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June 29, 2020

Virginia State Bar

Attn: Karen A. Gould, COO
1111 East Main Street Suite 700
Richmond, Virginia 23219-0026

cc.

United States Senate Committee

On Banking, Housing and Urban Affairs
534 Dirksen Senate Office Building
Washington, D.C. 20510

By Fax: (202) 224-5137

Dear Ms. Gould

Re: Complaint about Matthew Stephen Sheldon and Thomas Michael Hefferon

We refer to the Virginia State Bar's ("VSB's") response letter. This was received at 3.57 pm CST today, Monday 29th June, 2020 via email.

Despite the author's attempts to silence these elderly citizens of the United States, we reject this warning as intimidation. The condescending and insensitive tone of this letter is ominously similar to that of the now former Chief Judge for the Central District of California, as discussed in the article published in the LA Times (June 28, 2020). We respectfully ask you cease and desist from intimidation when penning future letter(s).

Just as alarming, this response does not even attempt to address the questions by the Burkes nor provide confirmation or assurance that the VSB even looked at the Fl.

Docket or case(s). The letter indicates quite the opposite if you review our facts as discussed herein.

In order to assist the VSB, we now attach a copy of the ‘open letter’ we sent to the Senate Committee on Friday¹ which summarizes our current status(es).

Even if the reply was legally accurate, which we dispute, the VSB’s answer could not possibly be followed due the extreme level of premeditated collusion and corruption in the stated case(s). As you will see, our complaint(s) include not only lawyers, but several judges.

The first issue is the lower court judge in the *CFPB v Ocwen* case in S.D. Fl., Judge Kenneth Marra, has a complaint filed against him. Secondly, we no longer have standing in the lower court. Our attempts to intervene were denied.

Moving onto the appeal at the Court of appeals for the Eleventh Circuit. We would be unable to follow your instructions here as well. First, we are still waiting for a decision to recuse Judge Jill A. Pryor (second motion). In the interim, a new judge, namely Elizabeth “Liz” Branch, has issued an order in our case which convincingly shows she is also impartial and bias. This judge is/was not part of our 3-panel and hence we’ve sought clarification if she is replacing Judge Pryor (A review of the record will provide you all the details). As it stands, we do not have an impartial panel nor quorum to decide our appeal.

In relation to the two Goodwin lawyers, Tom Hefferon and Matt Sheldon, they are involved in two related federal court cases in Illinois and Georgia, as per the complaint filed by us. We are not parties to these proceedings and lack standing to ask for sanctions.

That allows us to address further inaccuracies in your latest response, namely, our legal entitlement to file a complaint during a live case or controversy. We rely upon (i) the issues as described above (ii) the unanswered questions from our first reply and (iii) *In*

¹ Conveniently, after radio silence from the VSB for nearly 2 weeks, this ‘reply’ is received after our open letter was submitted on Friday, 26th June, 2020.

re Moseley, 273 Va. 688 (Va. 2007), which is one of the cited cases in our formal complaint(s) against Tom Hefferon and Matt Sheldon, it clearly confirms our arguments that courts have their own inherent powers, which are separate from the Bar. In (ii) we ask the VSB to cite the laws/statutes which prove otherwise, as you claim we cannot file our own complaint against unethical lawyers unless the court sanctions or disciplines or refers the lawyers to the Bar, which we dispute as drivell.²

Summary

We sincerely hope that the VSB will provide a timely and courteous response to our letter, addressing and answering the specific and detailed legal questions raised.

² For example, we assume pro se, as own counsel, are under “other lawyers” or perhaps “concerned citizens”. Either way, it is clear parties or non-parties can file a complaint **at any time** - see <https://iclr.net/wp-content/uploads/2016/04/VirginiaDisciplinaryOverview.pdf> , in part;

WHO FILES BAR COMPLAINTS

- **The client:** Most bar complaints are filed by the lawyer’s client.
- **The concerned relative:** Parents, Spouses, and friends frequently file complaints on behalf of their incarcerated child, spouse, or friend.
- **The Judge:** From time to time, the bar receives complaints by judges against the lawyers who practice before them.
- **Self-report:** Rule 8.3(e) of the Rules of Professional Conduct require lawyers to inform the bar if the lawyer has been disciplined by a state or federal disciplinary authority, agency or court in any state, U.S. territory, or the District of Columbia for violations of professional conduct in that jurisdiction. The lawyer must report any felony convictions and convictions for crimes involving theft, fraud, extortion, bribery or perjury, or attempts, solicitation, or conspiracy to commit such crimes. A recent amendment to the Rule requires the report to be in writing to the Clerk of the Disciplinary System at the Virginia State Bar within 60 days following the entry of any final order or judgment of conviction or discipline.
- **The concerned citizen:** Occasionally, citizens will forward newspaper articles concerning the publicized conduct of lawyers. These Complainants have no personal knowledge of misconduct, but feel the need to voice their concern.
- **Other lawyers:** Rule 8.3(a) of the Rules requires lawyers having reliable information that another lawyer violated an ethics rule that raises a substantial question as to the lawyer’s honesty, trustworthiness, or fitness to practice law have a duty to report the misconduct to the bar.
- **The BAR:** in the course of investigating misconduct, the BAR investigator or Assistant Bar Counsel may discover conduct by the lawyer or some other lawyer that violates the Rules of Professional Conduct.

If you have any comments, questions or concerns related to the above or our filings, please contact us in writing, via email or fax. The contact information is shown below.

Stay Safe. Respectfully

s/ Joanna & John Burke

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“The great object of my fear is the Federal Judiciary. That body, like gravity, ever acting with noiseless foot and unalarming advance, gaining ground step by step and holding what it gains, is engulfing insidiously the special governments into the jaws of that which feeds them.”

– **Thomas Jefferson** (*Letter to Judge Spencer Roane, 1821*)