

DAVID R. CUBBY, ESQ.

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March 18, 2024

VIA E-FILING

Hon. Michael Shipp – DCJ
U.S. District Court for New Jersey
Mitchell H. Cohen Building & U.S. Courthouse
4th & Cooper Streets Room 1050
Camden, NJ 08101

RE: In Re David R. Cubby, Esq. Attorney at Law
Docket No.: 8:21-cv-17173(RMB)

Dear Judge Shipp:

I am the Respondent in the above referenced matter. The purpose of this letter is to demand that the Court schedule an emergent hearing concerning the false and defamatory disciplinary orders filed by the Disciplinary Review Board of the New Jersey Supreme Court without further delay.

Respondent was ordered by this Court to show cause in response to the State of New Jersey's void disciplinary order over a year ago; Respondent filed his opposition more than eight months ago. This matter continues to be inexplicably, unacceptably, and unlawfully delayed while the Office of Attorney Ethics, Disciplinary Review Board, and New Jersey Supreme Court Clerk continue to build a false record against Respondent. This is a violation of the Court's responsibility to conduct its own independent review, and an apparent attempt to base its own decision off of New Jersey's fraudulent representations without a hearing.

Upon information and belief, either the Court itself or its staff is impermissibly coordinating with the New Jersey Supreme Court to disregard well plead and documented instances of public corruption in the State of New Jersey. Respondent has contacted the Court on multiple occasions to demand a hearing or a case management conference, all of which were ignored by the Court. The Court was previously advised of attempts by Court Staff to prevent Respondent from filing documents; Respondent's email address was blocked by a member of Court staff or by outside actors unlawfully accessing the JEFIS system. This is a direct attempt to prevent Respondent's filings from becoming part of the record of proceedings, but it appears the Court has never looked into the issue.

The State of New Jersey has also failed to provide any further briefing or evidence in response to dozens of examples I provided concerning denial of my due process rights. To date, the District Court has nothing but an order, with no findings of fact or conclusions of law, falsely accusing Respondent of misconduct without any judicial review. The order itself does not contain the name of any judge willing to accept responsibility for its false and defamatory contents. There is

no excuse for the Court having failed order the State of New Jersey to provide additional facts justifying their failure to follow basic Court rules.

In opposition, Respondent filed an eighteen (18) page certified opposition clearly outlining abuse of process and fraud on the part of the Disciplinary Review Board and the Office of Attorney Ethics. The Court is fully aware of the fact that these agencies have been filing these orders in an unlawful bid to have Respondent disciplined by the District Court without any hearings having been held into the false allegations of Respondent's misconduct. The Court need only look at the fact that there is not a single transcript of a hearing or proceeding on the charges to know that the State of New Jersey is willfully disregarding the law. Yet, this matter has been delayed for at least eight months in spite of the majority of Respondent's allegations being unopposed by the State of New Jersey.

Upon information and belief, the District Court is now unlawfully delaying its own decision for the purpose of allowing the Supreme Court of New Jersey to issue additional decisions and holdings, again without any opportunity for Respondent to be heard. The attached correspondence was served upon Chief Justice Stuart Rabner on March 18, 2024, and clearly outlines the process through which I have been and continued to be denied my right to due process. It is becoming readily apparent that the District Court intends to delay its holding so that Respondent can be falsely disbarred in both courts and forced to appeal both erroneous and fraudulent decision simultaneously. This would constitute a wholly unconstitutional abuse of process and an illegal protection racket for corrupt judges.

It has also come to my attention that you may have a conflict of interest in this matter. Respondent was heavily involved in the Hinchliffe Stadium project prior to criminal efforts to bar his participation, and has denounced the unlawful machinations of Andre Sayegh as an affordable housing scam. Respondent repeats the same allegations here. It is common knowledge that residents of the City of Paterson are growing frustrated because they are being denied use of the recently restored stadium. A number of individuals have sought to use the stadium to conduct clinics and sporting events for Paterson youth, mostly to be ignored or denied by the corrupt administration of Andre Sayegh. However, your brother, former NFL player Marcel Shipp, seemed to have no problem getting into Hinchliffe Stadium to conduct his own clinic earlier in 2023.

While it is commendable that such a clinic exists, providing opportunity for Paterson youth to learn from athletes who have performed at the highest levels of competition, this does suggest that you and your immediate family are too close to Paterson and Passaic County government. This is particularly true in the event that there are no resolutions, applications, or other paperwork on file that would suggest a lawful process for securing use of Hinchliffe Stadium. Being moved to the front of the line when other Paterson residents cannot get basic information on who to ask about stadium use smacks of favoritism and is indication of a potential quid pro quo. At the very minimum it suggests a culture of collusion in which those who are willing to disregard the law can rely on the help of other political racketeers.

Respondent demands that the Court and your Honor immediately and without further delay schedule a hearing or case management conference in this matter. Based upon the forgoing,

Respondent further demands that your Honor conduct his own independent review of his need to recuse himself from Respondent's case.

I thank you for your time and attention to this matter.

Very truly yours

A handwritten signature in blue ink that reads "David R. Cubby". The signature is written in a cursive style with a long horizontal stroke extending to the left from the start of the name.

David R. Cubby, Esq.
Pro Se Litigant