

September 16, 2003

Counsel
Office of Professional Responsibility
Department of Justice
Tenth Street and Constitution Avenue
Washington D.C. 20530

Re: ALLEGATIONS OF MISCONDUCT

Dear Sir or Madam:

Enclosed please find a copy of a petition for a writ of certiorari to the Supreme Court or the United States, to review a decision of the First Circuit Court of Appeals, where Harold F. Chorney is the Petitioner. I believe that the issues raised, in this petition and attached Appendices, are quite relevant to a fundamental defect in the bankruptcy system, a lack of accountability by those responsible for this accountability. Some parties, responsible for accountability in bankruptcy proceedings, are employees of the Department of Justice and may be under your jurisdiction, while others are not.

What happens when those D.O.J. employees, responsible for accountability are not doing their jobs. It appears as if that is the case at the R.I. Trustee's office under the purview of the Boston Regional Office of the EOUST. I do not know if these same types of problems exist in other regions? I can only surmise that they do, and what has happened below is a national problem.

Listed below are some of the events leading up to the ALLEGATIONS OF MISCONDUCT by those parties, who may be under your jurisdiction.

On February 10, 1995, Mr. Traian S. Nacu wrote to your organization and raised concerns about a bankruptcy proceeding in the District of Rhode Island, CA. No. 89-11051. See Appendix H, pages 51-70. Your organization referred Mr. Nacu's concerns to Joseph Patchan, Director EOUST, stating that the "jurisdiction of this Office is limited to investigating allegations of misconduct made against Department of Justice employees." See Appendix H, page 71.

Over eight years have passed since the referral to the EOUST.

As early as September 13, 1994, Harold F. Chorney, principal in the bankruptcy case 89-11051, wrote to employees of the Justice Department, concerning missing or unaccounted for assets of the estate of Cumberland Investment Corporation. See Appendix H, pages 49, 50.

A partial list of correspondence is contained in Appendix D. The last correspondence I received from the EOUST, dated May 4, 2001, indicates that as of that date no investigation concerning the allegations of misconduct, namely that assets of the estate are missing or unaccounted for, has ever been commenced. The inaction of the EOUST is contrary to the requirements of their own statutes as listed in the U.S. Trustee Manual Chapter 5-7. See Appendix D, pages 21-23.

OFFICIAL MISCONDUCT

In light of the fact that the U.S. Trustee's office has been noticed of all pleadings in this case concerning missing assets, by Mr. Chorney, and/or Mr. Taft, a client of Cumberland Investment Corporation, whose assets have been missing since 1990, yet no investigation has been commenced is MISCONDUCT by employees of the Department of Justice and therefore under your purview. See Appendix H, pages 90-160.

Not only has the U.S. Trustee's office failed to comply with the U.S. Trustee Manual Chapter 5-7, to commence an investigation into the matter of missing or unaccounted for assets, this office has actively participated in silencing the requests for information concerning missing or unaccounted for assets. See Appendix D, pages 24-27. See Transcript of the bankruptcy court hearing of January 5, 2001, where Gary Donohue from the office of the U.S. Trustee testified in opposition to supplying an accounting of the assets of a December 7, 1999, auction sale. See Appendix D, pages 29-38.

I would appreciate it, if you would respond to this letter at your earliest convenience.

Sincerely,

Harold F. Chorney
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