

ANDREW STRAW: CANDIDATE FOR CHIEF JUSTICE OF INDIANA
INDIANA SUPREME COURT



PHOTO #1 (Bauan, the Philippines)

BIO

I, Andrew Straw, am a person with disabilities who practices disability law and engages in disability reform advocacy. <http://disability.andrewstraw.com/> I am a Virginia lawyer and have served as corporate counsel for billionaire Alan M. Voorhees, who designed the Interstate Highway System and the Metro in Washington DC. I helped him with satellite-launching companies that keep all American air traffic safe from attack. I then worked for the Chief Justice of Indiana and later was the assistant dean in charge of the International Programs at Indiana University-Maurer School of Law. I grew up in Indiana, where my brother, twice a veteran of Afghanistan, ran as a Democratic candidate for sheriff of Hamilton County in 2018. I was born at Camp LeJeune, North Carolina, where my father was training as a U.S. Marine for his Vietnam duty. I was thus poisoned on the first days of my life. <http://nc.andrewstraw.com/> I started a group for people born or poisoned there called [Children of Camp LeJeune](#). I have visited 16 countries and I lived in the United States, Italy, New Zealand, and the Philippines each for over a year. I provided services to the Italian Foreign Ministry as a contractor and passed the

written U.S. Foreign Service Officer Test in 1998. For more information, my CV can be found [here](#). I have lived in the Philippines for over a year, from June 2018 – September 2019, studying disability access in that country, but I will return to the United States when circumstances permit. I am now a registered voter at my brother’s residence in Hamilton County, Indiana.



I have experienced intense **discrimination** and **retaliation** from the Indiana Supreme Court, especially after I made an ADA complaint in 2014 to the Court and about the Court. <http://po.andrewstraw.com/> The Virginia State Bar entered an ORDER **wholly rejecting Indiana’s attack** on me as “having all the grace and charm of a drive-by shooting.” <https://www.vsb.org/docs/Straw-062217.pdf>

I was unable to get the Midwest federal courts to punish Indiana for the civil rights violations, including the violation of 42 U.S.C. § 12203 and its implementing regulation, 29 C.F.R. § 35.134. These are the anti-retaliation provisions of the ADA. This is explained in even more detail at <http://www.ada.gov/reg2.html> and in the technical manual for Title II of the ADA: <https://www.ada.gov/taman2.html#II-3.11000>

The problem with the Indiana Supreme Court seems to be that it wants to label disability rights violations and efforts to oppose them as “frivolous” and then it punishes those who make novel arguments, even if supported by major health, disability, and law organizations such as the following who have positions supporting the principles in the cases the Indiana Supreme Court attacked. It is important to note that these cases were none of the business of the Indiana Supreme Court, were NOT before any state court on appeal, and no federal judge issued any sanction, but **I have been suspended for 2.5 years** when criminal drunk-driving judges get mere reprimands and no suspension. *In Re Straw*, 68 N.E.3d 1070 (Ind. 2/14/2017)

Harvard Law School Admissions (*ABA* case) – Harvard now collects the disability in law school admissions information I requested the ABA to collect.

PRINCIPLE #1: After systemic, nation-wide ADA violations were **PROVEN** in the LSAT administration, what I asked was right and proper and I had standing whether that judge agreed or not. Tester standing in ADA Title II cases is commonplace across all federal circuits and this was a tester case.

<https://www.justice.gov/opa/pr/law-school-admission-council-agrees-systemic-reforms-and-773-million-payment-settle-justice>

The violations **have not stopped and in 2019**, the earlier agreement needed to be enforced AGAIN.

<https://www.lawyersmutualinc.com/blog/lsat-found-in-contempt-for-disability-accommodations>

The problem here is that major institutions that control the gateway to the legal profession are discriminating and it takes people like me to challenge it with reasonable requests like gathering statistics that women and minorities have taken for granted for decades, but disabled law school applicants have not had these benefits. I was denied based on a supposed “lack of standing,” but this was wrong.

Testing under Title II was allowed in the 10th Circuit and the 4th Circuit, so my demand to be a tester is absolutely reasonable and was **wrongfully denied**.

“Consistent with *Havens Realty* and other circuits' application of that holding to similarly broad language in other anti-discrimination statutes, this court holds that **tester standing exists under Title II of the ADA.**” [*Tandy v. City of Wichita*](#), 380 F.3d 1277 (10th Cir. 2004)

Put simply, however, neither Nanni’s status as an “ADA tester” nor his litigation history strips him of standing to sue Aberdeen. See *Houston*, 733 F.3d at 1332 (explaining that a **plaintiff’s “status as a tester does not deprive**

him of standing to maintain his civil action for injunctive relief under ... the ADA's Title III"); *Daniels*, 477 Fed.Appx. at 130 (rejecting district court's reliance on plaintiff's litigation history to deem his future injury claim implausible). As we recognized in our *Daniels* decision—and emphasize again today—a citizen's "right to sue and defend in the courts is one of the highest and most essential privileges of citizenship and is granted and protected by the Federal Constitution." See 477 Fed.Appx. at 130 (alterations omitted) (quoting *Chambers v. Balt. & Ohio R.R. Co.*, 207 U.S. 142, 148, 28 S.Ct. 34, 52 L.Ed. 143 (1907)). Moreover, under our system, all citizens are obliged to obey the law and to aid law enforcement efforts. In various situations, citizens are required by law to report violators to the proper authorities. See, e.g. , 18 U.S.C. § 4 (requiring citizens to report felony offenses to judges and other authorities). As the Supreme Court acknowledged several years ago, the "enforcement [of civil rights laws] would prove difficult" and our country will be obliged "to rely in part upon private litigation as a means of securing broad compliance." See *Newman v. Piggie Park Enters.*, 390 U.S. 400, 401, 88 S.Ct. 964, 19 L.Ed.2d 1263 (1968). That very principle is also embodied in the ADA. See *Dudley* , 333 F.3d at 306-07 (discussing importance of private litigation in achieving broad compliance with ADA). In the community of those citizens who are wheelchair bound, the identification of public accommodation facilities that flout the ADA is obviously an important activity.

[*Nanni v. Aberdeen Marketplace*](#), 878 F.3d 447 (4th Cir. 2017)

Not only was my demand NOT FRIVOLOUS, it became law in the only circuit in which I can practice, the 4th Circuit, as of 2017. The Indiana Supreme Court is fundamentally opposed to there being more prospective disabled lawyers entering law school because the Court has **a rule forbidding them to be lawyers** in Indiana.

Indiana Admission and Discipline Rule 23, Sections 2(c) & 3(b)

Section 2. Grounds for Discipline or Suspension

(c) Disability. Any attorney who **becomes disabled** by reason of physical or mental illness or infirmity or because of the use of or addiction to intoxicants or drugs **shall be subject to suspension** by reason of the disability.

Section 3. Types of Discipline and Suspension; Notice of Orders and Opinions

(b) Disability suspension. Any attorney **found disabled** by reason of physical or mental illness or infirmity or by use of or addiction to any intoxicants **shall be suspended indefinitely** for the duration of the disability.

Note the comparison, the lumping of addiction with being a lawyer. Perhaps like the criminal, drunk-driving judges in Indiana who only get hit with a reprimand for driving drunk into oncoming traffic and getting a criminal conviction as a result.

I have **NO CRIMINAL CONVICTION**, not even the lowest level of misdemeanor even charged against me, but I am treated like a criminal and the 7th Circuit has joined the “fun” by acting like I stole money from my clients (I DID NOT) or that I am insane, using *Lee v. Clinton*. These are **abuses of my civil rights that stink to high heaven**.

Medicare (*Kloecker* case, **Dkt. 42**) – Medicare’s EDDI manager told me I was right to object to a lawyer and its newspaper client pretending to be an insurance company so as to obtain my Medicare claims data in the Medicare database.

PRINCIPLE #2: I was correct to object to **violations of my privacy and fraud by a newspaper** and its **dishonest counsel**.

National Council on Disability (*Rutherford* case)

<https://www.ncd.gov/publications/2012/Sep272012>

American Bar Association (*Rutherford* case)

<https://www.americanbar.org/groups/diversity/disabilityrights/resources/resolutions/> (Resolution 2/2017)

<https://casetext.com/case/sinisgallo-v-town-of-islip-hous-auth>

Sinisgallo v. Town of Islip Hous. Auth., 865 F. Supp. 2d 307 (E.D.N.Y. 2012)

PRINCIPLE #3: Disabled parents have the right to an injunction against a state court that has already stripped a disabled man of his parenting time rights. Denying this and calling the motion for justice “frivolous” was a violation of federal law and the federal judge should resign or be removed for **bad behavior** under Article III of the U.S. Constitution.

New Indiana Supreme Court ADA coordinator (no retaliation is allowed) (*Dixon* case)

National Federation of the Blind (no retaliation is allowed and the standard is even higher for an ADA coordinator)

PRINCIPLE #4: NO RETALIATION IS ALLOWED. THE INDIANA SUPREME COURT **RETALIATED**, BUT HAS REMAINED WITHOUT JUSTICE IMPOSED ON IT. CORRUPTION HAS RISEN TO THE 7TH CIRCUIT.

Straw v. Indiana Supreme Court, et. al., 17-1338 (7th Cir. 7/6/2017); *Straw v. U.S. District Court, et. al.*, 1:18-cv-278-CMH (E.D. Va.) (**Dkts. 7, 20, 44-2**)

<http://vt.andrewstraw.com>

<http://uscourts.andrewstraw.com>

<http://po.andrewstraw.com>

<http://disability.andrewstraw.com>

The Indiana attacks were so bogus that none of the cases attacked were in fact finished at the time the Indiana Supreme Court ADA coordinator attacked me, in direct response to my ADA complaint in August of 2014. All of them were finished in **2015** and her complaint about them was on **9/3/2014**. She set her bait in the water and then waited to see if some federal judge would violate me and ***it happened***, very likely with ***her interference***, because she interfered in at least one of my cases by telling my opposing counsel about her disciplinary complaint.

She says I am incompetent and then tries to get people to help her spread those ***LIES***. Her bosses on the Court encourage these lies, the dishonesty, the illegal and unconstitutional and unethical attacks.

This was a **set-up by the dishonest ADA coordinator** of the Indiana Supreme Court, unethical and NOT ALLOWED by federal law. In fact, Vermont makes it very clear that no one may retaliate against a complaint, a view shared by the National Federation of the Blind (Email to me from NFB national office, 9/7/2019):

Section VII: Any intimidation, retaliation or interference for filing a complaint or assisting in an investigation is prohibited, will not be tolerated, and will result in a sanction similar to those imposed for discrimination against persons with disabilities.

<https://www.vermontjudiciary.org/ada-info/policy-and-procedures-regarding-persons-disabilities>

NB: *Straw v. Indiana, et. al.*, 2019-147 (Vt.). Note that my appellees did NOT enter any appellee briefs and so **only my brief** will be considered.

This means the attack on me was purely retaliation. Every member of the Indiana Supreme Court and every member of its staff who inflicted injury on me in this process violated Professional Ethics **Rule 8.4(g)** by discriminating against me, acting dishonestly to cause deliberate injury to me and my disability civil rights.

Further, they violated the anti-retaliation provisions of the ADA. Finally, they violated federal criminal law, even if I cannot get the FBI to respond when I write. 18 U.S.C. §§ 241, 242, 245(b). The state and federal governments have a very bad habit of deleting citizen petitions without reading them or blocking email addresses. This violates the First Amendment right to petition government for a redress of

grievances. This right was mentioned as a complaint against King George in the Declaration of Independence.

[*Straw v. Marion County Surveyor*](#), 49D11-1908-PL-035608 (Marion County Superior Court #11)

[*Straw v. United States \(NCD\)*](#), 2:19-cv-00630 (S.D. W.V.) (Dkt. 2)

[*Straw v. United States*](#), 1:19-cv-00000 (D.S.C.) Six federal agencies deleted my petitions without even reading them and I know because they sent me receipts in my email stating as much.

It is equally disappointing when a state or local agency completely denies that it is bound to follow Title II of the ADA or its own state human rights law.

[*Straw v. Illinois State Board of Elections*](#), 1-19-1783 (Ill. Ct. App.)

NORTH CAROLINA AND THE U.S. MARINE CORPS

My family have been ravaged by the poisons on Camp LeJeune, where I was born and where my father served for 18 months before going to Vietnam. My mother died from one of the cancers listed by the VA as associated with the base. I have disabilities associated with the base. So does my daughter, making this 3 generations of suffering.

The Indiana Supreme Court ADA coordinator specifically attacked my Camp LeJeune disability and calling me incompetent because I have that disability. She is a hateful, terrible person who never should have held that role. Even a cursory examination of my suffering should have made her *stop before abusing me*.

<https://www.clfamilymembers.fsc.va.gov/>

[*Straw v. Wilkie*](#), 18-7129 (U.S. CAVC)

[*Straw v. North Carolina*](#), 7:18-cv-74-D (E.D. N.C.) ([MOTION](#) & [STMT](#) SUMM JMT)
<http://nc.andrewstraw.com>

It is my goal to break a path through the legal jungle so others poisoned like my family can get justice when the MDL and the 11th Circuit denied us all in the most callous acts of judicial unreason I have ever seen.

[*Straw v. United States*](#), 16-17573-GG (11th Cir. 5/22/2019)
<http://media.ca11.uscourts.gov/opinions/unpub/files/201617573.pdf>

In Re Camp LeJeune, N.C., Water Contamination Litigation, 1:11-md-2218-TWT (N.D. Ga. 12/5/2016)

<https://casetext.com/case/in-re-camp-lejeune-nc-water-contamination-litig-1>

It is time to bash a way through for 1 million Marines and their family members and I could not be prouder to do this. These are my brothers and sisters and I know how damaged they were because my family suffered and died the same way.

REFORMS

As the new Chief Justice of Indiana, I will reform every agency and every system of rules so that dishonest attacks are clearly illegal. The Indiana Supreme Court needs to **get back to being a court** and **not an inquisition** against civil rights categories like disability.

Discrimination on any protected grounds WILL be punished on my watch. Misuse of the disciplinary system to retaliate against complaints will become impossible ON MY WATCH. There will be a **blue-ribbon commission** to investigate those old justices and their staffs who violated civil rights, including my rights. There will be a new, vigorous enforcement of the Indiana Constitution, the U.S. Constitution, and the federal and state laws.

No hearing officer like James R. Ahler will EVER be allowed to attack someone and then get special advantages from the federal courts during an appeal by being appointed as a federal judge. Such a hearing officer **will lose his law license**. Any state judge who violates any law or ethical provision will be immediately suspended pending a fair and just investigation. ON MY WATCH.

The bar in Indiana must have a greater role so that individuals on the state supreme court do not have power to retaliate like a mafia and hurt individual members of the bar as part of a tyrannical system of civil rights violations. EVERY segment of the Court bureaucracy will be made to conform to the Constitution and the federal laws such as the ADA, and that includes properly and promptly addressing petitions for redress of grievances under the 14th Amendment and its incorporation of the First Amendment.

I believe we should move lawyer discipline into the realm of the bar and no longer a supreme court matter. Every way possible to break up and reform the dysfunctional current system in Indiana must be engaged.

The Court is NOT a plaything of one political party and no party should ever have a majority of the justices. This is a constitutional requirement under the Indiana Bill of Rights to provide justice to everyone equally.

Further, the Court of Appeals shall be vigorously chastised for denying appeals using procedural means that violate the ABSOLUTE CONSTITUTIONAL RIGHT to one appeal in a civil case.

I will advocate that the Court of Appeals be abolished and that an absolute right to appeal to the Indiana Supreme Court be established or recognized as a right under the current Indiana Constitution.

I believe there should be a rule that a litigant may appeal directly to the Indiana Supreme Court without having to waste time and energy at the Court of Appeals.

The Indiana Supreme Court can allow this by rule and I support it.

I also support a new rule that no more than two members of one political party may be appointed to the Indiana Supreme Court. If the governor does not wish to appoint someone of another party when that is the only option given to the governor, the Chief Justice of Indiana will appoint someone of a different party.

I am a member of the Indiana Green Party and this will make reform easier.

THERE WILL BE A NEW ATTITUDE OF
INTEGRITY AND CIVIL RIGHTS ON THIS NEW DAY
AT THE INDIANA SUPREME COURT

I look forward to this former employer of mine respecting my sacrifices and taking full advantage of my talents. www.andrewstraw.com

Respectfully,



Andrew U. D. Straw
Candidate, Chief Justice of Indiana

September 7, 2019

700 12th ST NW STE 700
PMB 92403
Washington, D.C. 20005
(802) 552-3030
andrew@andrewstraw.com