

UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT

Case Nos. 23-2110 & 25-1188

CONSOLIDATED RESPONSE LETTER AND STATEMENT

Seeking Immediate Lifting of Stay, Recognition of Related Proceedings, and Disqualification of
the Third Circuit

Part I – Formal Appellate Response Letter (with Citations)

To the Honorable Judges of the United States Court of Appeals for the Third Circuit:

Appellant respectfully submits this response pursuant to the Court's request, and in further support of his motion to lift the stay entered in the above-captioned matters. The record demonstrates that there is no legitimate basis for continuing the stay. The only purpose it now serves is to perpetuate unconstitutional and unwarranted delay caused by the Securities and Exchange Commission's failure to respond and by this Court's continued refusal to address the merits of Appellant's filings. This delay, which has persisted since June 2024, violates due process, magnifies extraordinary bias, and constitutes an abuse of discretion. See Dkt. 14, Case No. 23-2110 (stay entered June 24, 2024).

These cases (23-2110 and 25-1188) establish not only the unlawful delay but also a pattern of judicial misconduct. The SEC has not denied Appellant's properly filed petitions, including the Petition for Writ of Mandamus that documents pervasive misconduct across three separate prosecutions. See Petition for Writ of Mandamus, App. 112–145 (Legal Docs, filed July 8, 2024). That petition remains unopposed and undisposed, long after the government's deadline to respond has passed. Such silence operates as a tacit admission of the systemic constitutional violations alleged, including Brady violations and the government's failure to comply with Rule 5(f) of the Federal Rules of Criminal Procedure. See IRS 1042-S Forms, App. 233–240; Settlement Letter, App. 241–246; Transcript of Trial Proceedings, at 46–52 (Legal Docs).

This Court's failure to apply controlling Supreme Court precedent, including *Sprint Communications, LLC v. APCC Services, Inc.*, 554 U.S. 269 (2008), further confirms clear legal error. The Court's demonstrated unwillingness to enforce binding law, protect due process, and acknowledge exculpatory evidence reveals not impartial adjudication, but entrenched bias and complicity with government misconduct.

The judicial corruption and conflicts of interest permeating these proceedings are well-documented in the record. See Motion to Disqualify, App. 310–322 (Legal Docs, noting conflict of Jeanne T. Donnelly, counsel for Third Circuit, and spouse of government prosecutor). The refusal to act on Appellant's motions and the prolonged delays constitute misconduct that undermines the legitimacy of this Court's proceedings. By protecting corrupted officers of the Court instead of upholding constitutional guarantees, the Court has eroded confidence in its impartiality.

For these reasons, Appellant respectfully requests that this Court:

1. Immediately lift the stay imposed in these proceedings.

2. Recognize the relatedness of 23-2110 and 25-1188 and resolve them in accordance with controlling law.

3. Transfer to the Supreme Court, the pending mandamus petition, which remains unopposed;
and

4. Disqualify itself from further adjudication of these matters pursuant to 28 U.S.C. § 455, due to demonstrated bias, conflicts, and misconduct.

Respectfully submitted,

/s/ Joseph Cammarata

Joseph Cammarata, Appellant

Dated: August 30, 2025

Certificate of Service: I hereby certify that a true and correct copy of the foregoing has been served upon counsel for the Securities and Exchange Commission and the Department of Justice via the Court's electronic filing system on this date.

Part II – Narrative Statement of Judicial Misconduct (with Citations)

To the Honorable Judges of the United States Court of Appeals for the Third Circuit:

The stay in these matters has become nothing more than an unconstitutional weapon of delay. There is no legitimate reason for it to continue. The Securities and Exchange Commission has not filed a response. The government has failed to deny the claims. The Petition for Writ of Mandamus — which documents pervasive misconduct across three prosecutions — remains completely unopposed, well past the government’s deadline. See Petition for Writ of Mandamus, App. 112–145 (Legal Docs). This silence is a concession. It is an admission by omission that the constitutional violations, Brady breaches, and Rule 5(f) failures are real, undeniable, and fatal to the government’s position.

Instead of enforcing the law and protecting the Constitution, this Court has chosen delay. It has refused to address filings that have been outstanding since June 2024. See Dkt. 14, Case No. 23-2110. These delays are not neutral. They magnify bias, they entrench abuse of discretion, and they strip away fundamental constitutional rights. The law is clear, but this Court has refused to apply it. The controlling precedent of *Sprint Communications v. APCC Services*, 554 U.S. 269 (2008), has been ignored. Binding obligations under Brady and Rule 5(f) have been disregarded. See Transcript of Trial Proceedings, at 46–52; IRS 1042-S Forms, App. 233–240 (Legal Docs). The record is saturated with proof of misconduct, yet this Court stands idle.

The reality is plain: judicial corruption is in control. It is documented in the record, it has been raised in every filing, and it has never been refuted. See Motion to Disqualify, App. 310–322 (Legal Docs). The appearance of justice has been abandoned. By shielding corrupted officers of

the Court, this tribunal has become complicit in misconduct. The failure to act is not mere error — it is protectionism. It is the bias of a conflicted court unwilling to police its own violations.

No court that refuses to enforce the Constitution can legitimately adjudicate the rights of the accused. These issues mandate immediate action. The stay must be lifted without further delay.

The related cases (23-2110 and 25-1188) must be resolved according to controlling law. The unopposed mandamus petition must be decided. And this Court — compromised by bias, conflicts, and misconduct — must disqualify itself under 28 U.S.C. § 455.

The people deserve more than silence, delay, and corruption disguised as procedure. The Constitution requires accountability. Justice demands immediate intervention.

Respectfully,

/s/ Joseph Cammarata

Joseph Cammarata, Appellant

Dated: August 30, 2025