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The Honorable Judge James Ware
United States District Court for the
Northern District of California
450 Golden Gate Avenue
San Francisco CA 94102

Re: **Letter to the Court on Motion to Vacate Ruling by Judge Walker – Perry v. Schwarzenegger, 3:09-cv-02292-JW**

Dear Judge Ware:

As a Pro-Se Amicus to the both the State and Federal Proposition 8 cases, I write this brief letter to the Court to provide only that additional information I have that is related to the Motion to Vacate. I was physically present in Judge Walker's Courtroom on the day that Mr. Blankenhorn was cross examined, and witnessed first hand a spectacle of witness harassment and intimidation that could only be called "Circus Like" - if one wanted to insult the professionalism of circus workers.

Sitting in the front row of the spectator seats I observed such a constant background pattern of jeering, laughing, booing, cheering and other forms of witness intimidation from the crowd (who were overwhelmingly opposed to Proposition 8 and derisive of the witness and proponents) that I believe it impacted the proceedings and interfered with the witness ability to testify.

It would have been impossible for Judge Walker not to have heard and seen what was going on in the back of the Court, but he appeared to actually encourage it, as if he were an actor making a farewell appearance by playing up to a friendly house.

I do not know if the microphones and cameras were able to pick up the same level of background noise and commotion in Court, given that they were directionally pointed towards the front of the Courtroom and the Judge /Lawyers/Witnesses, but it was certainly apparent to those physically present that what was going on in the back benches was designed to deliberately interfere with the Witness and Testimony.

Beyond this tainting of the trial by partisan favoritism in allowing a sympathetic crowd to engage in audience participation in the proceedings, is the issue of Judge Walker's rulings essentially denying the Scientific Facts about the pathological nature of Homo-Anal Coprophile behaviors. It is common knowledge worldwide that the city of San Francisco has been the epicenter for the creation and transmission of new strains Aids and related STDs since the beginning of the pandemic in the West a quarter century ago. Even the US Center for Disease Control publishes the fact that 1 out of 5 Homo-Anal Males has Aids, and that those who engage in such Coprophile Behaviors are at many many times the risk for all manner of health issues than the general population.

If Judge Walker was actually engaging in such Coprophile Behaviors when ruling on the case - then I submit that his Anti Scientific Bias in favor of validating his own choices to engage in such Pathological Behaviors shows a clear lack of impartiality and justifies vacating the decision.

Finally, the 'Open Secret' of Judge Walkers Behaviors was only really a secret from 'outsiders' to the Homosexualist Community, which has apparently embraced Walker as a Hero post retirement. Failure to Disclose in advance the potential for a separate avenue to pressure the Judge from this militant activist community (say by private threats of later exclusion from the Homosexualist Community in San Francisco) is a breach of the Judicial Trust, and Judge Walker should have seen this potential conflict as clear grounds for Recusal.

I had never witnessed such a level of highly partisan audience participation in any Courtroom before, and although I found none of the attempts at ‘humor’ from the Judge or participants to be in the least funny – there were more attempts at jokes by the Judge and Derisive Laughter from the gallery in this courtroom than I have seen in many alleged comedy clubs.

Unfortunately, the joke was on our legal system and the Citizens who enacted the wise moral provision of Proposition 8 in their Constitution, who were the ones truly targeted by such vicious partisan attacks in that Courtroom.

I sincerely hope and urge that the judgment be vacated, and if need be a new trial in a Neutral Venue be ordered; one far away both physically and politically from the pervasive Misandry (Hatred of Men, Masculinity and Normal Heterosexuality) that now characterizes my old hometown of San Francisco.

Sincerely
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