

## DUE PROCESS VIOLATIONS IN ANDREW STRAW'S DISCIPLINE

Andrew Straw worked at the Indiana Supreme Court from August 2000 to July 2002, nearly two years. He was severely injured with both legs and pelvis broken by a [criminal](#) reckless



driver on 2/22/2001 and was out of work for 4 months.

<http://disability.andrewstraw.com> The Court found out about Andrew Straw's bipolar disorder from being born on an EPA Superfund base, Camp LeJeune, on the 2002 bar exam application, which Straw completed honestly. Discrimination was immediate and has lasted 19 years. 3. Point-by-Point refutation of Indiana Discipline ORDER:

<http://InReStraw.andrewstraw.com> <http://retaliation.andrewstraw.com>

ALTERNATIVE ORDERS:

<http://Kloecker.andrewstraw.com>

<http://Sconiers.andrewstraw.com>

<http://Rutherford.andrewstraw.com>

<http://ABA.andrewstraw.com>

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<http://links.andrewstraw.com>

### 1 - August 2014 ADA Title II Complaint by Andrew U. D. Straw

Straw made an ADA complaint about years of discrimination in August of 2014. This went to the Clerk of Court, who rejected filing the petition for redress of grievances twice, then forwarded it to the ADA coordinator. Straw also sent a copy to the Indiana state legislature.

### 2- 9/3/2014 ADA Coordinator Disciplinary Complaint Against Straw

Without bothering to communicate with Straw first or attempt to address his grievances, the ADA coordinator of the Indiana Supreme Court immediately made a disciplinary complaint that attacked Straw's mental disability from Camp LeJeune poisoning. Then she attacked his petition for redress of grievances. Then she attacked all of his pending ADA lawsuits, not final when she attacked them. The ADA Coordinator sent her disciplinary complaint to [at least one lawyer outside the Indiana Supreme Court](#), and this lawyer used it against Straw in a civil trial against Straw.

### 3 - 1/5/2015 Disciplinary Commission Notification

The Disciplinary Commission sent Straw a notification letter about the ADA coordinator's complaint, demanding a response. This letter did not mention that the complaint was retaliation for his own ADA Title II petition. It also did not mention that the ADA coordinator made the complaint with Straw's complaints on her desk. It was at this point that the **Disciplinary Commission should have dismissed this complaint out of hand**, but instead kept pursuing it. Straw opposed one of the Disciplinary Commission members in a Bloomington mayor contest in 1995, saying voting for [Kirk White](#) was like voting for your landlord. There was a political reason for the Commission to attack me.

#### 4 - 1/11/2016 Verified Complaint Filed

The Disciplinary Commission ignored Straw's response, waited a year, then filed a [Verified Complaint](#) against him. This Complaint did not take into account that a law license is a fundamental rights under the Privileges & Immunities Clause. *Supreme Court of New Hampshire v. Piper*, [470 U.S. 274](#) (1985). A law license is not granted as a matter of "grace and favor" either. *Ex parte Garland*, [71 U.S. 333, 379](#) (1866).

#### 5 - 1/22/2016 Hearing Officer Appointed

Straw's 2014 complaints included complaints about the office run by staff appointed by the Chief Justice of Indiana. The Chief Justice of Indiana appointed Hon. James R. Ahler, a Republican judge from Northwest Indiana, to oppose Straw. When the Chief Justice appointed him, Ahler was a candidate for [a justice vacancy](#) on the Indiana Supreme Court. This represented the first conflict by James R. Ahler.

#### 6 - 2/5/2016 Objections and Answer Under Protest

Two weeks after Ahler was appointed, Straw filed his [Objections and Answer Under Protest](#). Straw addressed every point in the [Verified Complaint](#) and this should have been the end of the matter. Hon. Ahler barely mentioned the contents of Straw Answer and Objections. Straw's 35-page [affidavit](#) dated 2/17/2016 was completely disregarded.

### 7 - May 2016 *In-Absentia* Hearing

After attending one preliminary hearing, Straw's motion to dismiss the matter based on Straw's Answer and Objections Under Protest was denied. This was a Due Process violation because the [Answer](#) addressed every single point in the [Verified Complaint](#) and refuted all of the attacks on Straw. He had problems physically with going to court so far from his house (about 2 hours of driving) in the morning and Straw **fell asleep driving there** several times, motivating him not to want to go again.

Straw told the Disciplinary Commission and Hon. Ahler that his [Answer](#) (and of course the [35-page 2/17/2016 affidavit](#)) was sufficient to dismiss the discipline and he would not be participating in the hearing because there was more than enough evidence in the record. Straw objected several times to the hearing and he did not feel having an Indiana Supreme Court justice candidate presiding was appropriate or due process when his complaints against that very same Court and this retaliation were the origin of the complaint.

### 8 - August 2016: Bankruptcy Judge Opening at 7<sup>th</sup> Circuit. James R. Ahler Applied

Three months after the *in-absentia* hearing and well past the 30-day deadline that appears in the Supreme Court rules for submitting a hearing officer report, there was another deadline. With Straw's hearing officer report not yet submitted, Hon. Ahler appears to have applied for an open bankruptcy judge position to be hired by the 7<sup>th</sup> Circuit.

## 9 - 12/16/2016 Hon. Ahler Submits Hearing Officer Report & Failures

Without mentioning that he was applying for a federal bankruptcy judge position or the fact that his report was about **6 months late** under the Indiana Supreme Court rules, Hon. Ahler submitted an extremely hostile report that implied there were **no mitigating factors** and treated Straw like he had committed crimes deserving much punishment, the language was so extreme. Straw has no criminal history whatsoever, not even the lowest level of misdemeanor, dismissed. Straw has been a licensed lawyer since 1999 with no other discipline or even another investigation, but this was not considered mitigating.

Hon. Ahler did not mention a fact HE KNEW: that the Disciplinary Commission had offered a **non-punitive alternative** to his hearing and report. **“Disabled status.”** The fact of this offer was in the court pleadings, the answer provided by Angie Ordway on the Commission legal staff. **This was a mitigating factor** and Hon. Ahler was dishonest in not including it in his report.

Ahler should be punished as a lawyer for his dishonesty.

Hon. Ahler failed to mention the *ADA coordinator* being the source of the attack. He failed to mention Straw's extreme sacrifice in the car accident on the way to work at the Court. He failed to mention the Camp LeJeune poisoning that was the source of the mental disabilities the ADA coordinator attacked. He failed to mention that the federal lawsuits attacked were not finished when the complaint was made. He failed to mention that Straw was an ex-employee at a very high rank (staff attorney pay grade) of the very court attacking him, the Indiana Supreme Court. Hon. Ahler did not consider that Straw was disabled from the crimes of others. <http://crime.andrewstraw.com>

Hon. Ahler did not mention that Straw has been recognized as a [“spotlight” disabled attorney](#) by the Commission on Disability Rights of the American Bar Association in 2014. Hon. Ahler did not mention that Straw was described the year before as [“a public figure who works on disability rights issues”](#) by the Illinois Court of Appeals. The

Disciplinary Commission staff refused to admit that Straw is a disability rights leader and reformer as demonstrated by the ABA and the Court of Appeals, clearly for the purpose of insisting Straw can only be **incompetent**. Straw's [resume](#) shows otherwise.

Hon. Ahler failed to adequately mention that there was an [official answer](#) to each and every point in the [Verified Complaint](#), assuming and acting as though the [Answers](#) filed by Straw on February 5, 2016, did not exist.

Hon. Ahler did not claim to be uninterested in the outcome and he did not make the same type of disclaimer apparent in the Virginia State Bar dismissal of the Indiana discipline using a 3-judge panel.

#### 10 - 12/16/2016 Hon. Ahler Failures (cont.)

Hon. Ahler and the Indiana Attorney Disciplinary Commission relied solely on Rule 3.1 and its prohibition on **incompetence**. This was the alternative to Straw agreeing to being in "disabled status." Straw did not want that status because Rule 23, Sections 2(c) and 3(b) result in indefinite suspension simply for being disabled. It is in fact a ban on being disabled when disabilities are permanent. <http://disability.andrewstraw.com> <http://crime.andrewstraw.com>

Three of the four lawsuits were *pro se*. Only **one** involved a client and in that case, Straw was attempting to protect the [parenting time rights](#) of a disabled man who was Straw's friend from the age of 7. Other districts around the country have come to diametrically opposite conclusions about the Anti-Injunction Act in the ADA context. If being right or wrong depends on the district or circuit, the case cannot be considered frivolous. Frivolous is an abusive word often used as a political club to injure lawyers and litigants who are disfavored. If another district can agree with Straw, then it is wrong and inappropriate to label his work a violation of Rule 3.1. That rule allows for law reform work and arguments. Straw seeks [law reform](#) now.

In another case, the federal judge did not call the lawsuit frivolous.

In another case, Straw was testing use of the Civil RICO protections to guard his own health and disability rights against a newspaper trying to get into his Medicare account with threats. The nearly 100-year old judge had a reputation of being erroneous and derisive. His views on frivolous should be given no weight. The 7<sup>th</sup> Circuit was unreasonable in that case but imposed no sanction. Straw should have been allowed to amend to protect his privacy rights with appropriate law. (HIPAA)

The last case involved his attempt to include the ADA coordinator and the Indiana Supreme Court in a lawsuit. To punish him for attempting this is illegal and violates the ADA Titles II & V in itself. How can a court punish someone for holding that same court accountable for violations of *Tennessee v. Lane*, 541 U.S. 509 (2004)? It cannot.

None of these federal courts Indiana chose did anything more than use the word frivolous and **no sanction** (no fine, no reprimand, no suspension) was imposed. In fact, Straw **only acted as an attorney in one case. He advanced reasonable law for his client in that case.**

## 11 - Fishing Expedition

The ADA coordinator did not attack any final lawsuit but instead **pending lawsuits**. This was an invitation to simply pick at Straw's cases around the edges, and the ADA coordinator did that. She sent documents to litigants against Straw in the hope that his cases would be derailed by the obvious and open involvement of an Indiana Supreme Court officer in state trial cases. This was her attempt through her own unethical and illegal involvement to show that Straw was incompetent. All she proved was her lack of ethics and disdain for the ADA Title II.

### 12 - December 25, 2016: Federal Lawsuit

Nine days after Hon. Ahler entered his venomous hearing officer report, Straw filed a lawsuit for damages and to prevent the discipline from being imposed.

### 13 - Indiana Attacked Straw with ADA Lawsuit Open

The Indiana Supreme Court, defended by then new **sexual pervert “groper” Attorney General Curtis Hill** and his deputies, imposed 180 days of suspension without addressing Straw’s side of the story at all. 2/14/2017 The Court did not mention the critically important fact that a **non-punitive alternative** was offered by the Commission. Straw’s federal ADA lawsuit to stop this was no deterrent and that case being open should have resulted in contempt against the Indiana Supreme Court, but there was a reason this did not happen.

### 14 - Hon. Ahler Corrupts District Judge

The ADA suit U.S. district judge (Hon. Jane Magnus-Stinson) was on the 7<sup>th</sup> Circuit Judicial Council that was deciding whether to hire Hon. Ahler for that federal judge position when she refused Straw’s relief against the Indiana Supreme Court and quickly dismissed the case.

### 15 - 7<sup>th</sup> Circuit Appeal

First of all, the 7<sup>th</sup> Circuit was in the process of hiring Hon. Ahler from about August 2016 through May 2017. This means anyone on the Judicial Council of the 7<sup>th</sup> Circuit during that time was conflicted from participating in Straw’s lawsuit because it included Hon. James R. Ahler as a defendant and later, appellee.



With Straw's appeal still open to stop the Indiana discipline Hon. Ahler presided over, **none of his panel members recused** even when Ahler's name appeared over and over again in the docket.

Hon. Ahler began work as a federal bankruptcy judge [hired by the 7<sup>th</sup> Circuit](#) on June 15, 2017, the anniversary of the **Magna Carta** being signed. Incidentally, that Magna Carta was the original source of the **petitioning right** Straw exercised and Indiana **retaliated against**.

The entire matter boiled down to disrespecting Straw's petitioning right and retaliating against it. The right to use the courts is extremely precious under *McDonald v. Smith*, [472 U.S. 479, 486](#) (1985), but Straw lost that right by using it, precisely as the U.S. Supreme Court said should NOT happen. Straw defended his **5 Midwest law licenses** and was stripped by the 7<sup>th</sup> Circuit of the right to use the courts at all. It is extremely ironic that Ahler started work on that Magna Carta day. It is like the law poking Straw in both eyes and saying he has no rights, First Amendment or otherwise. This turned out to be true, consistent with what [Hon. Posner told the New York Times on 9/11/2017](#).

In fact, the Republicans and conservative Democrats in the Midwest have proven that Straw cannot depend on them for any right. <http://republicans.andrewstraw.com> <http://ca7.andrewstraw.com> His public service disabilities come from the **crimes of other people**, but no court in the Midwest has shown Straw that respect. <http://crimes.andrewstraw.com> <http://disability.andrewstraw.com>

One of Hon. Ahler's former employers was a panel member for the appeal against Ahler. First, the judge **voted against Straw**, then **recused**, and then Straw's panel members said it didn't matter. Of course not, when judges on that panel profess not to obey law, the U.S. Constitution, or U.S. Supreme Court precedents. Their guide is how they feel, not what the law is. **Those who are anathema get nothing**, ever. All such judges do is **pick winners** and **invent nonsense law** to justify their choices. The reason this system exists is because the right to appeal to the U.S. Supreme Court was removed in 1925. **43 Stat.**

936. Chief Justice of the United States William Taft said he wanted the circuit courts to become the de facto supreme court. This resulted in law being different in every circuit and this type of picking winners instead of being concerned not to be overturned by the actual highest court in the United States. <https://www.nytimes.com/2017/09/11/us/politics/judge-richard-posner-retirement.html>

### 16 - Virginia State Bar: Straw is 100% Exonerated, 6/20/2017

Even with Straw's ADA appeals not yet decided at the [7<sup>th</sup> Circuit](#) or [U.S. Supreme Court](#), Indiana lost no time trying to get other courts to impose the same punishment on Straw: 180 days of suspension with no automatic reinstatement. In fact, once the 180 days expired, the Indiana Supreme Court would not consider or address any pleading in the case and Straw's disciplinary case shows "closed."

Straw's first law admission was in Virginia in 1999. He obtained his Indiana bar membership after much disability interference by the Indiana Board of Law Examiners in 2002.

The Virginia State Bar held a hearing after Indiana asked for the reciprocal suspension. VSB considered over 1500 pages of evidence from Straw after stating as a panel that there was no conflict for any of the 3 panel members. Indiana's Hon. Ahler never said this.

The VSB said using an ADA coordinator in this fashion "**had all the grace and charm of a drive-by shooting.**" VSB stated that Straw had proven by clear and convincing evidence that he did not deserve discipline and none was imposed. [The Indiana discipline was dismissed.](#)

Despite this, Straw remains suspended in Indiana **over 3 years** as of **March 14, 2020** He only had an *in-absentia* hearing. The VSB also said that there was precedent in Virginia that Rule 3.1 sanction can only be

imposed if the cases attacked were “totally frivolous.” *Moseley*. This implied that Straw’s cases were not “totally frivolous.”

All of Straw’s **4 U.S. District Court law licenses** were suspended at the same time **without any hearing** and the 7<sup>th</sup> Circuit said this was OK. *Straw v. U.S. District Court*, [17-2523](#) (7<sup>th</sup> Cir. 2017). The 7<sup>th</sup> Circuit would not even let me **rescind** those 4 law licenses as a First Amendment matter. *Straw v. U.S. District Court*, [18-2192](#) (7<sup>th</sup> Cir. 2018)

## 17 - Discipline Summary

Now that the U.S. Supreme Court has failed to grant certiorari on any of the appeals Straw made from the Midwest to protect his **5 law licenses**, that 5-4 Republican-majority court just joins all the lower ones in perpetuating injury to Straw as a disabled person from **public service and other people’s crimes**. <http://crime.andrewstraw.com>

Straw believes he will never get his Midwest licenses back because he is not willing to agree that he did something wrong when another state **completely rejected the Indiana discipline** after the only evidentiary hearing ever held on the topic.

<http://discipline.andrewstraw.com>

The 7<sup>th</sup> Circuit is very hostile and blames Straw for having a multitude of appeals when those many suspensions all stem from the same source: the **Indiana Supreme Court ADA coordinator retaliating against Straw’s own ADA petition for redress of grievances** against the actions of the Indiana Supreme Court. Further, there would be no punitive sanctions requiring reciprocal suspensions if Straw had agreed to the medical status, “**disability status**” that was offered by the Indiana Attorney Disciplinary Commission. This state supreme court is his own **former employer** where he became physically disabled in sacrifice to that Court and the entire Indiana judicial branch.

<http://disability.andrewstraw.com> A criminal gave him permanent injuries while he worked for the **Chief Justice of Indiana** and provided services to every other justice and judge in Indiana.

The 7<sup>th</sup> Circuit has denied Straw's right to actual hearings before losing a fundamental right in his 5 law licenses.

The 7<sup>th</sup> Circuit has compared Straw with insane individuals by making a certain citation. *Lee v. Clinton*, [209 F.3d 1025](#) (7<sup>th</sup> Cir. 2000)

The 7<sup>th</sup> Circuit has compared Straw with criminals who stole their clients' money. *In Re Wick*, [628 F.3d 379](#) (7<sup>th</sup> Cir. 2010)

Once the actions of the [7<sup>th</sup> Circuit](#) made Straw's law licenses **absolutely worthless**, Straw asked for the federal licenses to be rescinded and the 7<sup>th</sup> Circuit said this was a "**frivolous**" request after **two U.S. District Courts said yes to Straw**.

The 7<sup>th</sup> Circuit has even involved itself in the Camp LeJeune poisoning by helping Indiana strip Straw of his federal licenses without due process once the 11<sup>th</sup> Circuit appeal was underway. *Straw v. United States*, [16-17573-GG](#) (11<sup>th</sup> Cir. 5/22/2019). The 11<sup>th</sup> Circuit denied Straw a license to represent his family members and cited to the Indiana discipline as the reason. The 11<sup>th</sup> Circuit rejected the VSB exoneration of Straw.

Neither the 7<sup>th</sup> Circuit, the 11<sup>th</sup> Circuit, nor the U.S. District Courts for the Western District of Wisconsin, the Northern District of Illinois, the Northern District of Indiana, nor the Southern District of Indiana considered the **non-punitive "disability status"** in their reciprocal suspensions and refusals to cooperate with Straw.

Straw cannot use the Courts because he objected to perjury by the office of the **pervert**, [Indiana AG Curtis Hill](#). *Straw v. Indiana*, 18-2878 (7<sup>th</sup> Cir. 2018).

Straw cannot act as an ADA Title II tester and despite such standing being allowed in other circuits, the 7<sup>th</sup> Circuit said it was a **meritless argument**. *Straw v. Streamwood, et. al.*, [17-1867](#) (7<sup>th</sup> Cir. 2018); *Cf. Tandy v. City of Wichita*, [380 F.3d 1277](#) (10<sup>th</sup> Cir. 2004) & *Nanni v. Aberdeen Marketplace*, [878 F.3d 447](#) (4<sup>th</sup> Cir. 2017). *Cf., Culvahouse v. City of Laporte*, [679 F. Supp. 2d 931](#) (N.D. Ind. 2009).

Straw was repeatedly denied *in forma pauperis* as a means to shut the doors of the 7<sup>th</sup> Circuit to him. This violates the First Amendment under *McDonald v. Smith*, [472 U.S. 479, 486](#) (1985)(J Brennan, concurring).

The 7<sup>th</sup> Circuit consists of 9 Republican judges and 2 very conservative Democratic judges. The Indiana Supreme Court is 5-0 Republican and it is no surprise that such extremely lopsided courts would oppose a progressive Disability Party Democrat like Straw with his aggressive disability rights agenda.

No matter what Straw asks, the 7<sup>th</sup> **Circuit is hostile** and **automatically says no**, violating the First Amendment right to open courts, due process under the 5<sup>th</sup> Amendment, and the right to fair and neutral judges under ABA [Rule 2.2](#), Article III, and 28 U.S.C. §§ [144](#), [455](#). Abuse of the word frivolous should result in punishment for judges but the opposite seems to happen in the Midwest. Straw has written on the topic at [Democracy Chronicles](#) and to the [Administrative Office of U.S. Courts](#). He has suggested reforms that would stop the abusive use of “frivolous” by state and federal judges. <http://reform.andrewstraw.com>

## 18 – Exoneration Emails Withheld

As noted above, the ADA coordinator made her 9/3/2014 retaliatory disciplinary complaint immediately after receiving Straw’s ADA complaint. There is [email evidence](#) that she sent her disciplinary complaint to an attorney (Thomas Dixon) outside the Indiana Supreme Court to interfere in cases that were **STILL OPEN** so as to obtain the

“frivolous” label she so wanted. *Straw v. Indiana Supreme Court, et. al.*, 1:16-cv-3483-SEB (S.D. Ind. 2017) (Dkts. 1-11, 1-13)

In March of 2020, Straw contacted Mr. Richard Payne in the Judicial Administration office of the Indiana Supreme Court to ask for all emails Rodeheffer made that include “Andrew Straw” or “Andrew U. D. Straw” since 2013. Given the retaliation already proven, there is more than probable cause to show Rodeheffer sent other interfering emails to the federal courts as well.

Straw asked under APRA (Indiana’s freedom of information act) and Mr. Payne refused. Payne sent Straw’s request to Rodeheffer and she mistakenly sent confirmation of this to Straw. So, instead of taking steps to protect the emails from Rodeheffer deleting them, Payne immediately told Rodeheffer so she has plenty of time to cover her tracks.

Straw also asked the Indiana Attorney Disciplinary Commission to provide the emails for the disciplinary case, to show comprehensive Rodeheffer interference and thus exonerate Straw, but there has been no response.

Not responding is evidence that Rodeheffer did send other interfering emails and did delete them when it became clear that Straw wanted them to exonerate himself. The issue here is collusion, since federal judges can call anything frivolous, even when it is not, and thus any case can be a ticking time bomb to deny disability rights and attack the disabled attorney who used the courts, a First Amendment right.

## 19 – Straw Seeks 5<sup>th</sup> Amendment Compensation

All 5<sup>th</sup> Amendment takings claims against the federal government are supposed to be adjudicated at the U.S. Court of Federal Claims when the damages are over \$10,000, as is the case in all of my counts.

I seek damages for suspending my Indiana law license for 4 years on the incitement of federal judges and my 4 federal law licenses for 4 years reciprocally to the Indiana suspension. *Straw v. United States*, 21-1597, 21-1598 (Fed. Cir.). Further, I seek damages for the actions of the U.S. Supreme Court Clerk, Congress, and others who took my property without paying for it. *Straw v. United States*, 21-1596, 21-1600, 21-1602 (Fed. Cir.)