

From : jtorres <jtorres@jetiii.com>
To : "Appeals Court Clerks Office" <appealsctclerk@appct.state.ma.us>
Cc : "jmc" <jmc@wilkinsanddeyoung.com>, "Jennifer J. Adams(jadams)" <jadams@jetiii.com>
Subject : Re: 2012-P-0524 - Mandate, change of venue
Date : Mon, 25 Nov 2013 08:55:29 -0800
Attachments : AppealChangeOfVenue.pdf

Dear Clerk of the Appeals Court,

I was unsuccessful in contacting your office by phone this morning in regards to the transfer of the records and mandate to the lower court.

In addition to the normal transfer of records and mandate, we ask that the following facts unique to Barnstable County and Appellant Torres be considered.

The record is clear and well documented, both in the documents submitted with our appeal, and other actions by the Barnstable Clerks Office, such as, in charging us for two unnecessary Summons, then refusing a refund for same; with our motions not getting filed for hearing; and even not filing them for an active hearing. These actions would clearly, "make the eyebrow of the average person rise".

It would defy logic not to believe that these acts come from the association of Appellant Torres with the Impeachment of Judge Shirley R. Lewis. Many of the employees of the Barnstable County Clerks Office were employees of the office at that time, and witnessed first hand the hearings and protests that took place there. They saw the many advertisements and constant articles in local newspapers. Clearly, the actions thus far in our case dictate at minimum, that there is an appearance of bias in Barnstable County that has and will continue to deny, or at minimum, make significantly more difficult, our right to the fair administration of justice.

As we would file a motion for a Change of Venue in the lower court, and if won, would require additional transfers between Courts, we assert, that to transfer the case to another jurisdiction at this time, such as Suffix or Middlesex Counties, would be far more efficient for all parties and the Courts.

I have additionally provided this document in pdf format and attached the same.

Thank you for your consideration in this matter,

J. Torres III
(617) 418-4497

cc: Jermy Carter, Esq. jmc@wilkinsanddeyoung.com