

12/14/71

Chief Judge David Bazelon
U.S. Court of Appeals for the
District of Columbia
Washington, D.C.

Miscellaneous 3683
Civil Action No. 2569-70

Dear Judge Bazelon,

The clerks of your court have undertaken to help me without helping me at all and with each effort there is more confusion. The new order entered in this matter is now listed as "Criminal 2569-70", and I am anxious for that to be corrected. I am still anxious to know what I have not been told and seemingly cannot learn, why my motion was denied.

I have been away or I would have written earlier.

I am not familiar with the legal forms, so what may seem inconsistent to me may not, in fact be. But this order of November 29 actually says, "...it appearing that no non-frivolous issue is raised in this appeal, it is ordered by the Court that the petitioner's aforesaid renewed motion is denied."

The motion in question was that I be permitted to proceed in Forma Pauperis. First of all, I was told by the judge in the court below that your court would provide me with help to appeal his decision. The transcript, not available to me, will show this at the very end of that hearing. I provided affidavits showing I have no regular income and that my indebtedness exceeds the assessed value of all my property. If this does not meet the legal definition I have not so been informed, and I have repeatedly sought to learn this. If it does, naturally I have trouble understanding why I am not so recognized. No question has been raised about the accuracy of my oath and it is beyond question painfully accurate.

Aside from what I regard as serious error in the court below, there are in this case what I regard as serious precedents under a relatively new law and this decision has already been used in a manner I regard as misuse. Thus I believe I have been denied my rights in a manner contrary to the law and that others are thereby also being denied their rights. So, I believe important national and legal issues are involved and that neither my rights nor those of others should be limited by my poverty.

At no point in this matter have I delayed anything. In every case I acted promptly. In all cases I have done as directed by the various clerks. It thus seems that failure to act in time is not an issue. It seems that I am without funds or means. And it is apparent that nothing I can do tells me why this motion was rejected. I therefore again write you in the hope you can help me or can direct that effective help be provided.

Sincerely,

Harold Weisberg