

34 Franklin St.
Lyons, NY 14489
January 7, 2008

Honorable David Peebles
US Magistrate Judge
RE: United States v. Murtari
P.O. Box 7345
Syracuse, NY 13261-7345

Dear Judge Peebles:

Mr. Moynihan told me you'd be the Judge handling the pending contempt charges and perhaps future charges. I was fortunate to have a very nice Christmas Vacation with my son, but must now return to the reform effort. In this type of matter I feel communications are very important to avoiding misunderstanding. During my last appearance I appreciated your willingness to listen in a thoughtful manner during our brief dialog. I wanted to personally update you on three items before my next appearance in Court.

Conditional Release - I want to inform you that I feel I may have violated those terms. Although I was unwilling to consent to the conditions, I do believe you did order me to do so. It is something I have been doing so long, that at times I forget it is a violation of State Law. I continue to drive with a suspended license. My license was not suspended for any drinking or other type of driving related issue – but because of back child support and I have not been able to resolve it. During my last appearance it simply slipped my mind during our discussion. It makes it impossible for me to comply with those types of terms and puts me in violation.

I write you not because I am a 'glutton for punishment' or that I 'like going to jail'. I do not. The very nature of what I am trying to do involves voluntary self-sacrifice to demonstrate belief in a fundamental right that we should be presumed FIT & EQUAL parents to our children. To have any value, I must be totally honest in what I do – for if I was deceptive and/or selfish, then I would genuinely be a 'criminal' and deserve jail.

Returning to Federal Building on Jan 15th - I have attached a recent email list message to our group members for activity planned for next Tuesday, Martin Luther King's Birthday. I hope it will explain why I must continue my efforts to achieve a local meeting between Sen. Clinton and parents hurt by the 'system'. It has always been my hope to get more mothers & fathers to join me. We would be much more effective and I hope that will occur next Tuesday.

Asking for a new Judge – You treated me with fairness, dignity and courtesy during my last appearance and I appreciate your forbearance in releasing me when you could have kept me jailed. I do not believe you have it yet, but I have asked Mr. Moynihan to prepare a motion asking you to recuse yourself from this matter for two reasons:

- As I'm sure you must know I asked Judge DiBianco to remove your wife as my assigned counsel for what I felt was poor representation. *A neutral observer would have to say there is a good chance the Judge may find that objectionable, OR, find he has to be "easier" on the defendant just to show he*

was not biased by what happened to his wife.

- I hate to even bring the next item up, since it is a private matter and I really don't want to know about it, but I heard from someone at the Federal Building that you are now divorced and I seem to remember your former spouse had pictures of your child in her office. *Again, a neutral observer might say: Due to his divorce he was involved in a custody matter over his children. I don't know if he's happy/sad over what happened to his relationship with his kids . The defendant's 'motive' is a Civil Rights aspect regarding that very matter. The Judge might be influenced by that, e.g. Peebles went 'easy' on Murtari because he just got destroyed in his divorce and couldn't really see his own kid – OR – he got a satisfactory outcome and can't understand why the fuss about the system.*

Respectfully yours,

John Murtari
635-1968, x-211
<http://www.AKidsRight.Org/>

From: John Murtari (jmurtari@AKidsRight.org)

Date: Sat Jan 05 2008 - 21:02:56 EST

Good People & People of Faith,

A brief message on resumption of efforts to convince Sen. Hillary Clinton to meet with us and hear how our families were destroyed by the 'system'. With the Presidential campaign in full swing, this is our time to demonstrate what an important issue Family Law reform is.

Jailed in Syracuse, January 15, Martin Luther King's Birthday

Tuesday, January 15th, is Martin Luther King's birthday. I can't think of a better day for a loving parent to risk peaceful arrest and be jailed for recognition of our GREAT Civil Right to be presumed FIT & EQUAL parents. <http://www.AKidsRight.Org/approach.htm>

Parents arrested with no bull-horn, no animosity, and no anger toward our brothers & sisters (which include the other parent, judges, lawyers, social workers, etc.), but always first to say I'm doing this because..... my most precious right to love my child is being violated! (The exclamation point being made not by frothing at the mouth, but by voluntarily surrendering personal freedom.) The great power of what Martin Luther King and Mahatma Gandhi called NonViolent Action. http://www.AKidsRight.Org/civil_back.htm

A Powerful Message

Parents not only making a statement about reform, but also sending a message to the world that social change and justice can be promoted without violence toward others. A lesson that Faith, Love, and Personal Sacrifice are even more powerful -- truly commemorating another birthday that we remembered on December 25th.

Imagine the tremendous publicity we'd receive if even 3-5 parents were arrested outside Sen. Clinton's offices in Syracuse. I believe it would convince her to meet face-to-face with us, <http://www.AKidsRight.Org/clinton/agenda.htm> -- a public meeting that would certainly open the doors to other public officials.

Let's turn around in our thinking, stop ranting and raving about how 'they' are ignoring our GREAT Civil Right to raise and nurture our own children. Let's look in the mirror and realize how much we fall short in our 'actions'. GREAT rights are defined by the sacrifice made by those who started to believe in them. That's 'us'.

Many of us have responsibility for other children who need our care -- but there are many who do not. Parents who have been stripped of their children and now just get by in an almost meaningless existence, sometimes full of things, but no family?

You want 'me' to risk arrest in an effort that might not matter, but could cost me the little I've managed to hold on to? Yes.

Ready to Go!

There will be more details coming before the 15th. I will certainly be there and hopefully will have a crowd of not only well wishers, but also participants.

I just finished a great Christmas Vacation with my 14 year old son.

Eight whole days together! We had a great time. I'm so thankful and eager to 'give back' in a sense of appreciation for what I had (and so many parents and children were denied by the system over the holiday). http://www.murtari.org/photoGallery/index.cgi?album=A_Winter_2007&mode=view

Please

I try to answer everyone who sends me a message. It takes a lot of time! Before sending, please review all the links above -- they should answer most of your questions. No need to remind me this might be a 'useless and bad idea, a wasted effort'. I already know that and you may be right in some ways -- but that is what makes it sacrifice. The results are not a sure thing at all.

Observers are welcome, if you are interested in being a participant, taking chalk and writing "I LOVE YOU" to your kids, and "SEN. CLINTON HELP US" -- what's the worst that could happen? You could get a Federal Criminal record, a large fine, and 60 days in jail. I don't think it's likely, but if you are not ready for that -- please help in other ways.

If you think you are ready please email me, John Murtari, at jmurtari@AKidsRight.Org, give me a phone number and a good time to call.

Best regards!

P.S. Got a lot of interesting FEEDBACK on Britney Spears, that will be coming soon. What are our goals? What is our right?

--

John Murtari

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AKidsRight.Org
"A Kid's Right to BOTH parents"
<http://www.AKidsRight.Org/>