

Martin Rodetsky  
c/o P.O. Box 615  
Wayne, New Jersey 07474

**GENERAL ASSEMBLY**  
**OF THE LEGISLATURE FOR NEW JERSEY**

Martin Rodetsky, sui juris,	)	
	)	
Petitioner,	)	PETITION FOR A BILL OF
	)	IMPEACHMENT DUE TO
	)	JUDICIAL MISCONDUCT;
	)	) OBSTRUCTION OF
	)	JUSTICE; VIOLATION OF
	)	OATH OF OFFICE; AND
	)	R.I.C.O.
NEW JERSEY SUPERIOR COURT	)	
JUDGE STEPHEN J. SCHAEFFER,	)	Pursuant to
Individually and in his)	)	1947 New Jersey State
Official Capacity,	)	Constitution--
	)	Article ) VI, Section
	)	VI,
Respondent.	)	Paragraphs 4 & 5;
	)	Article VII, Section
	)	III, Paragraphs 1,2&3
	)	
	)	

**PETITION**

A. New Jersey State Constitution, Article 7, Section 3,  
Paragraph 1 states:

"The Governor and all other State officers,  
while in office and for two years  
thereafter, shall be liable to impeachment  
for misdemeanor committed during their  
respective continuance in office."

B. New Jersey State Constitution, Article 7, Section 3,

Paragraph 2 states:

"The General Assembly shall have the sole power of impeachment by vote of a majority of all the members. All impeachments shall be tried by the Senate, and members, when sitting for that purpose, shall be on oath or affirmation "truly and impartially to try and determine the charge in question according to the evidence". No person shall be convicted without the concurrence of two-thirds of all the members of the Senate.

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1. The New Jersey State Constitution of 1947 provides two (2) concepts for impeachment:

a. Article VI, Section VI, Paragraph 4  
"The Justices of the Supreme Court and the Judges of the Superior Court shall be subject to impeachment, and any judicial officer impeached shall not exercise his office until acquitted. The Judges of the Superior Court shall also be subject to removal from office by the Supreme Court for such causes and *in* such manner as shall be provided by law.

b. Article VI, Section VI, Paragraph 5

"Whenever the Supreme Court shall certify to the Governor that it appears that any *Justice* of the Supreme Court or Judge of the Superior Court is so incapacitated as substantially to prevent him from performing his judicial duties, the Governor shall appoint a commission of three persons to inquire into the circumstances; and, on their recommendation, the Governor may retire the Justice or Judge from office, on pension as may be provided by law."

2. Pursuant to New Jersey Statute N.J.S.A. 41:1-1:

"Every person who is or shall be required by law to give assurance of fidelity and attachment to the Government of this State shall take the following oath of allegiance:

"I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution of the State of New Jersey, and that I will bear true faith and allegiance. to the same and to the Governments established in the United States and in this State, under the authority of the people. So help me God."

3. Respondent, by taking the oath to support, defend and uphold the Constitution of the United States, also falls under the purview of the Federal Statutes, United States Code, 28 U.S.C. 372 et seq. regarding the removal of judges from office.

4. Article VII, Section III, Paragraph 2 of the New Jersey Constitution provides for the filing of a complaint with the General Assembly, in this instance where the above named Respondent has, and continues to engage in conduct prejudicial to the effective and expeditious administration of the business of the courts, due to mental and physical disability, more fully demonstrated hereinafter.

5. Furthermore, Title 28 U.S.C. 372 (c) (1) et seq., also provides for the filing of a written complaint containing a brief statement of the facts constituting such conduct aforementioned.

6. Because the New Jersey Constitution or New Jersey

Statutes does not have a formal statutory scheme for filing of written complaints involving judicial impeachment, Petitioner will rely upon the United States Code, 28 U.S.C. 372 (c) (1), as his source and guidance in this matter.

**STATEMENT /HISTORY AND NATURE OF PROCEEDING  
FOR PETITION FOR A BILL OF IMPEACHMENT AGAINST  
N.J. SUPERIOR COURT JUDGE STEPHEN J. SCHAEFFER**

7. Petitioner Martin Rodetsky has been involved with the Family Court system since 1987 and has been jailed on a number of occasions (approximately 8 times for over 200 days) because of allegations that he owes over \$60,000 in child support to his 26-year old "If adult" son. Now the amount of child support he allegedly owes has been the subject of scrutiny because no one seems to know how much he owes, if he owes any child support at all.

8. Petitioner has been GRANTED orders, in the past, from Judge Salem Ahto of the Morris Vicinage and most recently, Judge Seymour Margulies of the Hudson Vicinage, ORDERING that Petitioner has been declared INDIGENT.

9. A brief history of Petitioner Rodetsky's divorce case shows that during the course of his divorce trial, in 1987, Rodetsky was unlawfully thrown out of his marital home by his former wife, Esther Bauman.

10. Petitioner ran his computer installation and

programming business out of his house.

11. His former wife then stole all of his business receipts to the tune of \$250,000 by cashing all of his business checks that she had access to.

12. She also destroyed his business by ruining his client base, some of who were security clearance only clients.

13. Moreover, Petitioner's former wife had access to his 80-year old mother's safety deposit box, which his former wife proceeded to access and steal over \$80,000 in silver bars from.

14. Esther Bauman was later convicted of this theft but has never spent a day in jailor has ever been ordered to pay back the \$80,000.

15. Later, Petitioner's former wife received all the proceeds of the sale of the marital home (\$500,000-\$1Million) and Petitioner never received a dime.

16. Petitioner's former wife now lives in a very expensive condominium in an exclusive section of West Orange, New Jersey.

17. During the divorce proceedings, Petitioner Rodetsky's lawyer was arrested in the middle of the trial for income tax evasion.

18. Rodetsky demanded a postponement so he could seek out another attorney to finish the case, but Essex County

Superior Court Judge Herbert Glickman denied him that right and proceeded on with the case and totally favored Petitioner's former wife.

19. Since this case was conducted under fraudulent pretenses and deception, Rodetsky has suffered interminable problems because of it.

20. Rodetsky has tried to overturn the divorce but to no avail and has now taken on the system for violating his rights.

21. Because Petitioner has now made it a career of taking on the system and the judges he has been targeted by the Chief Justice and the rest of the judiciary as a "political dissident".

22. Because of his moral, religious and political ideologies, Rodetsky is now being castigated and unlawfully imprisoned as a "POLITICAL PRISONER".

23. Petitioner Rodetsky was arrested on August 11, 1995, in Trenton Municipal Court, on a bogus and fraudulent contempt of a restraining order charge which was filed against him by Administrative Office of the Courts Family section director Nancy Kessler.

24. Kessler was challenged by Petitioner Rodetsky because she and two (2) other judges, Richard Russell--municipal judge in Ocean City and Woodbine, N.J. and

Superior Court Family Part Judge Graham T. Ross, were advocating treason against the inhabitants of New Jersey by telling newly appointed judges, in training sessions, to "IGNORE THE CONSTITUTION" when issuing domestic violence restraining orders against those allegedly accused of violence. [See N.J. Law Journal articles of April 24, 1995 and the May 8, 1995 article "Judge Rebuked by AOC on TRO Training"].

25. On August 11th, the Trenton municipal judge dismissed the contempt complaint against Rodetsky because there was no evidence of contempt.

26. Since Petitioner Rodetsky appeared to answer the charges, he was subsequently informed that even though there is no evidence against him for the alleged contempt, there was a warrant issued by Respondent Judge Schaeffer on August 7, 1995, and that Rodetsky was under arrest and would be transferred to Hudson County as a result. Coincidence?!

27. Rodetsky was brought before Schaeffer for the second time in less than a month (Schaeffer jailed him for two weeks earlier in July of 1995).

28. At this point, before at least a dozen witnesses supporting Petitioner Rodetsky, Respondent Schaeffer charged Rodetsky for contempt for failure to pay an alleged

amount of child support. Rodetsky asserted and maintained he was INDIGENT and HOMELESS. Respondent Schaeffer told him that Hudson County would find him a place to stay--in the jail and at taxpayer's expense.

29. Respondent jailed Petitioner without any ability to pay hearing, denied Respondent the right to effective assistance of an attorney before he could be imprisoned, denied Petitioner a Trial by Jury, which he was entitled because of the severity of the punishment--jail.

30. Respondent further denied Petitioner his right to present evidence, testimony and witnesses [who were present] to show that he was indeed an indigent and homeless person.

31. Respondent told Rodetsky he did not need an ability to pay hearing because Respondent presumed Petitioner wouldn't pay anyway and any hearing was therefore irrelevant. This was observed by all witnesses who supported Rodetsky.

32. Respondent Schaeffer refused to give Rodetsky the prerequisite substantive and procedural Due Process, Equal Protection under the Laws, and other fundamental and unalienable rights that Petitioner had.

33. Since August 11, 1995, Petitioner Rodetsky has spent over three (3) solid months in jail for no reason and

most of that time has been spent in solitary confinement, which is an unconstitutional violation of the Eighth (8th) Amendment of the Constitution for the United States of America against Cruel and Unusual Punishment and a violation of Human Rights.

34. Petitioner was originally told he was being charged with Willful Nonsupport and Obstruction of Administration of Government. However, Respondent Schaeffer has not formally charged Petitioner with any crime, because he knows Petitioner will ask for Trial by Jury and Right to an Attorney.

35. Respondent has had at least ten (10) hearings to date since August 11<sup>th</sup> 1995, attempting to coerce and intimidate Petitioner into taking a Tuberculosis (TB) tine test. Petitioner has refused to take the test and Respondent continues to hold him in jail until Petitioner succumbs to taking the test.

36. Petitioner is deathly afraid of needles or any other invasive body procedure and believes he could be infected **by** something if he takes the test.

37. Further, Petitioner has challenged Respondent to present him with a written Order to take the test and to date Respondent has failed to submit any Order to force Petitioner to take the test.

38. Petitioner Rodetsky knows he cannot be coerced, forced or intimidated into taking the TB tine test becausee AIDS inmates cannot be forced into taking tests.

39. Respondent Schaeffer is no longer acting as a judge in this matter, but is acting out of viciousness and maliciousness and has a vendetta against Rodetsky.

40. It is also upon knowledge and belief that Petitioner is being "shut down" by the Chief Justice or the Administrative Office of the Courts or both because of Rodetsky's continuing attacks on the courts by his suing everybody *in sight* and assisting/advocating for those who have been violated by the New Jersey judiciary.

41. Respondent Schaeffer continues to change the terms of Petitioner's release and at one point was going to put him on Work Release and an electronic bracelet, but only if Petitioner took the TB tine test. Petitioner has refused at all times because he claims that Work Release is for criminals only and not civil detainees. Also, Petitioner has raised the issue that Work Release is INVOLUNTARY SERVITUDE.

42. It is interesting to note that Petitioner **has and** continues to be brought back and forth into the Hudson County Court and the Essex County Court [before the Grand Jury to testify about police brutality against him by the

West Caldwell Police Department]. This is happening even though Petitioner hasn't taken the TB test. If this is the case, the TB test is a moot issue and is being used to unlawfully keep Petitioner incarcerated without any prerequisite hearings or rights to effective assistance of an attorney.

43. Petitioner, because of his refusal to take the TB tine test and his challenging Respondent in every court hearing is being punished by being "locked down" in jail 23 out of 24 hours per day. And he is not even a criminal. He is being unlawfully imprisoned for a debt in a civil matter, because he is indigent and homeless.

44. At present, Rodetsky's hearings are being conducted in front of Schaeffer in secret, ala, Star-Chamber proceedings. Petitioner cannot make any phone calls to have witnesses at his hearings, but the Respondent has notified Petitioner's ex-wife to be present at the hearings and then asks the ex-wife if she wants him to stay in jail longer, which she inevitably wants.

**COUNT I -- RESPONDENT JUDGE SCHAEFFER HAS  
COMMITTED ATTEMPTED MURDER,  
AGGRAVATED ASSAULT, KIDNAPPING,  
CRIMINAL RESTRAINT BY DENYING  
PETITIONER FUNDAMENTAL, UNALIENABLE  
RIGHTS AND LIBERTIES**

45. Petitioner Rodetsky has been incarcerated/ imprisoned beyond the point of coercion in a civil matter and the deprivation of his liberties has now become punishment without any trial by jury, even though other judges have ordered that any further incarcerations are punitive.

46. Petitioner is being incarcerated as a "Political Prisoner" by Respondent Judge Schaeffer, who Petitioner sued in a Federal Civil Rights lawsuit and Respondent was a named primary defendant who now can no longer adjudicate Petitioner's case. This is violation of Petitioner's right to be free pursuant to the New Jersey Constitution, Article I, Paragraph 1.

47. Petitioner is being Imprisoned for an "alleged" debt as an indigent, in violation of the constitutional prohibition against Imprisonment for Debt, New Jersey Constitution, Article I, Paragraph 13:

"Statutes or ordinances, designed as debt collecting devices under the guise of penal laws, contravene the constitutional prohibition against imprisonment for debt. Thus, the legislature may not circumvent the prohibition by rendering criminal a simple breach of contract, the nonpayment of a debt, or the failure to use one's own money for a purpose other than for payment of debts.  
State v. Madewell, 63 N.J. 506, 512 (1973).

'Any coercive body restraint process to collect any debt falls within the constitutional interdiction of

imprisonment for debt. Contempt may not be sanctioned as less odious and hence as a permissible variant of imprisonment for debt; all forms of coercive body restraint process that may lead to imprisonment for debt--whether by body attachment, by some new and cloaked form of resurrected process, such as contempt--falls under the constitutional axe. No coercive body restraint process, in New Jersey, is constitutionally permissible to enforce a general order for payment of judicially scheduled installments on child support or any resultant money judgment accruing therefrom.

48. Petitioner is being imprisoned without an ability to pay hearing and without being told of the nature of the imprisonment, in violation of his fundamental, unalienable rights under Amendment I, IV, V, VI, VIII, IX, X, XIV of the Constitution for the United States of America.

49. Petitioner is being denied the right to Trial by Jury in a civil matter and because he has been deprived of his Liberties for a cumulative total of over 200 days and for being jailed without reason.

50. Petitioner, being a civil detainee, is being unlawfully commingled, at times, with hardened criminals, in violation of the Eighth (8th) Amendment of the Constitution for the United States of America, and in

violation of New Jersey Statutes N.J.S.A. 30:8-5 and 30:8-6, which are remedies for suing jailers for double damages and misdemeanor crimes, for unlawfully commingling non-criminals with hardened criminals.

51. Petitioner has been falsely arrested and falsely imprisoned without being charged.

52. Petitioner maintains that Respondent Judge Schaeffer has committed ATTEMPTED MURDER and/or AGGRAVATED ASSAULT, by ordering Petitioner into an AIDS and TB infected environment. AIDS has been declared a deadly weapon by U.S. juries across the country, when inmates with AIDS try to bite their jailers.

53. Respondent Schaeffer has denied Petitioner access to the courts and the Appellate Division to appeal because he is being kept incognito and incommunicado by being "locked down" 23 out of 24 hours per day, even though he isn't a criminal.

54. Respondent is denying Petitioner access to the law library, access to pens, paper and is interfering and tampering with the U.S. Mail.

55. Petitioner has no remedy at law or equity because Respondent continually and maliciously changes the terms of Petitioner's imprisonment.

56. Petitioner is being TORTURED by his captors by

being denied medical attention and psychological counselling for claustrophobia, emotional distress, post-traumatic stress syndrome caused by the emotional battering of the divorce and continuous jailings, as well as anti-government stress syndrome since Petitioner has a fear, dislike and paranoia that the Government is "out to get him" because he is challenging the system.

57. Now Respondent is trying to find other ways to keep Petitioner in jail by dredging up old unpaid parking tickets. Obviously these are not jailable crimes.

**COUNT II--OBSTRUCTION OF JUSTICE AND VIOLATION  
OF THE NEW JERSEY CONSTITUTION AND  
CONSTITUTION FOR THE UNITED STATES OF AMERICA**

58. Petitioner Rodetsky realleges and reavers the substance of paragraphs 1-57, herein, and incorporates the same by this reference as if fully restated herein.

59. Respondent New Jersey Superior Court Judge Stephen J. Schaeffer, presiding judge of the family part, Hudson County, has effectively usurped his authority and suspended Petitioner Martin Rodetsky's fundamental, unalienable rights under the Constitution for the United States of America and New Jersey State Constitution, to be free from deprivation of his liberties and to be free from

Imprisonment for Debt, prohibited by New Jersey State Constitution, Article I, Paragraph 1 and Article 1, Paragraph 13.

60. N.J. Constitution, Article I, Paragraph 1 states:

"All persons are by nature free and independent, and have certain natural and unalienable rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing, and protecting property, and of pursuing and obtaining safety and happiness".

61. N.J. Constitution, Article I, Paragraph 13 states:

"No person shall be imprisoned for debt in **ANY ACTION**, or on any judgment found upon contract, unless in cases of fraud; nor shall any person be imprisoned for a militia fine in time of peace."  
[Emphasis added]

62. The above named Respondent has violated everyone of Petitioner's fundamentally protected unalienable rights including but not limited to substantive and procedural due process, equal protection of the laws, freedom from unlawful seizure and freedom from false arrest and false imprisonment, freedom from excessive bail or the refusal of bail in a civil matter, unlawful incarceration in a civil matter because Petitioner is indigent and homeless.

63. Respondent has violated his Oath to support the Constitution for the United States of America and New Jersey State Constitution by denying Due Process, Equal Protection of the Laws, Imprisoning Petitioner for a Debt,

trying to force him into Involuntary Servitude, causing Cruel and Unusual Punishment and depriving Petitioner of First Amendment rights to freedom of Religion, freedom to Redress his Government for Grievances and freedom of Expression through Redress and Protest; Respondent has violated Petitioner's fundamental, unalienable Freedoms and Rights under Article I, Paragraph 1 of the New Jersey State Constitution.

64. Respondent has committed gender bias crimes on the basis of Petitioner's gender and marital status, in violation of the gender bias crimes against intimidation and threats, in violation of New Jersey Constitution, Article I, Paragraph 5. [Prohibition against gender bias].

65. The above named Respondent has further violated and prejudiced Petitioner's ability to bring forth and prosecute claims, both in the New Jersey Superior and Appellate divisions, Docket No. FM-23289-87, and the United States District Court in which he has a Civil Rights action pending and working its way toward trial.

66. Petitioner has sued Respondent in Civil Rights actions, Civil Case No. 95-3110 (NHP) which would have caused Respondent to recuse himself from any case in Superior Court involving Petitioner. Respondent, upon being sued in a Federal Civil Rights action, would have had to

remove himself from Petitioner's case because of partiality and prejudice he would have exhibited against Petitioner. Respondent did not do so.

67. Respondent Schaeffer was and continues to be in violation of the New Jersey Code of Judicial Conduct:

**Canon 1**-- A Judge Should Uphold the Integrity and Independence of the Judiciary;

**Canon 2**-- A Judge Should Avoid Impropriety and the Appearance of Impropriety in All Activities;

**Canon 3**-- A Judge Should Perform the Duties of Judicial Office Impartially and Diligently.

68. Under Canon 1, Respondent Schaeffer violated the Code of Judicial Conduct by violating and denying Petitioner his rights to an Ability to Pay Hearing to which he was entitled, his rights to effective assistance of an attorney, his right to confront his accusers, his right to present evidence, testimony and witnesses, his right to appeal.

69. Respondent Schaeffer has testified on the record as a litigant and adversary against Petitioner by claiming he presumes Petitioner is not going to pay the alleged child support he owes. Respondent "stepped down" off of the bench to make this presumption, denied Petitioner an ability to pay hearing to defend himself, refused to

consider previous orders from other judges that show that PETITIONER IS INDIGENT and therefore lost all civil and criminal immunities.

70. Under Canon 2, Respondent Schaeffer violated the Code of Judicial Conduct, and violated and denied Petitioner his rights by usurping clearly established law and Constitutional prohibitions, and clearly has a special interest in violating Petitioner's rights because Respondent heads a N.J. Supreme Court committee dealing with the subject of Child Support Enforcement and Respondent is therefore being swayed by partisan interest, public clamor and fear of criticism if he doesn't continue to humiliate and degrade Petitioner, who he knows is indigent.

71. Under Canon 3, Respondent Schaeffer violated the Code of Judicial Conduct, and violated and denied Petitioner his rights by usurping clearly established law and Constitutional prohibitions, by "discriminating against Petitioner on the basis of his male gender, his marital status (divorced father) and socioeconomic status (indigent), in violation of the New Jersey State Constitution, Article I, Paragraph V [which prohibits discrimination on the basis of gender] and Paragraphs XXI and XXII [rights of victims and rights of State

inhabitants].

72. Respondent Schaeffer has further violated Petitioner's rights, in violation of Canon 3 of the Judicial Conduct Code, by denying and depriving Petitioner a full right to be heard according to law and affording him a reasonable opportunity to participate, respond and appeal if necessary.

73. Respondent named above has, and continues to deny Petitioner's genuine and bona fide redress of grievances, as well as denying Petitioner's fundamental, unalienable Liberties, by trying to Extort monies from him under threat, duress, coercion, false and fraudulent pretenses and under Color of State law in an open conspiracy with others, not yet named.

**COUNT III--OBSTRUCTION OF JUSTICE**

74. Petitioner Rodetsky realleges and reavers the substance of paragraphs 1-73, herein, and incorporates the same by this reference as if fully restated herein.

75. Respondent Schaeffer above named has effectively suspended Petitioner's guaranteed rights to Due Process of Law, both procedurally and substantively, under the Fifth (5th) and Fourteenth (14th) Amendments of the Constitution for the United States of America.

76. Respondent above named is also conspiring with other New Jersey Superior Court judges in the Hudson County Vicinage to block and deprive Petitioner of his Freedoms and right to access the courts for Redress of Grievances and to file Appeals to aid himself in getting out of the unlawful incarceration/imprisonment for alleged "debt".

77. Respondent above named is blanket denying every motion, order to show cause or any other petition to defend himself and instead is trammelling under foot, Petitioner's legitimate claims for redress of grievances under Title 42 U.S.C. 1983, 1985 and 1986 of the Civil Rights Acts of 1866 and 1871, as well as access to the courts for other pending cases in State and federal courts.

78. Respondent named above is in further violations of the provisions of N.J.S.A. 2C:29-1--Obstruction of Governmental Process; N.J.S.A. 2C:30--Official Misconduct and Respondent is also in violation of the United States Criminal Code, Title 18 U.S.C. 241--Conspiracy Against Rights of Citizens, and Title 18 U.S.C. 242--Deprivation of Rights Under Color of Law.

79. Title 18 U.S.C. 241 states:

"If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his

having so exercised the same--They shall be fined not more than \$10,000 or imprisoned not more than ten years, or both; and if death results, they shall be subject to imprisonment for any term of years or for life."

80. Title 18 U.S.C. 242 states:

"Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any inhabitant of any State, Territory, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such inhabitant being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined not more than \$1,000 or imprisoned not more than one year, or both; and if death results shall be subject to imprisonment for any term of years or for life."

81. Petitioner has declared himself to be a free, sovereign inhabitant of New Jersey State since he takes no benefit from either the State or United States of America. However, Respondent has continued to ignore this fact.

82. Respondent named above is further violating the provisions of Title 18 U.S.C. 241 and 242 by treating Petitioner Rodetsky like chattel property with no rights and made liable to pay an alleged "debt" that is based on fraudulent pretenses, by the use of threats, coercion, duress, menace, punishment and imprisonment.

**COUNT IV--OBSTRUCTION OF JUSTICE**

83. Petitioner Rodetsky realleges and reavers the substance of paragraphs 1-82, herein, and incorporates the same by this reference as if fully restated herein.

84. Respondent Schaeffer denied Petitioner absolute immunity from arrest, pursuant to N.J.S.A. 2A:81-17-- "Privilege of Witness from Arrest During Attendance" and N.J.S.A. 2A:81-21--"Exemption from Arrest or Service of Process", when he issued a warrant knowing that Petitioner would be involved in a criminal matter in Trenton Municipal Court on August 11, 1995, and conspired with the Trenton Municipal Judge hearing the matter to have Petitioner unlawfully arrested at the conclusion of the hearing.

85. Petitioner had a reasonable expectation of immunity from arrest while attending another court matter, but was denied, and was denied under threat of sanctions for nonappearance, leaving Petitioner no remedy or recourse for the deprivation of Fourth (4th) Amendment protections and guarantees.

86. By denying Petitioner the panoply of rights that he was and continues to be entitled to, such as having his motions and orders to show cause heard, as well as having the Due Process right to Appeal, Respondent Schaeffer

violated Petitioner's fundamental, unalienable rights under the Constitution for the United States of America and New Jersey State Constitution, and also violated 42 U.S.C. 1983, 1985(2) and (3), and 1986 of the 1866 and 1871 Civil Rights Act of Congress, in a conspiracy context with other yet named co- conspirators, who continually insist that they are virtually immune from any kind of civil rights deprivation actions, suits, or proceedings by the judicially created fictitious "immunity" doctrine.

87. Respondent, in conspiracy with others, has continued to have Petitioner incarcerated via a bogus child support civil order, in violation of the Separation of Powers doctrine in New Jersey's Constitution and the Constitution for the United States of America, as well as a violation of his Oaths of Office.

88. Respondent has further violated Petitioner's fundamental, unalienable rights to be Free from deprivations of his Liberties by not knowing the law, not knowing the amount, if any of any alleged child support due and owing, and not informing Petitioner why is being incarcerated because to date Petitioner has been imprisoned for the following (1) Alleged child support arrearages that no one seems to know how much, if any is owed; (2) the terms of imprisonment have been changed because Petitioner

refuses to be forced, coerced, threatened to take a Tuberculosis Tine (TB) test and has demanded a written order from Respondent to order the test, but no order is forthcoming because it would be a violation of Petitioner's rights; (3) now Petitioner is being held for failure to pay a number of parking tickets.

**COUNT V--R.I.C.O.**

89. Petitioner Rodetsky realleges and reavers the substance of paragraphs 1-88, herein, and incorporates the same by this reference as if fully restated herein.

90. Respondent is being aided and assisted by his bosses, the Administrative Office of the Courts and the Chief Justice to violate and suspend Petitioner's fundamental, unalienable rights to Freedom and Due Process.

91. Respondent is aiding and abetting Petitioner's former wife, a convicted criminal, and an administrative agency in trying to extort money from Petitioner, even knowing that he is indigent, and keeping Petitioner in prison for a debt in violation of the constitutional prohibition.

92. Respondent has steadfastly refused to allow Petitioner redress of grievances and has interfered with Petitioner's other litigation that is currently pending,

both in State court, Docket No. MRS-L-2964-93, Rodetskv v. County of Morris. et al., and in Federal Court, Civil Action No. 94-1383(WGB), Rodetskv v. Dombrowski. et al., which is an obstruction of justice "cover-up" that may involve hundreds of other cases, in violation of the United States Code, Title 18, R.I.C.O. and **New** Jersey Criminal Statutes.

93. Respondent is a "person" as that term is defined in 18 U.S.C. 1961(3) of R.I.C.O., with no entitlement to immunity for his unlawful conduct.

94. At all times relevant to the events alleged in this Petition, Respondent Schaeffer was and is associated with an "enterprise" as that term is defined in 18 U.S.C. 1961(4) of R.I.C.O., which was and is engaged in interstate and foreign commerce. For purposes of this claim under 18 U.S.C. 1962 (a), (b), (c), and (d) of R.I.C.O., the enterprise consists of the Superior Court of New Jersey, the Administrative Office of the Courts, the Supreme Court of New Jersey, or in the alternative, an association-in-fact of Respondent and others not yet named herein, who are all licensed lawyers by private fraternal State Bar Associations and elements of the New Jersey Judiciary and/or enjoying offices of trust, honor and profit.

95. In violation of 18 U.S.C. 1962(a), (b), (c), and

(d) of R.I.C.O., Respondent has received and conspired to receive, directly or indirectly, income derived from a pattern of racketeering activity (through the Title IV-D program contracts with the State Judiciary, 42 U.S.C. 651-669, and New Jersey counterpart, N.J.S.A. 2A:17-56.7 to 56.15 (New Jersey Support Enforcement Act), and has used or invested, or conspired to use or invest, directly or indirectly, such income, or the proceeds of such income, in the operation of the New Jersey State Courts or, alternatively an association-in-fact of each named and unnamed Respondent. The above referenced income consists of incentive monies and "kickbacks" for child support collections, by use of wage garnishment and incarcerations.

96. Respondent has and is engaging with others in the above referenced violations of 18 U.S.C. 1962(a), (b), (c), (d) of R.I.C.O. through a pattern of racketeering activity, as that term is defined in 18 U.S.C. 1961(1) (b) and 18 U.S.C. 1961(5) of R.I.C.O. The racketeering activity *in* which Respondent engaged and continues to engage in involves interstate commerce with the intent to promote, manage, establish, carry on, or facilitate the promotion, management, establishment, or carrying on, of the suspending of the First (1st), Fourth (4th), Fifth (5th), Sixth (6th), Ninth (9th), Tenth (10th) and Fourteenth

(14th) Amendments to the Constitution for the United States of America and suspending Article I, Paragraphs 1, 2, 3, 5, 6, 7, 9, 10, 11, 12, 13, 14, 18, 20, 21, 22, of the Rights of Individuals under the New Jersey State Constitution.

97. As alleged in greater detail above, acts of mail fraud by which the Respondent, in violation of the Federal Mail Fraud statute, 18 U.S.C. 1341, carried out the above-referenced scheme or artifice to expedite the proscribed unlawful conduct, by ordering Petitioner through the mail, by a notice to appear under threat of contempt and incarceration for failure to appear, into court to gain in personam jurisdiction over him through fraud, deception, threat, duress, coercion and menace.

98. The above-referenced predicate acts all occurred after the effective date of the implementation of the Federal R.I.C.O. statute (October 15, 1970) and within ten (10) years of each other. Each of the Respondent's racketeering activities were undertaken for the purpose of furthering a common scheme or artifice to deny unrepresented litigants equal access to justice (remedy-recourse), obtaining proceeds through unlawful imprisonment for debt and furthering the interference of Government into private, sovereign inhabitants' lives.

99. Said above-referenced acts violate the 1992 Child

Support Recovery Act in which it states unequivocally that indigent persons (without ability to pay) cannot be incarcerated.

100. Each such act of racketeering activity has similar purposes, involving the same or similar participants and has similar results impacting similar victims, namely Respondent Judge Stephen Schaeffer, who sits as head of the N.J. Supreme Court Committee on Child Support Guidelines and Enforcement, and/or his predecessors in interest and his colleagues are part of a recurring pattern of similar schemes, and this constitutes a pattern of racketeering activity, as that term is defined in 18 U.S.C. 1961(5) of R.I.C.O. The Respondent herein named and those yet unnamed have conspired with each other to commit the above referenced predicate acts.

101. As a direct and proximate result of Respondent's activities and conduct in violation of 18 U.S.C. 1962(a), (b), (c), (d) of R.I.C.O., Petitioner Rodetsky has been unlawfully and unduly injured, oppressed, threatened, coerced, menaced, intimidated, badgered, harassed, and has suffered extreme anxiety, loss of sleep, loss of Liberty, loss of Freedom, loss of confidence~ self-esteem and suffered financial ruination through Respondent's and others Judicial Misconduct and Obstruction of Justice.

**COUNT VI--ATTEMPTED MURDER, AGGRAVATED  
ASSAULT, TERRORISTIC THREATS,  
KIDNAPPING, CRIMINAL RESTRAINT,  
FALSE IMPRISONMENT, HARASSMENT**

102. Petitioner Rodetsky raallages and reavers the substance of paragraphs 1-101, herein, and incorporates the same by this reference as if fully rastated harein.

103. On Thursday, November 16, 1995, Petitioner Rodetsky was brought before Respondent Schaeffer, who released Petitioner from the Hudson County Jail.

104. As part of the release Order, Respondent Schaeffer, 96 days after the fact, scheduled an ABILITY TO PAY HEARING sometime in January of 1996. Respondent also emancipated the "adult" child of Petitioner, retroactively back to January 14, 1992, which drastically changed child support arrearages.

105. Respondent further Ordered that an audit of the child support account be conducted by the Hudson County Probation Department because the amount in question is not known.

106. As a result of the aforementioned acts by Respondent after he had imprisoned Petitioner for 96 consecutive days, it is apparent that Respondent acted out of malicious' and vindictive disregard for Petitioner's

fundamental, unalienable rights as well as a total disregard for Petitioner's safety.

107. As a result of the direct and proximate cause of the aforementioned actions by Respondent, Respondent committed Attempted Murder (N.J.S.A. 2C:11-3, 2C:5-4) by placing Petitioner in an AIDS, TB and infectious Hepatitis environment within the jail by commingling him, at times with the general population, which is in violation of N.J.S.A. 30:8-5 and 30:8-6 [remedies for improperly incarcerating and commingling civil debtors with hardened criminals].

108. As a direct and proximate cause of the aforementioned actions by Respondent, Respondent committed Aggravated Assault by having Petitioner forcibly seized, handcuffed, arrested and incarcerated without warrant and without a hearing, in a an environment of hardened criminals and diseases.

109. As a direct and proximate cause of the aforementioned actions by Respondent, Respondent committed Terroristic Threats in violation of N.J.S.A. 2C:12-3 (b) by purposely terrorizing Petitioner through the threat of death by placing him in Hudson County Jail among hardened criminals and diseases. The jail is at present a "tinderbox" ready to explode because of massive

overcrowding, and Petitioner's life was in constant threat of being involved in a violent jail riot.

110. As a direct and proximate cause of the aforementioned actions by Respondent, Respondent committed Kidnapping in violation of N.J.S.A. 2C:13-1 (a) & (b) whereby Respondent held Petitioner for ransom to his former wife and to the Probation department even though Respondent knew Petitioner was indigent. Respondent further unlawfully confined Petitioner [in violation of N.J.S.A. 2C:13-1 (b) (2), (3)] to interfere with the Petitioner's right to redress his government and to inflict bodily injury on or to terrorize the Petitioner.

111. As a direct and proximate cause of the aforementioned actions by Respondent, Respondent committed Criminal Restraint in violation of N.J.S.A'. 2C:13-2 (a), (b) and exposed Petitioner to the risk of serious bodily injury and held Petitioner in a condition of involuntary servitude.

112. As a direct and proximate cause of the aforementioned actions by Respondent, Respondent committed False Imprisonment in violation of N.J.S.A. 2C:13-3 in order to interfere with Petitioner's Liberty.

113. As a direct and proximate cause of the aforementioned actions by Respondent, Respondent committed

Harassment in violation of N.J.S.A. 2C:33-4 (c) as well as N.J.S.A. 2C:33-4 (d)--BIAS CRIME against Petitioner because of his gender and marital status.

114. Petitioner Rodetsky had a reasonable expectation that such acting government official(s) would not violate the Supreme Laws of the Land and this State and his (their) Oaths of Office. Under the provisions of 18 U.S.C. 1964 (c) of R.I.C.O., Petitioner will not only seek treble damages and reasonable attorneys' fees for those amounts sought against Respondent for the violations of Petitioner's fundamental,unalienable rights, but also seeks an immediate suspension of Respondent Schaeffer's salary, a lien against all of his property, assets and holdings in said amounts, and further demands an investigation ensue against Respondent and others, and each of them, resulting in Impeachment, suspension and removal from office, during which interim, no further cases should be assigned to them, and cases currently on his docket, should be reassigned as soon as possible so as not to admit of delay.

"There comes a time when enough is more than enough --- its just too much." Williamson v. U.S., 311 F.2d 441,445 (5th Cir. 1962).

**WHEREFORE,** Petitioner respectfully demands an investigation forthwith ensue against the above named Respondent and others to clean up the Judicial Misconduct

in New Jersey's State courts, immediately;

a. Upon a finding of reasonable cause or suspicion, for the proscribed conduct demonstrated herein, forthwith impeach, remove and forever suspend without pay and pension, the above named Respondent--Stephen J. Schaeffer;

b. During the interim, all cases presently assigned to the Respondent, be and the same hereby re-assigned to another Judge who shall hold his office in Good Behaviour, and impartially discharge the business before him or her;

c. If good and sufficient cause be found against the above named Respondent for Impeachment, immediately seize and put into the custody of the law, all property, assets and holdings of or belonging to or in the possession of Respondent, pending final resolution on the merits of this Petition, for damages sustained by the Petitioner.

Dated November 26, 1995

Respectfully submitted,

Martin Rodetsky,  
*In propria persona, sui juris*  
c/o P.O. Box 615  
Wayne, New Jersey 07474