. 5034, 950 Pennsylvania Avenue N.W.
Washington, D.C. 20530
Mr. Weyan Dun (VIA HAND DELIVERY)
Director, Newark District
Federal Bureau of Investigation
11 Centre Place
Newark, New Jersey 07102