

Edward Johnston

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1540 N. Nye St.  
Toledo, OR 97391  
541-336-1233

July 25, 2005

Judge Frederick Bennet, Jr.  
Lincoln County Circuit Court  
POB 100  
Newport, OR 97365

Judicial Fitness Commission

Officer Colin Teem  
Toledo Police Department  
250 W. Highway 20  
Toledo, OR 97391

Re: Case No. T0633

Dear Judge Bennet and Fitness Commission:

The assertions in your (Judge Bennett)'s letter dated July 7th (copy enclosed) upon which you found me guilty in the above case are misrepresentations and miss the key point. The key point is that Officer Teem gave me two tickets for the same alleged moving violation in which he specified that the moving violation occurred at two different locations (at the same date and time) on the same day. The ticket numbers are T0629 and T0633, copies enclosed. The fact that Judge Bennett left out of his decision letter any mention of the fact of two tickets and made no attempt to reconcile their existence, and their two different stated sets of facts, shows the judge's bias in this matter.

Also not discussed was the fact that to deliver the second ticket T0633, Officer Teem had to enter my property without permission or a warrant or an emergency situation. That was trespass, and I did file for trespassing on him.

Also not discussed is the fact that Officer Teem had never even handed me a ticket; he put it on the windshield of my car, because I refused it, because I did nothing wrong. Also, I have been refused the police videotape of the incident, first by the police

then by the judge, who refused to take it into evidence when the officer offered to play the tape in court.

Further, the officer has had dealing with me before, when I was in that same vehicle, and has driven past my home on numerous occasions and may, from those occasions, have had further basis to recognize my vehicle before I had "exited" it.

Finally, Judge Bennett, like most of the political establishment in Lincoln County, is aware of my ongoing difficult financial situation due to the fact my being totally disabled. For him to require that I pay a \$206 fine in 30 days is for him to set me up for further legal difficulties--and he knows it.

Given the above, I think the ticket is a farce, an example of harrassment, and basis for the Judicial Fitness Commission to take a look at this case and Judge Bennett's actions in it.

Sincerely

Edward Johnston

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