

## REASONS LAW PROFESSORS ARE NEEDED IN MY CASE:

1. Attorney Michael M. Levin, (mml@wegmanlevin.com) had his case manager, Erica Juarez, (erica@wegmanlevin.com) on 10/1/2025 send the root of the poisonous tree he impartially found in my case to my mother, Julie Gandy, (jgandy79@gmail.com). Mr. Levin spent months reading the 7/20/12 illegal interrogations, numerous transcripts including my trial, DE#98 (where Judge Rosenthal clearly committed a sixth amendment violation by allowing my retained lawyer(s) to quit, then she sealed that portion of the hearing, ex parte, DE#141 Speedy Trial Hearing (where Rosenthal clearly lied by saying the six year delay in getting me to trial was all my fault because I fired lawyers that she actually allowed to quit against my protests on the sealed record), DE#34 motion to suppress my statements, DE#46 Motion to Suppress the fruits of my statements (Which Rosenthal illegally sealed from public view; This 1st amendment problem is one I hope Professor Eugene Volokh will be interested in), & much more! I implore you to read his memo.

2. A 1-15-18 Houston Chronicle Article by Gabrielle Banks complete with photos provided by Chief Lee H. Rosenthal shows that Rosenthal is deeply at war with the constitution (Also observed by 45 year veteran attorney John O'Neill), works in numerous appeals courts including the 5th (where Rosenthal is listed in the thick Judicial Misconduct Rules booklets I keep getting every time the appeals court decides there "not taking action" on my complaints), "tapped by 2 chief Justices of the supreme court, William Rehnquist & John Roberts, to chair advisory committees that craft & revise RULES to help Federal courts function fairly & EFFICIENTLY (meaning Rosenthal won't waste time with complaints about her War on the constitution), "Helped draft a model penal code on sexual assault" (please read the Feb. '21 Criminal Legal News Article pg.12 "Sex Panic: The war on sex offenders as public enemy number one" which explains why Rosenthal feels she will get away with violating so many of my constitutional rights), "She's the Judge we all aspire to be & the Judge all lawyers aspire to appear in front of, said U.S. district Judge Gray H. Miller, a colleague in Houston". (Judge Miller who clearly admires Rosenthal handled count 7 in my case and awarded Jose Alfaro 1.5 million in civil action No. H-18-LV-1761 DE# 33 pg.11 Jose says he met me in 2008 when he was 17 yet my indictment & his testimony in front of Rosenthal says he met me from Aug 1st to Nov. 3rd 2007. More on Jose's lies can be found on a 23 page document titled "Speedy Trial Motion Doc # 133", "Lee's years in these committees had a permanent mark on how the federal courts around the U.S. operate", said David G Campbell a district court Judge in Arizona who served with her on a civil RULES committee. (Rosenthal Permanently caused 25% of my life to be tortured in prison b/c she sealed and ignored DE#46 Motion to suppress the fruits of my statements & still ignores my attempts to have her correct her own misconduct).

3. Please read the email I sent to James Alston on 8-31-12 @ 2:04 pm, #5 says "The key to stopping this case...the brutal unfair interrogation..." My mother has spent over \$500,000 on Lawyers who should have found US v. Ceccolini 435 us 268 & US v. Robert J. Scios (D.C. Cir. 1978) 590 F. 2d 956, 191 which we finally have thanks to Mr. Levin who has not charged her anything to research & see if what I've been complaining about for over 13 years has merit. A international Attorney named Noel Daley admitted Houston Lawyers, Judges, prosecutors, & the 5th Appeals court operate like a fraternity. Please see a document I typed titled "1404 Transfer of Venue" proving he's right! Without a Law Professor Rosenthal & her Appeals court buddies will do exactly what Levin predicts, "cheat. lie etc.", to keep my obvious structural constitutional error swept into Rosenthal's skeleton filled closet! Her misconduct has nearly killed me, see Ben Taub Hospital pictures from 7-20-18.

4. A professor who loves the constitution could stop the 5th appeals court from continuing to play with defendants lives like a game of tennis by denying motions for every little technical reason without looking at the merits of my following attempts to be heard:

A. 1-18-21 I mailed serious constitutional issues/problems with my direct appeal lawyer Seth Kretzer.

The 5th Appeals Court response on 2-4-21: Wrong case # & too late Direct Appeals denied. Yet I put both the district case & appeals case #'s. I also fully explained how Seth Kretzer turned in my appeal on the wrong grounds. He did not let me read it before turning it in. I also sent letters to the district court certified with no response.

B. 7-8-24 I mailed a Judicial Misconduct Complaint on Rosenthal. The response on 7-15-25: "taking no action" Because they found one area of the complaint where I said "rough draft".

C. 10-21-24 I filed another JMC. The Response on 11-7-24: "taking no action" Because they found "Almost Final Version" somewhere in the complaint.

D. 1-21-25 my jail house lawyer Michael McKillip filed a JMC on Rosenthal due mostly to her refusing to unseal DE# 98.

The Response on 2-3-25 had a technical reason to take no action yet a couple months later Rosenthal decided to unseal it!

E. 1-21-25 DE# 295 I mailed my notice to appeal Rosenthal's denial of my Compassionate Release Motion (CRM).

Within the notice which is only 12 lines, the last 8 lines point out "Rosenthal's 6th Amendment Structural Constitutional Defect via a sealed hearing on 4-27-17 DE# 98". Instead of noticing Rosenthal's Misconduct, the Appeals court noticed I only initialed the bottom & ignored that I

fully signed & dated it 1/4 from the top. The 5th appeals court threatened to not act or acknowledge my notice due to this technical problem?

The appeals court never acknowledged my latest letter to them appealing Rosenthal's denial of my indigent status even though I filled out the proper forms, so here is the majority of it:

The Due Process Clause of the 5th & 14th Amendment's guarantee an unbiased Judge. DE # 293 is Rosenthal's ("R") denial of my Compassionate Release Motion (CRM), DE# 292. DE# 293 is full of false facts, acts of concealment, ignores important questions, fraud on the court, & "R" breaks the judicial code in a desperate attempt to keep those who are not her friends in the appeals court and the public from finding out she intentionally made clear structural Constitutional defects in my case.

A perfect example of a non-biased Judge is in the 6th district in a CRM with defendant Roy Christopher West whose Judge, Victoria A. Roberts confessed to her wrongs by saying " errors on the part of competent people - prosecutors, defense counsel, probation officers, & ultimately, this Judge..." This acknowledgement by a district Judge is what led to West being allowed to file a 60(b) on 5-29-24. The Governments conduct in our cases raise the specter of fraud on the court which IS the extraordinary circumstances needed to make a 60(b) appropriate.

The following needs to require a full investigation into where else "R" lied, ignored the constitution & my motions of which DE# 239, acknowledged 2-3-21 clearly gave her an opportunity to correct her "errors": <I can now see her sneaky bias & apologize in advance for noticing all of her prejudice throughout my docket & this CRM denial>

1. Page 1 of DE#293 "R" describes my charges by saying "Transporting Minors" in interstate..." "R" knows only one minor ever traveled internationally. Every case I've found with these charges has actual harm, force, etc.. Please read my trial transcripts to see that the following interpretation by "R" is false: "This description understates the predatory nature of Gandy's offenses & his cruel use of vulnerable children". <see "speedy trial doc #133"> to see the 4 "victims" were not "cruelly used children". Summary of the "victims" in order:

A. Elements that would make me guilty of a federal trafficking crime are not only not met, K.D. himself says so with his statements at trial and to my investigator Catherine Edwards. I did not meet him online. We never did any inappropriate massage nor did I even think to.

B. According to trial testimony I met D.V. on an adults only web site called Gay.com. D.V. dated K.D. above for 6 months. K.D. told Edwards that David told him he was 18 when he met me and that prior to meeting me he was prostituting himself for drugs. His drug and alcohol issues were part of what made them grow apart. According to Trial testimony I managed to stay with him for 3 years which should show I'm a patient, understanding,

compassionate/empathetic massage therapist who wants the best for everyone. This is why it hurts to see a Judge exaggerate, embellish & flat out lie about me in public court documents. One would expect this from a prosecutor, not from a Judge who is supposed to at least pretend to be impartial. D.V.'s huge family thanked me for getting him off drugs and commented on color in his face and muscle tone after meeting me.

C. J.A. is a flat out #METOO inspired liar who got awarded 1.5 million from Judge Miller who greatly admires his friend / colleague in the same courtroom, JUDGE ROSENTHAL. If anything he says is true would you think that a 17yo posing as a 18yo on an adult gay hook up site is a "vulnerable child"? Please read the "speedy trial doc#133" document pg. 2-8

D. K.V. is coerced with my illegally obtained statements to say things he would not have in his 7-20-12 Interrogation.

At trial that KV only attended because of a subpoena he reluctantly admits to having unprotected sex for shoes before meeting me. The only reason that person's name "Jamie Bam" ever came up is because of my 2nd illegal interrogation 7/25/12 on the way to bond while I was represented. Then KV says at trial I taught him how to massage which logically would mean he'd have a way to make money without unprotected sex with random guys he meets online.

How does any of the above equate to "cruel use of vulnerable children". Why is Rosenthal exaggerating?

2. Page 2 Rosenthal says: "Gandy later filed a motion for return of property, DE # 285". My mom emailed Rosenthal's clerk Darlene on 5/24/24 at 9:26am, 6-20-24 at 2:24pm, & 6-13-24 at 10:43am saying DE# 285 is "much more than his request to return property...i.e... requests for transcripts of sealed DE #'s 46, 98, 136, etc.". I had also asked Rosenthal to see how my illegally obtained statements were used to coerce K.V. and asked if she had ever watched the 7-20-12 interrogations. Misinterpreting/ignoring motions, emails, letters, lying & misleading the public/appeals court by manipulating my docket sheet are obvious signs of a biased Judge.

Judge David R. Jones got in trouble for sealing a docket entry that also ONLY protected him & he got exposed to the public due to a law suit filed by Michael Van Deelen. I & my mom have talked to Deelen & although I've tried to follow in his footsteps by filing a lawsuit, the district court has ignored it & according to my docket sheet it is not there despite the appeals court using it as an excuse to not open a judicial misconduct complaint on Rosenthal. Please read all of my "motion for return of property" DE #285 to find questions about structural constitutional defects caused by ROSENTHAL!

3. On pg..2 Notice how there is NO EXPLANATION of what I ask Rosenthal for in the 60(b)???  
Yet she proudly explains ALL other motions:

A. Direct Appeal-Evidence Insufficient.

B. 2255-Ineffective counsel with plea.

c. DE#285-property.

TO SEE WHY ROSENTHAL DID THIS: Look at DE# 287 <60(b)> then look at Rosenthal's response in DE# 289 to see she ignored the SAME QUESTIONS IM ASKING IN THE CRM!!!! Her response even lies about what I'm asking for to mislead the public & appeals court again!

Pg..1 says "Allegedly involuntary statements that he made to investigators were used against him at trial" & "..the use of these involuntary statements at trial violated his due process rights..". No where in my 60(b) do I say my statements were used at trial. The fruits of my statements were. Please read DE# 287.

4. Page 7 #3 says "Alleged" disparity between those who enter a guilty plea & trial. Rosenthal heard every detail about my 10 year plea deal at my 2255 hearing including emails from prosecutor Zack to my lawyers which prove I got a 200% trial penalty! There's nothing "ALLEGED" about the 20 EXTRA YEARS Rosenthal gave me just for going to trial.

5. Pages 7-8 #4 Rosenthal responds to "several pieces of legislation introduced in congress over the past 4 years." The 1st 2 lines of page 8, Rosenthal names all 3 then proves she never bothered reading them by saying "Even if these proposed Acts applied to Gandy's conduct - a finding this court does not make..."

The Right To Trial Act & Acquitted Conduct Act of 2023 have to do with ROSENTHAL'S CONDUCT NOT MINE!

Rosenthal used false accusations at my sentencing and knows I got a 200% trial penalty yet did nothing to correct HER CONDUCT! My CRM gives a fine example of Judge D.J. Young recognizing a trial penalty in sentencing Reginald Abraham by saying, "strikingly disparate sentencing ranges (which do not even come close to overlapping) simply do not square with the statutory mandate sufficient, but not greater than necessary.'" Abraham's case is so much worse yet he got treated FAIR because he had an impartial Judge.

6. Page 9 Rosenthal says "The prisoner has the burden to show that the abuse occurred." This statement made me realize Rosenthal did not read the Christopher Blauvelt CRM to see that assaults by fellow inmates can be considered. My assaults were due to Fruit of the poisonous tree news media using my illegally obtained statements. The assaults on me were on camera, SIS investigated, my assaulter was found guilty & they all became my "Septra T" (never allowed

near me again). Rosenthal: "Misconduct must be established by a conviction..or admission". During sentencing Rosenthal falsely accused me of assault right before giving me 30 years. Then on 10-5-18 to deny DE# 178, falsely accused me of crimes in other countries. A non-biased Judge would have read "Acquitted conduct Act of 2023" & recognized the above misconduct. My CRM gave Rosenthal a chance to recognize her own biased acts. Judge D.J. Young said "This court will not consider Acquitted conduct and confines its sentences to those FACTS either admitted by the defendant or found by a jury...". ROSENTHAL DID NOT READ this important part of my CRM.

7. pg. 10 Rosenthal: "Reassert his contention that he was illegally interrogated" and Pg. 14 "Simply repeat his claims that he alleges statements were illegally obtained from him & other witnesses in 2012." A good example of why Rosenthal should do something about her "mistake" is in Ramos v. Louisiana (LA) on 4-20-20 by Justice Gorsuch "not a single member of this court is prepared to say LA secured Ramos' conviction constitutionally under the 6th Amendment. No one suggests the error was harmless. The best anyone can seem to muster against Ramos is that if we dared to ADMIT in his case what we all know to be true about the 6th amendment, we might have to say the same in some others. Where is the justice in That? Every Judge must learn to live with Fact Mistakes. But its something entirely different to perpetuate what we all know to be WRONG only because we fear the consequences of being right."

Dear Law Professors, please read the section of my CRM called "Signs" (DE#292-1, pp. 11-15) as Rosenthal refers to on page 14 of DE#293. Especially from the paragraph that starts out "The Wall Street Journal on 12-22-23, had an article on B4 about the UK's serious fraud office that began an investigation on tips "Improperly obtained." This is the newly discovered knowledge/evidence I sent Rosenthal in DE#285, and 287, and here 292 that is illegally being ignored by my Judge. Rosenthal needs to answer the questions in all three that asks: Did You Rosenthal watch the 7-20-12 interrogation videos? Rosenthal also ignores DE after #89 with no DE# that says "Attorney update LEO for USA added on 12-8-16. Why no DE#? Looks like Zack let the blame fall on a less experienced prosecutor who less than four months later, ruled my long awaited hearing on my illegally obtained statements moot on 3-30-17, DE#94. Rosenthal ignored this because plenty of case law such as Waller v. Georgia 457US339 show I had a right to be at this secret meeting, and if not, sign a waiver. I was never told about the "moot" meeting and 3 weeks later, 4-27-17, Rosenthal illegally allowed Cogdell and Deborde to quit!

8. pg. 13 Rosenthal: "Nor has he served the lion's share of his sentence." The average trial penalty which "The Right to Trial Act" intended to stop is 50%. My 10 year plea deal was fully laid out in front of Rosenthal in my 2255 hearing which shows Zack knew of everything introduced at trial when the 10 years got offered. Had I signed it I'd have gone home over 5

years ago. Biased Rosenthal refused to read "Right to trial" and how D.J. Young treated Abraham to see I've done more than the lion's share of an unfair sentence.

9. pg. 15 "International Transportation of AT LEAST ONE CHILD..." whoever is reading this appeal please tell me what you think this means? \_\_\_\_\_

Rosenthal knows the government had six years to dig up dirt on me. There are no more skeletons in my closet. Only 1 minor ever traveled with me. This false statement by Rosenthal is proof she is biased.

Solution: Have a non-biased judge, such as D.J. Young, Victoria A. Roberts, or Lynn N. Hughes read and rule on my CRM. Or simply open an investigation into all of Rosenthal's misconduct and start by watching the 7-20-12 interrogations then respond to Dan Cogdell's DE#34 4-1-13 motion to suppress along with sealed DE#46.

<END OF CRM APPEAL>

5. Professors writing or lecturing about my case could easily reveal one of the most powerful biased Judges in this country b/c alot of "R"'s misconduct in my case is in plain sight. In my sentencing transcripts I tell "R" I never got to read the PSR due to being on suicide watch & she gives me a hour to read it. I told her I barely had time to skim 1/2 of it.

Later in suicide watch chief psychologist Dr. Freeman told me "R" called FDC Houston to find out I never got to read my PSR while in suicide watch prior to sentencing. This is a clear RULE 32 (c) violation! U.S. v. Angel Richiez in the 11th circuit with Paul Petruzzi as his lawyer got his sentence vacated and remanded because the district court failed to afford defendant at least 10 days to review his PSR.

6. In DE # 305 I point out structural constitutional defects in my Grand Jury Transcripts & ask for a copy. The prosecutor responded in DE# 309 & I timely responded with my mom Julie Gandy emailing a copy of my response along with the attachments. The clerk told my mom they will not accept emails so Julie sent it certified. This was in July 2025 & no response to my response to DE# 309? I have legitimate reasons for needing my Grand Jury transcripts which are fully explained in DE# 305 & my response to DE# 309.

Thank You For Reading My Plea For Help!

God Bless, Jason Gandy

I'd like to be a Lawyer when I get out so I can make a huge difference in prisoners lives & others who have had their lives ruined by a biased Judge.