

**THE JUDICIAL COUNCIL OF THE SECOND CIRCUIT
COMPLAINT OF JUDICIAL MISCONDUCT**

**In the matter of conduct complaint filed under 28 U.S.C. §§ 351-364 against US District
Court for the Southern District of New York Judge Ronnie Abram**

Filing Date: February 13, 2019

1. Name and Address of Claimants:

Manuel P. Asensio and his minor daughter, Eva Asensio
400 East 54th Street, Apt. 29B
New York, NY 10022
Office: (212) 702-8801
Cell: (917) 515-5200
Email: mpa@asensio.com

2. Place of Filing:

Catherine O'Hagan Wolfe, Clerk of Court
Andrew Barnes, Chief Deputy Clerk
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007
Clerk's Office: 212-857-8500
Email: newcases@ca2.uscourts.gov

3. Name of Subject Judge:

The Hon. Ronnie Abrams
US District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Room 1506
New York, NY 10007
Chambers: (212) 805-0284
Deputy: (212) 805-0162
Email: abrams_NYSDChambers@nysd.uscourts.gov

4. Identification of Particular Case Where Ongoing Behavior Is Occurring:

The Claimants, Manuel P. Asensio, individually and on behalf of his daughter Eva Asensio, a minor child, are the Plaintiffs in *Asensio et al. v. DiFiore et al.*, filed on Wednesday, November 21, 2018, under federal docket number 18-CV-10933 in the US District Court for the Southern District of New York. *Asensio et al. v. DiFiore et al.* was assigned to Judge Abrams.

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Asensio et al. v. DiFiore et al. involves a case against Janet DiFiore, chief judge of New York State; Barbara Underwood, the former attorney general of New York State; Andrew M. Cuomo, governor of New York State; Adetokunbo O. Fasanya, New York County Family Court magistrate; and Emilie Marie Bosak, individually.

Defendant Bosak is the Plaintiff's former spouse and the mother of the Plaintiff's daughter, Eva Asensio, and is alleged with detail and specificity in *Asensio et al. v. DiFiore et al.* to have colluded with Defendant Fasanya and his agents commencing May 15, 2014. Together they engaged in the manufacturing of charges and fees, fabricating of evidence, and falsifying of court records and orders, as well as malicious and deliberate violations of state and US law, against the Plaintiffs, their relationship, and their property. Defendant DiFiore personally sanctioned this collusion and banned the Plaintiffs' actions in New York State against herself and Defendant Bosak and Defendant Fasanya and his agents and retaliated against the Plaintiffs for taking actions against her.

SYNOPSIS OF COMPLAINT

This complaint contains clear and convincing evidence that Judge Abrams engaged in ex parte communications in *Asensio et al. v. DiFiore et al.*, in order to collude with the Defendant DiFiore against Claimants. One of the claims involves the press. The offending article (see section immediately below this synopsis) combines joint fabrications by Judge Abrams and Chief Judge DiFiore (statements known to be false by both). The fabrications slander the Plaintiffs and the most central causes of actions in *Asensio et al. v. DiFiore et al.* The slandered case, *Asensio et al. v. DiFiore et al.*, the same case that Judge Abrams is presiding over and where she is claiming to be unbiased and independent. Therefore, Judge Abrams and a Chief Judge and Defendant DiFiore jointly made intentionally false statements about the most fundamental element of *Asensio et al. v. DiFiore et al.*, a case that is presently before Judge Abrams. In fact, the case is supported by irrefutable evidence against the Defendant DiFiore obtained through an on-going investigation of over 120 senior New York State officials working with Chief Judge DiFiore. The Plaintiff commenced the investigation on May 15, 2014. The investigation proves that Defendant DiFiore acted without jurisdiction, authority or legitimate state purpose to maliciously and deliberately cause harm to the Plaintiffs, which include a minor. Judge Abrams has paid no attention to the investigation. Yet the investigation makes it patently obvious to all, particularly to Judge Abrams, that Defendant DiFiore's illegal conduct is only possible because of the protection that she has had from the domestic relations exception to federal subject matter jurisdiction ("DRE") as well as abstention and immunity doctrines. It is also patently obvious that the Plaintiffs' only access to justice is in the federal courts. Yet, as the evidence in this complaint clearly shows, Judge Abrams is using her raw will and dishonesty to conceal the evidence and thereby protect the DRE from exposure to the press and a jury. Unless Judge Abrams' misconduct is addressed she will continue to use raw will to pay no attention to the Plaintiff's rights, damages, or evidence, and to abstruse simple facts in order to allow Defendant DiFiore to continue to illegitimately use the DRE and abstention and immunity doctrines as a cover to continue to deny New York citizens access to justice and their US constitutional liberties, freedoms of religion, political expression and speech.

See exhibits containing a press releases announcing *Asensio et al. v. DiFiore et al.*, a copy of its cover page, the Order related to this complaint, and the subject news article.

In the Matter of the Daily News:

Among Judge Abrams’s conscious wrongdoings is her manufacturing of an order that she entered Saturday, January 19, 2019, at 3:28 p.m. that contains fabricated de hors facts that are patently false and that became the centerpiece of a slanderous *Daily News* article published on Monday, January 21, 2019 (see Section 5 below in the Brief Statement of Facts). This *Daily News* incident speaks to the weight of the evidence against Defendant DiFiore—the complaint identifies 120 senior state officials that Defendant DiFiore has corrupted under the protection of the DRE.

The fact that Defendant DiFiore resorted to slandering the Plaintiff in the press, that Defendant DiFiore appears to have solicited Judge Abrams to assist her with the *Daily News*, and that Defendant DiFiore felt that she needed to take such an aggressive and risky action despite having the blind support of the governor and state attorney as protection also bespeaks. Judge Abrams has acquiesced to the slanderous and false statement that she and Defendant DiFiore effectively caused to be published in the *Daily News* and refused to take note of these facts, admit her contribution, or take corrective measures to address her role in this incident (see Section 6 below).

The difference between discretion and raw will is masked and entirely emotional. Judge Abrams holds the same progressive-liberal beliefs that led to the federal courts to use the DRE aggressively to protect states that use raw will to persecute citizens with liberal ideology. Judge Abrams is not disgusted by a state chief judge’s display of raw will to engage in illegal conduct. On the contrary, Judge Abrams has shown she is disgusted by the Plaintiffs’ use of the words “illegal” to describe judicial conduct because Judge Abrams believes, as an emotional progressive liberal, that she has the right to use raw will herself. Judge Abrams’s tacit approval of Defendant DiFiore’s conduct regarding the *Daily News* is irrefutable proof of her belief in the use of raw will.

BRIEF STATEMENT OF FACTS

5. Judge Abrams's Deliberate Blindness to the Factual Evidence Contained in *Asensio et al. v. DiFiore et al.* Obtained from a Private Investigation:

Asensio et al. v. DiFiore et al. is an action based on a private investigation and administrative and legal proceedings that the Plaintiff commenced in New York State on May 15, 2014, against Defendant Fasanya for fabricating evidence and charges on that date. The Plaintiff's investigations led him to discover Defendant DiFiore's illegal use of her office¹ to protect Defendant Fasanya's fabrication of evidence, fees, and charges in collusion with Defendant Bosak in the Plaintiff's routine, normal post-divorce judgment enforcement action. Through these proceedings, the Plaintiff discovered that his and his daughter's damages were caused by the federal courts' prejudicial Article III disclaimer, a doctrine referred to as the domestic relations exception federal subject matter jurisdiction ("DRE"). The evidence in the complaint proves beyond reasonable doubt that Defendant DiFiore consciously and maliciously sanctioned the misconduct of the more than 120 senior state officials who control New York State's judicial ethics and judicial conduct committees and its post-divorce judgment custody enforcement action processes to defend Defendant Fasanya and herself against the Plaintiff's actions at all cost—without apprehension or any regard to appearances. *Asensio et al. v. DiFiore et al.* defines the acronym "PIDRP" to refer to Defendant DiFiore's "prohibited and impermissible domestic relations process" that is operated by these 120 senior state officials.

Thus, *Asensio et al. v. DiFiore et al.*'s complaint includes specific, clear, and convincing evidence against Defendant DiFiore and demonstrates that her conduct can only be possible under the protection she has had from the DRE. This complaint shows that Defendant DiFiore is continuing to receive protection for her wrongdoing under Judge Abrams, using raw will and the DRE and alleged immunity as a cover. Through raw will, Judge Abrams is consciously using her administrative, ministerial, and perfunctory powers to conceal and ignore the investigation and the factual evidence included in *Asensio et al. v. DiFiore et al.*

Clearly Judge Abrams understands that the facts, factors, and circumstances contained in the complaint inexorably require federal intervention and illustrate the risks inherent in the DRE. This makes the case one of national interest. Instead, Judge Abrams has fabricated an illegitimate process exclusively devoted to dismissing *Asensio et al. v. DiFiore et al.* Judge Abrams has gone to the extent of actually cooperating with Defendant DiFiore's machinations and public relations schemes to discredit the Plaintiff, creating convincing evidence that she actually colluded with Defendant DiFiore (see Section 7 below).

The only reasonable explanation for Judge Abrams's conscious wrongdoing in this case is that she understands that this case could lead to the abolishment of the DRE; and the effect this would have

¹ Defendant DiFiore is the chief judge of the state and of the Court of Appeals. She is also the chair of the Administrative Board of the Courts, which sets the state's judicial standards and policies; the head of the Office of Court Administration; and the sole state official responsible for the supervision of the Justice Department's ethics and judicial conduct education. She holds the state's only power under Judiciary Law §212(1)(h) to directly investigate judicial misconduct, and she controls, along with the governor, the state's commission for the adjudication of judicial misconduct.

on the federal courts' case load could easily end Defendant DiFiore's political career, could lead to major changes in New York's post-divorce judgment custody enforcement processes, and could lead to changes to post-divorce judgment custody enforcement processes in all 50 states.

As a lifelong New York progressive-liberal. Progressive expansion accepts the illegal conduct that has crept into domestic relations processed under the cover of the DRE. Judge Abrams's husband is employed as a prosecutor in the progressive-liberal Mueller investigation. As a result, Judge Abrams has disqualified herself from cases involving US President Donald J. Trump. There is a bona fide concern as to whether even a distinguished but liberal-progressive jurist such as Judge Abrams can objectively determine a matter based on the very existence of the DRE. Judge Abrams's conduct unfortunately bespeaks sympathy and support for the State Defendants and the DRE and, consequentially, Defendant Bosak, as well as aggressive hostility toward the Plaintiffs. This conduct is particularly distressing given the wonderful impact that Judge Abrams's father has had on her and her brother's life. Yet in this case Judge Abrams is blind to the pain and suffering Defendant DiFiore's fabrications have caused the Plaintiffs. This thus illustrates Judge Abrams's deeply embedded partisan views. Yet she has refused to recuse herself. This goes to prove that she has succumbed to her human fragilities.

6. Definitive Evidence of Judge Abrams's Entering Patently False Statements in an Order and Clear and Convincing Evidence of Cooperation with Defendant DiFiore, and Appearance of Ex Parte Communications and Collusion between Judge Abrams and Defendant DiFiore:

As stated above, the *Daily News* article of Monday, January 21, 2019, is built around Judge Abrams's Saturday, January 19, 2019, fabricated order entered at 3:26 p.m. The article ignores the damages that the combination of Defendant DiFiore and the DRE have caused the Plaintiffs and ends with Defendant DiFiore's spokesman accusing the Plaintiff of harassment. The quote from Judge Abrams's order supports this idea and the article's false and slanderous statements. Here is evidence in addition to the above that many reasonable persons would agree shows Judge Abrams's involvement with Defendant DiFiore's resuscitation of allegations that were dismissed three years ago in a campaign to discredit and frustrate the Plaintiff.

The order contains a gratuitous, unnecessary, and patently false allegation that the Plaintiff "has called and attempted to visit chambers seeking in part to discuss the merits of the case." This is an entirely false statement. The Plaintiff has only been properly and within his rights seeking an urgently needed hearing or conference call on his motion for interim emergency relief or, alternatively, for a stay, adjournment, or abeyance to allow the Plaintiffs to seek relief from Judge Abrams's misconduct. Judge Abrams used her fabrication to justify writing in her "Saturday Afternoon before Martin Luther King Day" order "that the Plaintiff cease calling chambers" and created the backdrop for the *Daily News* story. Most reasonable people would say that denying the Plaintiffs' access to justice and then fabricating the claim that the Plaintiffs were seeking access for an improper purpose is utterly intolerable conduct for a judge.

The quote from Judge Abrams's Saturday, January 19, 2019, order, placed immediately before the article, states that the Plaintiff "was arrested in 2016 for busting into Bosak's E. 72nd St. apartment." Yet the article failed to state that those allegations were dismissed based on a video

that shows the Plaintiff not “busting” into an apartment but peacefully and calmly entering, asking to be announced, speaking on the phone to announce himself, and walking past the doorman without any sign of objection, and then later happily leaving with his daughter to commence their Christmas vacation.

The article states the incident occurred after the Plaintiff saw “photos of [Defendant] Bosak on Instagram from a vacation in Mexico.” In fact, the pictures were of Defendant Bosak smoking marijuana on the beach and of Defendant Bosak posing naked in Mexico when she was supposed to have custody of the Plaintiff’s daughter and be caring for her during Defendant Bosak’s part of the Christmas holiday.

The *Daily News* article states that the Plaintiff, “claimed at the time that he feared for his daughter’s safety.” The words “claimed at the time” create the false impression that the Plaintiff was arrested “at the time” he allegedly busted into the apartment. In fact, the arrest occurred over three months later. This fact can be reasonably viewed as evidence of external political influence. What motivated the allocation of resources necessary to convert an allegation by Defendant Bosak, who was smoking marijuana on a beach in Mexico and who has a long record of making false charges to the same prosecutor who had previously dismissed her allegations in the interest of justice, to suddenly become interested in making an arrest three months after the alleged facts based on hearsay and unsubstantiated allegations? The state’s sanctioning of Defendant Bosak’s false charges and refusal to allow discovery into the matter is central to the Plaintiff’s federal action against Defendant DiFiore for manufacturing charges and evidence.

The *Daily News* article further states that the Plaintiff’s daughter was “being watched by her grandmother.” In fact, Defendant Bosak had a legal obligation to advise the Plaintiff of her planned absence, and, to this day, the Plaintiff has no information about when Defendant Bosak left the United States to determine how many days he missed spending time with his then 11-year-old daughter at Christmas, one of the most significant holy days in the Plaintiff’s religion and among the most-dear times to spend with family. Judge Abrams’s order and the *Daily News* article is a setup for Defendant DiFiore’s disrespectful and dismissive statement that the Plaintiff is a “disgruntled litigant” who is engaged in “conducting a long-running campaign of harassment.” In fact, it is Defendant DiFiore who is accused of consciously orchestrating and sanctioning dishonest, harassing, and injurious conduct by state officials against the Plaintiff and his daughter.

Judge Abrams’s involvement in the *Daily News* matter is disturbing. Defendant DiFiore and her spokesman are personally aware of the above circumstances. The complaint alleges that Defendant DiFiore [through the PIDRP] sanctioned Defendant Bosak’s false claim and that she deliberately denied the Plaintiff’s discovery request into the dismissed charges. This discovery is necessary to prove that the arrest was part of Defendant DiFiore’s retaliation against the Plaintiffs to protect her PIDRP. This incident forms the basis for one of the most supported, damning, and fundamental allegations against Defendant DiFiore in *Asensio et al. v. DiFiore et al.*

7. Judge Abrams's Use of Raw Will and Improper Motives for Not Recusing Herself That Are Inimical with US Law Protecting Families and Federal Interest:

There is an ongoing dispute between the Plaintiffs and Judge Abrams concerning her misconduct and motives. Judge Abrams has refused to recuse herself. In light of Judge Abrams's refusal to recuse herself, the Plaintiff requested that she enter a stay, adjourn, or abeyance to allow for an independent review of her conduct; however, Judge Abrams refused. Judge Abrams is continuing to engage in conscious wrongdoing. Judge Abrams's wrongdoing is just as unstoppable in federal court as Defendant DiFiore's is in New York. Most reasonable persons would agree that this bespeaks the corruption the DRE has created.

Judge Abrams entered a sua sponte prejudicial stay that effectively grants the state defendants exclusive access to justice and dismissed the Plaintiff's Motion 1, which is essential to truth and justice. Motion 1 deals with the factual evidence of fabrications of evidence, fees and charges, and falsification of court records and orders. These must be narrowly defined, articulated, and understood and narrowly and truthfully applied to a review of the state attorney general's authority to defend Judge Abrams, Defendant DiFiore, and the governor. Many observers would say that it is reasonable to believe that Judge Abrams used a sua sponte so order to dismiss the motion because she is conscious of the risks described above that *Asensio et al. v. DiFiore et al.* creates for Defendant DiFiore and the DRE.

Using administrative, ministerial, and perfunctory authority to take prejudicial actions is by definition use of raw will or corrupt judging and is inimical to truth and any honest judicial function. This is a case against judges who see themselves as progressive and who act as if they truly believe they have a right to use raw will, to violate the law, and even to engage in fabrications that harm innocent children.

In fact, Defendant Fasanya [through her PIDRP] sanctions the fabricated evidence and charges to fabricate so-called "interim" summary parental rights suspensions, which do not and cannot exist in any state legal text. These summary "interim" suspensions are created by raw will and are based on concealed impermissible personal, political, and ideological rules in complete absence of any neutral principles. Defendant DiFiore also sanctions impermissible fees collected in court rooms by the same judges who fabricate the charges and suspensions. These fees, which do not and cannot exist in any state legal text, are collected through civil contempt actions without law, rules, administration, records, or controls. Through this process, Defendant DiFiore allows the use of raw will in strictly private religious, moral, and ethical subject matters.

Allowing Judge Abrams to use her raw will by refusing to recuse herself in a case involving the use of raw will directly sanctions Defendant DiFiore's use of raw will to defend Defendant Fasanya's use of raw will. This abrogates justice not just for the Plaintiffs but for millions of New York State and US citizens and leaves Americans to face judges with none of the constraints provided by the US constitution and federal protections under Article III.

8. Judge Abrams' Improper Motive for Dismissing Motion 1:

Upon realizing that the factual allegations contained in *Asensio et al. v. DiFiore et al.* provided evidence of Defendant DiFiore's individual wrongdoings, Judge Abrams immediately fabricated a prejudicial sua sponte so order against the Plaintiffs. The Plaintiffs responded by filing a motion to vacate the prejudicial sua sponte so orders or, alternatively, respectfully requested that Judge Abrams recuse herself. She denied both branches of the motion in the *Daily News* order.

Asensio et al. v. DiFiore et al. was formulated to support a motion for summary judgment. Motion 1 relies on the facts, factors, and circumstances alleged in the complaint and new affirmations in support of the argument that Defendant DiFiore's conduct was individual and deliberate and malicious, not official; that the conduct violates New York State law and US law; that her conduct was and continues to be unrelated to any judicial or legitimate state function; and that her conduct serves no legitimate state purpose and was executed in clear absence of jurisdiction, authority, or power, in direct contradiction of basic legal principles and widely held beliefs on the effective administration of laws in a civil society.

Judge Abrams's prejudicial sua sponte so order dismissed the Plaintiffs' Motion 1 and created a prejudicial stay that prevents the Plaintiff from proceeding on Motion 1. The order endorsed the State Defendants' allegations that they were entitled to protection under the DRE and official immunity doctrines. As a matter of fact, the State Defendants' factual allegations are actually defenses against the allegations contained in *Asensio et al. v. DiFiore et al.* and cannot reasonably be used as a basis for a legal argument in a preliminary dismissal motion. Justifying raw will as a defense for illegal conduct outside of jurisdiction without legitimate state purpose creates an office that can sanction itself.

Motion 1 argues that the New York State governor and attorney general have deliberately refused to act in accordance with their constitutional duties and inherent official obligations by failing to consider the factual evidence obtained in the Plaintiff's investigation and his allegations against Defendant DiFiore, as well as that the attorney general wrongfully defended Defendant DiFiore against the Plaintiffs in the state. This wrongful defense includes defending Defendant DiFiore in constitutional litigation at the trial, appellate, and Court of Appeals levels and in special and original proceedings at the trial and appellate levels without conducting due diligence or stating the authority and legitimate state purpose served by such a defense of Defendant DiFiore.

Motion 1 asks for a ruling on the question of whether the state attorney is authorized to defend Defendant DiFiore, the governor, and the state attorney under the existing circumstances. This question must be resolved before the state attorney is allowed to defend these persons. Motion 1 also insists that the facts, factors, and circumstances alleged in the complaint against the DRE and the state officials must be heard by a federal jury, without judgment or interference by a federal judge.

9. Irreversible Improper Motive:

The Plaintiff was forced to file *Asensio, et al. v. DiFiore, et al.* in federal court as a result of Defendant DiFiore's conscious wrongdoing in interfering with the Plaintiff's plenary, special

proceedings in trial court, and original proceedings in appeal court, normal appellate, and Court of Appeals proceedings, and the administrative actions, that the Plaintiff attempted to pursue against Defendant DiFiore, Defendant Fasanya, and Defendant Bosak. These actions concern the state's fabrication of evidence and manufacturing of charges, false records, and falsified orders, not under the domestic relations laws or in domestic relations proceeding but in civil proceedings against Defendant DiFiore, Defendant Fasanya, and Defendant Bosak.

Judge Abrams's actions provide clear and convincing evidence that her motive for refusing to recuse herself from *Asensio, et al. v. DiFiore, et al.* is to deny the Plaintiff the right to present his facts to a jury of his peers and instead to use the DRE to deny the Plaintiff his right to access federal justice and to assist Defendant DiFiore in violating US and natural laws that honor and protect the Plaintiff's freedom to love and educate his daughter in accordance with his religious, moral, and political beliefs in peaceful coexistence with Defendant Bosak.

10. Declaration and Signature:

I, Manuel P. Asensio, swear that I am the Plaintiff in *Asensio, et al. v. DiFiore, et al.* and the Complaint in the above complaint. I swear that I am fully familiar with the facts, factors, and circumstances contained in this complaint. I solemnly swear that the statements I make are complete and true to the best of my knowledge, including any matters stated upon personal information and belief. I swear that I have truthfully considered all factors, facts, and circumstances of which I have knowledge and believe to be relevant to the statements and opinions I make in this complaint. So help me God.

I do so swear:

Manuel P. Asensio

EXHIBIT 1

U.S. SUPREME COURT UNDER SCRUTINY:

Pioneer of Informational Arbitrage Files Monumental Civil Rights Complaint

Manuel P. and Eva Asensio's Suit Seeks to Upend Hypocritical 'Domestic Relations Exception' Loophole that Shields New York State Chief Judge Janet M. DiFiore from Federal Scrutiny

NEW YORK, NY – TUESDAY, DECEMBER 4, 2018 6:48 A.M.

Manuel P. Asensio, President, Asensio & Company LLC, a pioneer of informational arbitrage strategies, has filed a lawsuit in the U.S. District Court, Southern District of New York under civil docket number 18-CV-10933 Asensio, et al v. DiFiore, et al. The action takes aim at the US Supreme Court's so-called "domestic relations exception ("DRE") to federal subject matter jurisdiction." The arcane DRE is purportedly based on a 160 year-old case. Asensio calls the DRE "a prejudicial expansion of government hidden under the US Supreme Court's Anti-American disclaimer of Article III jurisdiction." Charging conscious individual wrongdoing, Asensio names Janet DiFiore, Chief Judge of New York State, as lead defendant.

In discovery phase ahead of the filing of the suit, Asensio's research uncovered that in New York alone the DRE is responsible for an estimated \$350 million in annual unauthorized court-ordered fees for attorneys and legal guardians inserted into cases as political agents who intervene in family privacy and violate Americans' most essential liberties without apprehensions.

The DRE permits Chief Judge DiFiore to conceal her malicious scheme against civil and constitutional rights in New York State. The suit relies on a pre-trial investigation of Chief Judge DiFiore's judicial regulatory system that uncovered rampant deliberate judicial misconduct, a labyrinth of unlawful fee-revenue schemes couched as domestic relations protocols as well as a range of serious civil rights violations rooted in a system that has insulated

itself from any meaningful oversight via the DRE. The DRE makes it impossible for Americans to seek redress if he or she feels the state court has acted in bad faith and deliberately beyond the powers of government. Once inside the state's court system, parties involved in routine, normal post-divorce custody proceedings face exalted state governments that deliberately prolong and complicate "justice processes" that puts lucrative fee and political power brokering squarely ahead of civil rights and the well-being of children involved.

"A central component of the DRE is the imposition of political operatives into families," the complaint says.

"The DRE undermines constitutional and civil rights law and liberties that are indispensable to the survival of a free civil society," Asensio said acknowledging the uphill climb he faces just securing parenting rights for his daughter let alone taking on New York State and the entire federal court system. "There are hundreds of thousands of state residents who have been stripped of their US citizenship rights right here on American soil and have come out the other side – financially and emotionally broken and estranged from their children. And it has to end. This is a first step."

The above \$350 million estimate for New York State does not include wide-spread abuses of Title IV-D federal funding. This is believed to be the most thorough accounting of the sums of money involved in the broken system; Asensio's background as a short seller allowed him to analyze the entire maze of judges, officials, and policies, as he would a toxic company whose shares he intended to short, he explains.

To obtain a copy of the suit, go to <http://rightabigwrong.org/federal-civil-rights-complaint/>

Contact: Manuel P. Asensio
(212) 702-8801
info@rightabigwrong.org

EXHIBIT 2

JUDGE ABRAMS

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Manuel P. Asensio, individually and as the parent
of Eva Asensio, a minor child,

Plaintiffs,

-against-

Janet DiFiore, Chief Judge of New York State;
Barbara Underwood, Attorney General of New
York State; Andrew M. Cuomo, Governor of New
York State; Adetokunbo O. Fasanya, New York
County Family Court Magistrate; and Emilie Marie
Bosak, individually,

Defendants.

18 CV 10933
CV

CIVIL RIGHTS COMPLAINT

JURY TRIAL DEMANDED

INTRODUCTION AND SUMMARY

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3 1. The Plaintiff, Manuel P. Asensio, files this pleading individually and on behalf of his
4 daughter, Eva Asensio, born October 14, 2004. It is an indisputable and undeniable fact that New
5 York State Chief Judge Janet Marie DiFiore (“Defendant DiFiore”) retaliated against the Plaintiffs
6 as a direct response to the Plaintiff’s investigations into Defendant DiFiore’s ongoing malicious use
7 of the federal courts’ so-called “domestic relations exception to Article III or federal subject matter
8 jurisdiction.” The Plaintiffs define the acronym “DRE” as the “domestic relations exception.”
9 Defendant DiFiore uses the DRE to protect her ability to use her powers¹ wantonly, as she has done
10 in the Plaintiff’s post-divorce judgment actions against Emilie Marie Bosak (“Defendant Bosak”)
11 and to protect her impermissible ‘use tax’ scheme and her malicious domestic relations process. The
12 process is entirely based on deliberate and malicious fabrications that are created without legitimate
13 jurisdiction, rules, controls, standards, or codes. The process’ central purpose is the fabrication of
14 charges, evidence, fees and judgments based on concealed impermissible ideological rules. The
15 Plaintiff defines the acronym “PIDRP” to mean Defendant DiFiore’s “prohibited and impermissible
16 domestic relations process.” The DRE is a counterintuitive, counterfactual, prejudicial and
17 unsupported blind sanctioning of Defendant DiFiore’s wanton crimes against the public.

¹ Defendant DiFiore is the Chief Judge of the State and the Court of Appeals. She is also the Chair of the Administrative Board of the Courts, which sets the state’s judicial standards and policies, the Head of the Office of Court Administration, and the sole state official responsible for the supervision of the Justice Department’s ethics and judicial conduct education. She holds the state’s only power under Judiciary Law §212(1) (h) to directly investigate judicial misconduct, while controlling, along with the governor, the state’s commission for the adjudication of judicial misconduct.

EXHIBIT 3

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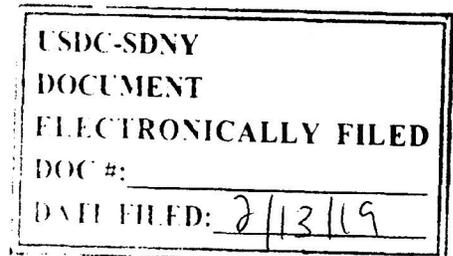
MEMO ENDORSED

COMPLAINT TO THE JUDICIAL CONDUCT COUNCIL OF THE SECOND CIRCUIT

February 11, 2019

VIA ECF and Email to Abrams_NYSDChambers@nysd.uscourts.gov

The Honorable Justice Ronnie Abrams
US District Court, Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square, Courtroom: 1506
New York, NY 10007



Re: *Asensio et al. v. DiFiore et al.*, no. 1:18-cv-10933-RA

Dear Judge Abrams:

Attached please find a draft of the Plaintiffs' **THE JUDICIAL COUNCIL OF THE SECOND CIRCUIT, COMPLAINT OF JUDICIAL MISCONDUCT** against Your Honor addressing Your Honor's "[c]ooperation and convincing Evidence of Ex Parte Communications with New York State Chief Judge, the Hon. Janet Marie DiFiore, to Justify Applying the Federal Court's Article III Disclaimer Referred to as the Domestic Relations Exception to Federal Subject Matter Jurisdiction ("DRE") to Defendant DiFiore's Manufacturing of Evidence and Falsification of Court Records and Orders, and Deliberate Violations against the Plaintiffs in New York State."

The Plaintiffs' respectful request the Your Honor consider the serious of her misconduct to the Plaintiffs in their lives and millions of minor children that are suffering from resentment such as the resentment Defendant DiFiore has fabricated in my former spouse through allegedly progressive policies that are in actual practice fabricated excuses for illegal conduct and corruption.

The Plaintiffs' respectful request the Your Honor consider what drove her to sign an order stating that the Plaintiff "has called-and attempted to visit chambers seeking in part to discuss the merits of the case." This is an entirely false and malicious claim. The Plaintiff has only been properly seeking an urgently needed hearing or conference call on his motion for interim emergency relief or, alternatively, for a stay, adjournment, or abeyance to allow the Plaintiffs to seek relief from Your Honor's misconduct. creates a false setup for justifying a prejudicial Order "that the Plaintiff cease calling chambers." This statement led to the article falsely stating that the Plaintiff "attempt[ed] to see and contact [Your Honor." Most reasonable people would say that denying the

1 Plaintiff's access to justice and then fabricating the claim the Plaintiff was seeking access for an
2 improper purpose is utterly intolerable conduct for a judge.

3
4 The Plaintiffs' respectful request the Your Honor consider that Your Honor is a lifelong New York
5 progressive. This case are is the result the progressive expansion of law into domestic relations
6 under the cover of the DRE. Judge Abrams' husband is employed as a prosecutor in the progressive
7 Mueller investigation that many reasonable citizens consider a complete liberal fabrication to
8 create agitation and resentment.

9
10 Your Honor has disqualified herself from cases involving US President Donald J. Trump. There
11 is a bona fide concern as to whether even as distinguished but progressive a jurist as Your Honor
12 can is objectively determine a matter that is which is based on the very existence of the DRE.

13
14 Your Honor's conduct unfortunately bespeak sympathy and support for the DRE, the State
15 Defendants and Defendant Bosak and aggressive hostility towards the Plaintiffs. This conduct is
16 particularly distressing given the wonderful impact that Your Honor's father has had on her and
17 her brother's life. Why has Your Honor ignored the Plaintiff's pleading of interim relief? What
18 causes Your Honor's blindness to Defendant DiFiore is publically demonstrated disrespect for the
19 Plaintiffs' relationship in the Daily News and intentionally lying about circumstances that she has
20 personal knowledge?

21
22 Your Honor is blind to the pain and suffering that Defendant DiFiore's fabrications have caused
23 an innocent child and her father, the Plaintiffs. This bespeaks Your Honor's embedded partisan
24 views. Yet she has refused to recluse herself. This goes to proves that she has succumb to her
25 human fragilities.

26
27 The Plaintiff request that Your Honor recuse herself or the alternative request a stay, or an
28 adjournment, or abeyance to allow the Plaintiffs to seek relief from Your Honor's misconduct.

29
30 I do so swear the above to be true,

31 
32
33 Manuel P. Asensio, Plaintiff

34 Distribution:

35
36 Emilie Marie Bosak

37
38 The Honorable New York State Attorney General Letitia James, Chief of Staff and Deputy State
39 Attorney General Attorney. Brian K. Mahanna, tasha.bartlett@ag.ny.gov

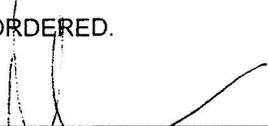
40
41 The Honorable Governor Andrew M. Cuomo, Governor's Chief Counsel and Principal Legal
42 Advisor, Alphonso David, alphonso.david@exec.ny.gov

43
44 The Honorable Chief Judge Janet M. DiFiore, ucs-correspondence@nycourts.gov, Head of the
45 Office of Court Administration, John W. McConnell, lcgreen@nycourts.gov

- 1 Jonathan D. Conley, Esq., jonathan.conley@ag.ny.gov
- 2
- 3 Rachel Ambats, Esq., rachel.ambats.esq@gmail.com

Plaintiff's request for recusal is denied for the reasons provided in the Court's orders dated January 18, 2019 and February 1, 2019 (Dkts. 31, 40). As previously noted, this case will remain stayed pending resolution of Defendants' anticipated motions to dismiss, which are due February 14, 2019. Although Plaintiff's oppositions are presently due on February 21, 2019, he may have until March 21, 2019 to submit them. Defendants' replies shall be due ten days after Plaintiff files his opposition papers.

SO ORDERED.



Ronnie Abrams, U.S.D.J.
February 13, 2019

EXHIBIT 4

Wall Street trader claims state's top judge meddled in family court matter, conspired against him

By SHAYNA JACOBS
JAN 21, 2019 | 5:31 PM



Manuel Asensio is seen in the hallway of State Supreme Court at 100 Centre Street on May 25, 2016. (Alec Tabak for New York Daily News)

A trailblazing financier who lost a custody battle with his model ex-wife is now blaming the state's top judge — and challenged the federal judge overseeing the lawsuit.

Manuel Asensio, 63, has sued Chief Judge Janet DiFiore over a family court judge's handling of his case, which he claims was rigged in favor of his child's mom Emilie Bosak.

The Cuban-born stock trader claimed in a recent lawsuit that DiFiore, Gov. Cuomo and former Attorney General Barbara Underwood let him get railroaded and lose parenting rights to his daughter, now 14.



New York Court of Appeals Chief Judge Janet DiFiore. (Hans Pennink / AP)

U.S. District Court Judge Ronnie Abrams said she would not recuse herself in a Jan. 18 decision and ordered him to “cease calling chambers,” noting his repeated attempts to see and contact her.

Asensio was arrested in 2016 for busting into Bosak’s E. 72nd St. apartment without permission. He claimed at the time that he feared for his daughter’s safety after seeing photos of Bosak on Instagram from a vacation in Mexico. The girl was actually being watched by her grandmother.

He has turned his attention to a lengthy battle with his ex and court officials.

“This disgruntled litigant has been conducting a long running campaign of harassment and misrepresentation against a number of individuals, as evidenced by this most recent lawsuit, which we will vigorously defend,” said state courts spokesman Lucian Chalfen.