

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION

Docket #44
Filed on
July 1, 2022

JESUS MENDOZA,
Pro-Se Plaintiff,

v.

CIVIL ACTION NO. 7:22-CV-85.

KILOLO KIJAKAZI,
Acting Commissioner of
the Social Security
Administration,
Defendant.

ADDENDUM "B"

To Motion to Recuse U.S. District Judge, Randall Crane, U.S. District Judge, Ricardo H. Hinojosa and U.S. District Judge, Micaela Alvarez Pursuant to 28 U.S.C. 455.

Addendum "B" includes letters of support to recuse Judge Crane, Judge Hinojosa and Judge Alvarez and to re-assign the case to a Senior Judge from outside the Rio Grande Valley.

To: Honorable Lee Rosenthal, Chief District Judge

U.S. District for the Southern District of Texas

Date: April 12, 2022

Re: Please Reassign the Disability Case of Jesus Mendoza

CASE NO. 7:05-CV133M AND CASE NO. 7:22-CV-85 A

Dear Judge Rosenthal,

This letter is to support Mr. Jesus Mendoza's request for his Disability cases to be reassigned. I am disabled by electromagnetic sensitivity (EMS),¹ like Mr. Mendoza, and though those of us with the condition are often more disabled than those with other disabilities, we are often discriminated against² because of radiation's invisibility and the prevailing ignorance about its biological harm. Those disabled by EMFs, like we are, who are in need of accommodation or benefits, often have difficulty obtaining justice and our rights due to discrimination and prejudice. I would like to support Mr. Mendoza's request that his case be reassigned.

Thank you for you attention to this matter,

Eva Bortnick



541-563-2962

1 Please see attached Substantial Evidence for EMS Disability, pt. 1.

2 Ibid, pt. 18.

149 Central Park Drive
Holyoke, MA 01040
(413) 536-3505
11 May 2022

Lee Rosenthal, Chief District Judge
U.S. District for the Southern District of Texas
Bob Casey United States Courthouse
515 Rusk Avenue
Houston, TX 77002

RE: JESUS MENDOZA, CASES 7:05-CV-133M AND 7:22-CV-85;

Dear Chief Justice Rosenthal,

I am director of Last Tree Laws, an advocacy group focused on legislation, laws, and initiative petitions for public and environmental health, with an interest in the above cases.

Please reassign a senior visiting judge to the cases of Jesus Mendoza pending before the Federal Court in McAllen, Texas, to prevent conflicts of interest from clouding the decision.

Judicial integrity is definitely of interest to all, but in addition, this case may stimulate government and industry to appropriately regulate ambient wireless and other non-ionizing radiation, which for a minority results in noticeable, painful sensitivities and illness.

In my capacity as an advocate, I have heard from individuals who have moved, shielded homes, and now live an isolated existence as a result of sensitivity, and from others who have divorced, lost custody of children, and become homeless. One family in an adjoining town installed grounded foil shielding around their entire home, which is a large expense but worthwhile when sensitivity makes living painful, with headaches, rashes, swelling, joint pain, fatigue, memory loss and concentration troubles.

In the 1st Circuit decision *G, a minor v. The Fay School*, Judge Timothy Hillman found that a student's sensitivity was a valid claim not barred by federal guidelines but that action was not warranted since the student had left the school.

Rarely, cases are brought to court which highlight the harm that has resulted from ambient but barely regulated wireless exposures. Decisions are needed which credit this sensitivity and which provide for disability protections that can provide impetus for change.

Please help to give this case a fair hearing.

Sincerely,



Kirstin Beatty
Last Tree Laws Director

Lee Rosenthal, Chief District Judge
U.S. District for the Southern District of Texas

I respectfully request your office to reassign a senior visiting judge to the cases of Jesus Mendoza for disability benefits pending before the Federal Court in McAllen, Texas, to prevent a miscarriage of justice against Mendoza and against others suffering from Electrohypersensitivity, including children and other defenseless and unsuspecting victims. I too suffer from electromagnetic sensitivity and it is a very painful life being unable to function in society due to the pain from sensitivity to microwave antennas, WiFi, and the accompanying excessive electrical fields.

Respectfully Submitted,
Diana Corbett