

Date: June 23, 2026

Charges Warranted in 7th Circuit Under 18 U.S.C. § 241 and § 242 for Conspiracy to Deny Counsel, Secret Dismissals, Court Lies, and a Refusal to Discipline

18 U.S.C. § 241 and § 242 are federal criminal civil rights statutes used by the Department of Justice (DOJ) to prosecute individuals who intentionally violate the constitutional or statutory rights of others.

Section 241 targets conspiracies to violate rights, while Section 242 targets individuals who violate rights while acting with government authority.

Those prosecuted under the statute typically include police officers, sheriff's deputies, and prison guards. Judges, district attorneys, and others, including attorneys can also be prosecuted under this statute.

Dyer alleges there is evidence supporting a knowing, intentional and ongoing conspiracy to deny him his rights by the judges in his cases, the US Attorney Office in Milwaukee and his attorneys, as demonstrated below.

Dyer was sentenced to a combined 24 years in federal prison in 2017 in two separate cases without an attorney present at either sentencing, denying him his Sixth Amendment entitlement to the effective assistance of counsel at all critical stages of the proceedings.

According to Dyer, a more egregious issue is the decade-long collusion between his counsel, the judiciary, the government, and the Judicial Council of the Seventh Circuit to dismiss a clear violation of his constitutional rights.

Dyer was released from federal prison to a Chicago-area halfway house on November 25, 2025, after serving more than eight and a half years, including more than a year in solitary confinement, he says, to frustrate his ongoing attempts to reveal judicial and prosecutorial misconduct.

Dyer pursued his attorneys—partners at a Milwaukee law firm—following his incarceration for their failure to appear at his sentencings through complaints filed with the Wisconsin Supreme Court Office of Lawyer Regulation. (OLR)(**Exhibit in Support 1**)(**Exhibit in Support 2**)

In the course of the investigation by the OLR, the attorneys, Christopher Donovan (Donovan)

and Martin Pruhs (Pruhs), produced a letter they sent to Judge J.P. Stadtmueller, the judge in the 15-CR-115-JPS Farmland case where Dyer received a 15 year sentence.

The date of the letter is January 19, 2017. **(Exhibit in Support 3)**

Dyer received a copy of Donovan and Pruhs letter to Judge Stadtmueller after they sent a copy to investigators at the OLR via an email on July 30, 2021. **(Exhibit in Support 4)**

In the email, Donovan and Pruhs admit to sending the letter to Judge Stadtmueller stating, in part:

"I am attaching a letter Mr. Donovan and I sent to Judge Stadtmueller after our appointment ended because it contains a good, some what contemporaneous chronology of the work we did as standby counsel."

The letter to Judge Stadtmueller is dated, as noted above, January 19, 2017— almost two months prior to Dyer's March 8, 2017 sentencing. **(Exhibit in Support 5)**

Donovan and Pruhs are lying about having sent the letter after their appointment had ended.

According to the case docket, Donovan and Pruhs's representation of Dyer did not terminate until May 11, 2017 **(Exhibit in Support 6)** —months after both his sentencing and their letter to Judge Stadtmueller.

The letter does not appear in the Farmland case docket and was never seen or received by Dyer prior to his sentencing or the filing of a complaint with the OLR in 2021, and is therefore ex parte. **(Exhibit in Support 7)**

No motion to withdraw as Dyer's counsel was ever filed by Donovan and Pruhs, nor was any hearing held, and no motion to withdraw was ever granted.

In the letter, Donovan and Pruhs inform Judge Stadtmueller that they had allegedly been instructed by a Criminal Justice Act (CJA) panel administrator that, because they had not heard back from Dyer regarding whether he wanted full or standby representation for sentencing, their representation of Dyer was complete. **(Exhibit in Support 18)**

According to Donovan and Pruhs January 19, 2017 letter to Judge Stadtmueller and other evidence, they submitted their unpaid vouchers to Judge Stadtmueller for payment approval in January 2017 prior to Dyer's March 8, 2017 sentencing.

In a more recent March 5, 2024 correspondence, based on Dyer's continuing inquiries, Donovan and Pruhs changed their story. **(Exhibit in Support 8)**

In the March 5, 2024 letter to Dyer, Donovan and Pruhs claim, not that they had not heard back from him, or that he was undecided about wanting full or standby representation, but now claim 7 years later that Dyer made it clear he wanted no assistance at sentencing—a claim Dyer vehemently denies.

Specifically, Donovan and Pruhs state in the March 5, 2024 letter:

"... you made clear to us that you did not want our assistance for anything to do with sentencing, so we submitted our vouchers in January 2017 because our work was then complete."

Dyer insists no CJA panel administrator would have told Donovan and Pruhs that their representation was complete, leaving him unrepresented at sentencing where he faced, and Judge Stadtmueller sentenced him to 15 years in federal prison without the advice or assistance of counsel.

According to federal and local court rules, and the rules of professional conduct, once an attorney is appointed to represent a defendant in a criminal case, that attorney or attorneys remain counsel of record until a motion to withdraw is filed, a hearing is held, and the motion is formally granted.

While Rule 44 governs the overall Right to and Appointment of Counsel, the actual rules, procedures, and grounds for standby counsel withdrawing once appointed are governed by a combination of local district court rules, constitutional case law, and ethical rules of professional conduct.

Here is how the process actually works in federal criminal courts:

Under virtually all federal local rules (e.g., Local Rule 83 in many jurisdictions), once an attorney's name is on the docket—whether as full defense counsel or standby counsel—they are the attorney of record.

- They cannot simply walk away or file a standard notice of withdrawal.
- They must file a formal Motion for Leave to Withdraw as Counsel, which requires a showing of "good cause."
- The trial judge has absolute discretion to grant or deny the request.

Dyer has repeatedly—including in a recent inquiry made in preparation for this release—requested from Donovan, Pruhs, and Craig Albee of the Federal Defender's Office in Milwaukee, the name of the CJA panel administrator that allegedly told Donovan and Pruhs that their representation had concluded, and/or proof that any such instruction was ever given. Donovan, Pruhs, and Mr. Albee all failed to respond to Dyer's request.

Wisconsin federal and other courts use an online portal for communications between attorneys and judges. Any such instruction by a CJA panel administrator to Donovan and Pruhs would certainly exist on that portal, if it occurred at all, according to Dyer.

It is also a fact that Judge Stadtmueller made no mention of Donovan and Pruhs's absence at Dyer's sentencing, supporting Donovan and Pruhs's claim that Judge Stadtmueller was aware of, and presumably approved, their dismissal unbeknownst to Dyer.

Dyer has requested information—including in a recent inquiry made in preparation for this release—regarding when Judge Stadtmueller authorized final payment to Donovan and Pruhs. All have failed to respond.

This information would confirm the fact that Judge Stadtmueller knew that Dyer was losing his representation prior to sentencing and played a knowing and intentional role in keeping it from him, without question, a clear case of judicial misconduct, according to Dyer.

Dyer inquires how a letter even made its way to Judge Stadtmueller and bypassed the clerks of

courts suggesting strongly, according to Dyer that, there was a coordinated effort to deny him something as fundamental as the right to an attorney by Judge Stadtmueller and others.

In the other case, where Dyer received a nine-year sentence without an attorney, those same attorneys, Donovan and Pruhs, informed the OLR that they were not present at Dyer's March 23, 2017 sentencing in the 16-CR-100-PP Bakley case because they were not appointed to represent him in that case, something they mention in the January 19, 2017 letter to Judge Stadtmueller, **(Exhibit in Support 3)** and again in a January 2019 email thread. **(Exhibit in Support 9)**

In the 2019 email Dyer asks Donovan and Pruhs to identify the date and corresponding docket when they were appointed to represent him in the 16-CR-100-PP Bakley case and when they filed their appearances.

In their response, Donovan and Pruhs email states, in part:

"We were only standby counsel for the trial with Judge Stadtmueller."

The judge in that case, Judge Pamela Pepper, the Chief Judge in the Eastern District of Wisconsin, states in her orders that Dyer appeared with counsel. **(Exhibit in Support 10)**

Specifically, Judge Pepper stated, in part:

"On December 7, 2016 the defendant (and standby counsel) appeared before Magistrate Judge David E. Jones for a change-of-plea hearing."

Upon learning of Donovan and Pruhs's claim that they were not appointed in the Bakley case, Dyer informed Judge Pepper of Donovan and Pruhs's statements and asked her to identify what attorney or attorney(s) she was referring to in her orders. **(Exhibit in Support 11)** Donovan and Pruhs's claim in this case is, in part, factually accurate. They were never hired by Dyer, and neither Judge Pepper nor any other judicial officer ever appointed Donovan or Pruhs to represent Dyer in the Bakley case.

Donovan and Pruhs filed no appearance in the Bakley case, submitted no CJA vouchers identifying time spent representing Dyer, received no case evidence, and were not paid to

represent him. They are not mentioned by name in the Bakley case docket. **(Exhibit in Support 12)**

When Dyer filed a motion requesting copies of the CJA 20 vouchers to confirm Donovan and Pruhs were never paid to represent him in her **case (Exhibit in Support 12)** and spent no time working on his case Judge Pepper denied Dyer's request, to conceal her own misconduct, this according to Dyer. **(Exhibit in Support 13)**

This raises the obvious question: if Dyer had counsel, as Judge Pepper claimed in the Bakley case orders, where were those attorneys during sentencing, and why did Judge Pepper not inquire as to their whereabouts before sentencing Dyer to nine years in prison without counsel present?

Judge Pepper has ignored Dyer's many requests to identify what attorney or attorneys she claims represented him in her orders associated with the Bakley case—including a recent inquiry made in preparation for this release.

Dyer's simple request that Judge Pepper identify who she claims represented Dyer is a reasonable one and something Judge Pepper does not have the luxury of ignoring.

Complaints of Judicial Misconduct Filed

Ultimately, Dyer filed complaints of judicial misconduct against both Judge Stadtmueller and Judge Pepper with the 7th Circuit Court of Appeals. **(Exhibit in Support 14)(Exhibit in Support 15)**

Complaint Against Judge Stadtmueller

Dyer's complaint against Judge JP Stadtmueller is a clear and simple one. Judge Stadtmueller accepted an ex parte letter from Dyer's counsel relating to the termination of Dyer's representation and a request for payment for his attorneys services almost two months prior to Dyer's sentencing NOT at the conclusion of the case.

The Court of Appeals— Chief Judge Diane Sykes and members of the Judicial Council —

dismissed the complaint against Judge Stadtmueller, stating falsely that the January 19, 2017 letter sent by Donovan and Pruhs to Judge Stadtmueller nearly two months prior to Dyer March 8, 2017 sentencing was not ex parte because it came at the conclusion of the case. **(Exhibit in Support 16)**

Judge Sykes order dismissing Dyer's complaint says specifically:

"He also accuses the judge of engaging in ex parte communications with his appointed standby attorneys because they sent a letter to the judge at the conclusion of the case concerning compensation under the Criminal Justice Act."

Further, that:

"Allegations of misconduct must be supported by sufficient facts to raise an inference that misconduct occurred; adverse rulings alone are not evidence of any type of misconduct. 28 U.S.C. sec. 352(b)(1)(A)(iii)."

"Accordingly, the Complaint is dismissed pursuant to sec. 352(b)(1)(A)(ii) and (iii)."

Clearly, the letter did not come at the conclusion of the case—which would have been sentencing—but as noted, two months prior to sentencing and nearly four months prior to the termination of Donovan and Pruhs' representation on May 11, 2017.

Dyer did not claim his standby counsel sent a letter to Judge Stadtmueller at the conclusion of the case. That is a lie.

It is a lie the then Chief Judge, Diane Sykes falsely insert into the original order dismissing Dyer's legitimate complaint of judicial misconduct on which the entire Judicial Council later bases their decision to affirm a denial on appeal.

Judge Sykes's statement that complaints of misconduct must be supported by sufficient facts would be laughable were it not so constitutionally offensive.

Dyer's complaints and allegations of misconduct against Judge Stadtmueller are supported by a

written email admission by his attorneys to the Wisconsin Supreme Court, Office of Lawyer Regulation (OLR) that they sent a letter to Judge Stadtmueller nearly two months prior to Dyer's sentencing while they were still his attorneys along with a copy of the docket sheet documenting the fact that Judge Stadtmueller did not immediately, upon receiving a copy of the ex parte letter, make it known to all parties, and see that the letter was properly filed in the docket.

It is supported by the letter itself showing Judge Stadtmueller was sent an ex parte letter.
(Exhibit in Support 3)

Evidence doesn't get any stronger.

The Judges of the 7th Circuit have done this before and use the same tactic repeatedly to dismiss legitimate claims of judicial misconduct.

The letter is, without question, ex parte and grounds for Dyer's convictions to be overturned, and Judge Stadtmueller, Judge Sykes, and the members of the Judicial Council's involvement in knowingly and intentionally violating his rights and the subsequent cover-up, grounds for all to be charged criminally under federal criminal statutes 18 U.S.C. § 241 and 18 U.S.C. § 242 and removed from the bench, this according to Dyer.

In federal criminal proceedings, the following rules apply.

Definition and Prohibition

Definition: An "ex parte communication" is any written or oral communication between a party (or their attorney) and the judge about a case that occurs outside the presence of, or without notice to, the opposing party.

Prohibition: Judges are prohibited from initiating, permitting, or considering ex parte communications regarding pending matters to ensure fairness and due process.

Requirements for Withdrawal of Counsel

Motion and Notice: Federal and local rules typically require that an attorney wishing to withdraw must file a formal motion—not a private letter—and serve that motion on their client and opposing counsel.

Transparency: The motion must be filed on the public docket so all parties are aware of the request, and removing counsel at a critical stage like sentencing without the defendant's knowledge is a violation of due process.

Right to Counsel: The removal of counsel is a procedural change that the defendant is entitled to know about and potentially contest.

Complaint Against Chief Judge Pamela Pepper

In the complaint of judicial misconduct filed against Judge Pepper, Dyer alleged that she stated in her orders that he appeared with counsel while knowing he was not represented.

To be abundantly clear, Dyer alleged Chief Judge Pepper lied in her orders relating to the 16-CR-100-PP Bakley case.

As noted above, prior to filing the complaint against Judge Pepper, Dyer gave Judge Pepper an opportunity to identify the attorney or attorney(s) she referenced in her orders, a request Judge Pepper ignored. **(Exhibit in Support 11)**

In response to Dyer's complaint against Judge Pepper, Chief Judge Diane Sykes and other members of the Judicial Council dismissed the complaint, stating there was no evidence of bias. **(Exhibit in Support 17)**

Specifically, Judge Sykes's order stated:

"The complainant filed a misconduct complaint against the judge who presided in his criminal case. He challenges the judge's decisions in his case, alleging that she was knowingly "untruthful" when she stated that he had waived his right to counsel and had

standby representation. He also claims, without support, that the judge had "extreme" bias against him."

"The allegations concerning the judge's statements about the complainant's waiver of counsel and standby representation are directly related to the merits of the judge's rulings and thus are not proper grounds for a misconduct complaint. 28 U.S.C. § 352(b)(1)(A)(ii). "Any allegation that calls into question the correctness of an official action of a judge ... is merits related." RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. r. 4(b)(1) cmt. The allegation of bias is wholly unsupported and frivolous.

Dyer did challenge Judge Pepper's decision.

The focus of the complaint was not bias.

Dyer alleged in his complaint that Judge Pepper made knowingly false statements in official court orders; that she lied.

As it relates to bias, although not the focus of Dyer's complaint, any judge who is willing to lie about the facts of a case and claim a defendant had an attorney knowing the defendant had no attorney is certainly biased against that defendant.

Judge Pepper claimed repeatedly that Dyer was represented by standby counsel but, the attorneys she makes reference to have stated repeatedly that they were not appointed to represent Dyer in the 16-CR-100 Bakley case. **(Exhibit in Support 18)(Exhibit in Support 9)**

It is noteworthy that, not a single other case in the entire federal court record exists where a judge claims that a defendant was represented by a particular attorney or attorney(s) while the attorneys in question simultaneously state, "We were not appointed to represent the defendant in that case."

If Dyer had any attorney as Judge Pepper alleges in her orders, any attorney, why was there no attorney at Dyer's March 23, 2017 sentencing where Judge Pepper sentenced Dyer to 110 months without the advice or assistance of counsel, and why didn't Judge Pepper inquire as to the whereabouts of this attorney?

These facts, all supported by a clear record, document the fact that Chief Judge Diane Sykes in the 7th Circuit Court of Appeals, along with other members of the Judicial Council who are entrusted with ensuring members of the federal judiciary maintain good conduct and, in turn, the public's confidence, all lied in an attempt to avoid disciplining their friends and colleagues, members of the federal judiciary, and officers of the court.

Dyer alleges this conduct is knowing, intentional, and ongoing, as Dyer has made a request—including in preparation for this release—that the judges take voluntary corrective action, all have ignored Dyer's requests.

This behavior falls squarely within the conduct prohibited under 18 U.S.C. § 241 and 18 U.S.C. § 242 because judges and prosecutors conspired to deny his constitutional right to counsel.

Dyer is now appealing to the legal community, the Senate Committee on the Judiciary, and President Donald Trump—who Dyer claims has been the victim of similar abuses—to appoint a special prosecutor to investigate corrupt federal prosecutors and judges, charge and sentence them, beginning with those involved in his cases.

Submitted in good faith as a public-interest disclosure and request for independent investigation.




Todd A. Dyer
825 N. Christiana Ave.
Chicago, IL. 60651
Ph: 262-426-1450
Email: Todd@ZeroFearWhistleblower.com
Web: ZeroFearWhistleblower.com

EXHIBIT 1



Supreme Court of Wisconsin
OFFICE OF LAWYER REGULATION
Grievance Form

To file a grievance: Complete this form, sign and date it, and submit it via email or mail.

olr.intake@wicourts.gov

Office of Lawyer Regulation

P.O. Box 1648

Madison, WI 53701-1648

Your Information

Name Todd A. Dyer #05409-089		Email
Street Address PO Box 700		Daytime Phone Number
City Yankton		Preferred method for intake staff to contact you ☐ Phone ☐ Email ☒ Mail
State SD	Zip 57078	

Lawyer Information

Only list one lawyer per form. We can't accept a grievance against a law firm, only individual lawyers.

Lawyer Name Christopher Donovan		Was this your lawyer? ☒ Yes ☐ No If <u>yes</u> , date hired: November 15, 2016 If <u>no</u> , what connection do you have to the lawyer?
Street Address 757 N. Broadway, Suite 401		
City Milwaukee		
State WI	Zip 53202	

If a court case is involved, provide the case number and county or court. If your issue does not involve a court case, please describe the services the lawyer was to provide.

15-CR-115-JPS "Farmland"

STATEMENT OF FACTS – Attach a brief summary (no more than 2 pages) of what the lawyer did or did not do that you are concerned about. Please include dates on which events occurred.

DOCUMENTS – Provide any documents that support your grievance with this form.

Please be advised that a copy of this grievance and all attached documents will be provided to the lawyer who you are filing the grievance against.

Signature 	Date 06/29/2021
---	------------------------

Questions?

email olr.intake@wicourts.gov or call toll-free (877) 315-6971 or (608) 267-7274 and press "1"

EXHIBIT 2



Supreme Court of Wisconsin
OFFICE OF LAWYER REGULATION
Grievance Form

To file a grievance: Complete this form, sign and date it, and submit it via email or mail.

olr.intake@wicourts.gov

Office of Lawyer Regulation

P.O. Box 1648

Madison, WI 53701-1648

Your Information

Name Todd A. Dyer #05409-089		Email
Street Address PO Box 700		Daytime Phone Number
City Yankton		Preferred method for intake staff to contact you ☐ Phone ☐ Email ☒ Mail
State SD	Zip 57078	

Lawyer Information

Only list one lawyer per form. We can't accept a grievance against a law firm, only individual lawyers.

Lawyer Name Martin Pruhs		Was this your lawyer? ☒ Yes ☐ No If <u>yes</u> , date hired: November 15, 2016 If <u>no</u> , what connection do you have to the lawyer?
Street Address 757 N. Broadway, Suite 401		
City Milwaukee		
State WI	Zip 53202	

If a court case is involved, provide the case number and county or court. If your issue does not involve a court case, please describe the services the lawyer was to provide.

15-CR-115-JPS "Farmland"

STATEMENT OF FACTS – Attach a brief summary (no more than 2 pages) of what the lawyer did or did not do that you are concerned about. Please include dates on which events occurred.

DOCUMENTS – Provide any documents that support your grievance with this form.

Please be advised that a copy of this grievance and all attached documents will be provided to the lawyer who you are filing the grievance against.

Signature 	Date 06/29/2021
---	------------------------

Questions?

email olr.intake@wicourts.gov or call toll-free (877) 315-6971 or (608) 267-7274 and press "1"

EXHIBIT 3

JUL 30 2021

OFFICE OF LAWYER REGULATION

Pruhs & Donovan, S.C.

Martin J. Pruhs
Christopher D. Donovan

757 North Broadway - 4th Floor
Milwaukee, Wisconsin 53202
Tel: (414) 221-1950
Fax: (414) 221-1959

19 January 2017

The Honorable J. P. Stadtmueller
United States District Court Judge
Federal Courthouse - Eastern District of Wisconsin
517 E. Wisconsin Ave. - Suite 182
Milwaukee, WI 53202

Re: United States v. Todd Dyer
Case No. 15-CR-115
Memorandum in support of fees

Dear Judge Stadtmueller,

We write pursuant to 18 USC § 3006A(d)(3) in support of compensation above the statutory maximum. The vouchers we are each submitting arise from our appointment as standby counsel for Mr. Dyer. While the attached vouchers do not reach the statutory maximum, we understand that, when added to the amounts previously submitted by predecessor counsel, the combined totals exceed the cap.

Mr. Dyer was indicted on June 9th, 2015 in a four co-defendant, 31 count indictment that alleged wire fraud, money laundering and interstate transportation of money obtained by fraud. A superseding indictment was later filed reducing the number of co-defendants to three and the counts to 24, with the same types of charges. Mr. Dyer was also indicted on two other cases that also alleged wire fraud and money laundering for which we were not appointed as standby (15-CR-137 and 16-CR-100)

16-CR-100

In this case, Mr. Dyer was first represented by Attorney Troy Owens whom he retained, but Mr. Owens was granted leave to withdraw as counsel on September 1st, 2015. Subsequently, on October 5th, 2015, Mr. Dyer filed a motion for leave to proceed *pro se*, which was granted on October 10th, 2015.

On October 15th, 2015 Attorney Robert LeBell was appointed to serve as standby counsel but seven months later, on May 31st, 2016, he was granted permission to withdraw. On June 10th, 2016 Attorney Patrik Cafferty was appointed standby counsel but after two months, on August 3rd, 2016, he was also granted permission to withdraw.

COPY

JUL 30 2021

OFFICE OF LAWYER REGULATION

Mr. Dyer continued *pro se* until November 3rd, 2016 when the government filed a letter suggesting that he should be provided standby counsel for the trial which was scheduled to last two weeks beginning December 5th, 2016. Mr. Dyer did not object and the Federal Defender's Office asked undersigned counsel to serve as co-standby counsel given the looming trial, its expected duration, and the difficulty of finding a single lawyer whose calendar could accommodate such an appointment on short notice. On November 14th an order was entered appointing undersigned counsel to serve as co-standby counsel for the jury trial.

With approximately three weeks remaining before trial, undersigned counsel began getting up to speed on the case by reviewing the docket, printing the most significant documents and pleadings, and meeting with Mr. Dyer to discuss trial practice and procedure. We reviewed the trial court's scheduling order with him, and explained what he needed to do to meet his requirements regarding the preparation of exhibits and other trial materials. We also discussed the Federal Rules of Evidence we anticipated would be most in play during the pending trial, and created a "cheat sheet" for him with brief explanations of certain objections, and guidelines for potential counter-arguments he could make. We did not review the discovery due to its sheer volume, and given the short time we had to prepare and our limited function as standby counsel.

As the trial drew closer, we advised Mr. Dyer regarding his responsibilities for contributing to the final pretrial report, and also assisted him with trying to arrange for subpoenaing witnesses he wished to call pursuant to Rule 17(b) of the Federal Rules of Criminal Procedure. When the final pretrial report was generated and the government filed a trial brief, we answered questions he had about how to use information contained therein to develop his trial defense. We also advised him regarding questions he had about how to respond to the motions in limine filed by the government. We also both appeared with Mr. Dyer at the final pretrial conference.

For trial, we made a schedule of which days each of us would appear with Mr. Dyer. As such, Mr. Donovan appeared on December 5th, spending all day in court, and Mr. Pruhs appeared with Mr. Dyer on December 6th for a full day in court.

After court on December 6th, Mr. Dyer asked Mr. Pruhs to express to the government that he was interested in resolving the case with a plea. That night Mr. Pruhs spent an additional two hours serving as a conduit of information and facilitating plea negotiations with the government, and answering any questions Mr. Dyer had during that process.

On December 7th before the case was called, the negotiations continued in the courthouse and Your Honor allowed us time to work on a resolution. By noon Mr. Dyer and the government had reached a global resolution resolving all three of his pending cases, and Mr. Pruhs continued to serve as standby counsel for Mr. Dyer through a change of plea hearing.

COPY

JUL 30 2021

OFFICE OF LAWYER REGULATION

On December 8th, we both had additional discussions with Mr. Dyer regarding certain questions and concerns he had about his case. Following those discussions, we confirmed with the CJA Panel Administrator that our obligations under this appointment had been concluded. Undersigned counsel and Mr. Dyer have had several conversations to determine whether he wishes to have full or standby counsel appointed for sentencing, but he has not elected either option at this point and we have been told to close the currently open vouchers.

Conclusion

Ultimately, Mr. Pruhs spent 10.7 hours out of court working with Mr. Dyer to prepare for trial (in addition to .5 hours attending the final pretrial conference) and 1.5 hours over two days of trial and plea negotiations which resulted in Mr. Dyer's global plea agreement. Mr. Donovan spent 11.0 hours out of court and 9.0 hours in court for the final pretrial conference and first day of trial. It should be noted that we each did not bill for several short calls, emails, document review, and other miscellaneous work on the case that may have added up to a few more hours of time combined. Also, whenever feasible, we delegated tasks among ourselves to avoid duplication of work on this case.

For the reasons stated in this letter, we respectfully ask the Court to find that the work we did was necessary to provide Mr. Dyer with adequate standby representation and justifies compensation above the statutory maximum. Thank you.

Sincerely,

M.J. Pruhs

Martin J. Pruhs

Chris Donovan

Chris Donovan

COPY

EXHIBIT 4

Jonathan (Jon) Zeisser

JUL 30 2021

From: marty@pruhs-donovan.com
Sent: Friday, July 30, 2021 1:08 PM
To: Jonathan (Jon) Zeisser
Subject: [E] Response to grievance filed by Todd Dyer
Attachments: We sent you safe versions of your files; Letter of January 19th 2017.pdf

OFFICE OF LAWYER REGULATION

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

[E] CAUTION: This email originated from outside the Wisconsin Judicial Branch. Do not click links or attachments unless you recognize the sender and know the content is safe. If this email appears suspicious, or is asking you to provide sensitive information, contact the CCAP Call Center for further guidance.

Dear Mr. Zeisser,

I am responding to the grievance filed by Todd Dyer dated June 29th, 2021.

On November 10th, 2016 Magistrate Judge David Jones authorized appointment of standby counsel for Mr. Dyer in Eastern District of Wisconsin Case Number 15-CR-115. This was one of three criminal cases pending against Mr. Dyer at that time in the Eastern District of Wisconsin. (He also had one prior fraud conviction in Eastern District of Wisconsin Case 98-CR-176.) Mr. Dyer was representing himself on all three cases. This particular case was scheduled for a jury trial to begin on December 5th. It was a complex case involving a complicated business fraud allegedly committed by Mr. Dyer. There had been multiple complex pleadings filed in the case; it had extremely voluminous discovery; and there were numerous potential trial witnesses and exhibits. My law partner Chris Donovan and I were contacted by Federal Defender Services for the Eastern District of Wisconsin and we agreed to co-serve as standby counsel for Mr. Dyer.

To get a basic understanding of the case, Attorney Donovan and I met and had phone calls with Mr. Dyer to discuss the factual background of the allegations and the legal and procedural history of the case. We generally reviewed the docket entries including the indictment and other pleadings and filings, and discussed matters such as rules of evidence and procedure, how to subpoena witnesses, identify exhibits, and other considerations to assist Mr. Dyer to be ready for trial.

We did not discuss or review any of the legal aspects of Mr. Dyer's case in any detail, nor did I do any research or analysis of any of his motions or defenses because of the limited role I was serving as standby counsel. I do not have any recollection of Mr. Dyer telling us anything about an alleged defect in the indictment.

Attorney Donovan made a schedule as to which one of us would be with Mr. Dyer on each day of the trial, and we provided a copy of the schedule to the Court. We did not perform the usual duties of lead counsel such as performing legal research, evaluating or preparing legal arguments or reviewing discovery because of the looming trial deadline, the sheer volume of discovery, the complexity of the case, and our limited role as standby counsel.

Mr. Donovan attended the first day of trial on December 5th, and I attended the second day, on December 6th. After court on December 6th, Mr. Dyer asked me to express to the government that he was interested in resolving the case with a plea. I told Assistant U.S. Attorneys Benjamin Proctor and Joseph Wall, and that evening during a series of phone calls with Mr. Dyer, Mr. Proctor and Mr. Wall I served as a go-between as they negotiated a global plea agreement as to all three of Mr. Dyer's cases. I did not participate in the negotiations other than to be a conduit for information between Mr. Dyer and the attorneys for the government, nor did I advise him to offer, accept or reject any terms. Mr. Dyer was completely in control of all aspects of his case, including those plea negotiations.

COPY

The next morning, December 7th, was my day to go to trial with Mr. Dyer again. Before the case was called Judge Stadtmueller permitted Mr. Dyer and the government attorneys to continue their plea negotiations. I sat with Mr. Dyer as he negotiated the plea agreement with Mr. Proctor and Mr. Wall. I reviewed the agreement with Mr. Dyer as they negotiated it and it was my impression from observing Mr. Dyer's extensive back and forth with the government that he was entering into the agreement voluntarily and knowingly. I did not advise him to enter into a plea agreement or to accept, offer or reject any terms.

That same day a change of plea hearing was held by Magistrate Judge Jones and I appeared next to Mr. Dyer as standby counsel while Judge Jones went through the plea colloquy with him.

The next day, Mr. Dyer called me and indicated he was thinking about withdrawing his guilty plea. In response, I called my law partner Attorney Donovan, who emailed Mr. Dyer a copy of Rule 11 which lays out the standards for withdrawing guilty pleas. Mr. Dyer never told me he had decided or intended to withdraw his guilty plea, and I never advised him regarding his decision.

I am attaching a letter Mr. Donovan and I sent to Judge Stadtmueller after our appointment ended because it contains a good, somewhat contemporaneous chronology of the work we did as standby counsel for Mr. Dyer. (See letter dated January 19th, 2017)

Please do not hesitate to contact me if I can provide anything further.

Sincerely,

Martin J. Pruhs - Attorney
Pruhs & Donovan, S.C.
757 North Broadway - 4th Floor
Milwaukee, Wisconsin 53202

tel: (414) 221-1950
www.pruhs-donovan.com

RECEIVED

JUL 30 2021

OFFICE OF LAWYER REGULATION

COPY

EXHIBIT 5

**United States District Court
Eastern District of Wisconsin (Milwaukee)
CRIMINAL DOCKET FOR CASE #: 2:15-cr-00115-JPS-1**

Case title: USA v. Dyer et al

Date Filed: 06/09/2015

Other court case numbers: 17-1580 USCA Dyer 3/20/17
19-2208 USCA Todd A Dyer 06/24/19
21-3037 USCA Todd Dyer 11/01/21

Date Terminated: 09/15/2020

Assigned to: Judge J P Stadtmueller

Appeals court case numbers: 17-1580
Seventh Circuit, 19-2208, 21-3037

Defendant (1)

Todd A Dyer

TERMINATED: 09/15/2020

also known as

Allen Todd

TERMINATED: 09/15/2020

represented by **Todd A Dyer**

05409-089

Leavenworth US Penitentiary

Inmate Mail/Parcels

PO Box 1000

Leavenworth, KS 66048

PRO SE

Patrick K Cafferty

Cafferty & Scheidegger SC

840 Lake Ave - Ste 300

Racine, WI 53403

262-632-5000

Fax: 262-632-5686

Email: patrick.cafferty@pcaffertylaw.com

TERMINATED: 08/03/2016

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Robert G LeBell

Robert G Lebell

788 N Jefferson St - Ste 740

Milwaukee, WI 53202

414-276-1233

Email: dorbell@ldm-law.com

TERMINATED: 05/31/2016

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: CJA Appointment

Thomas W Patton

Federal Public Defenders Office (CD-IL)
401 Main St - Ste 1500
Peoria, IL 61602
309-671-7891
Fax: 309-671-7898
Email: thomas_patton@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Federal Public Defender

Christopher D Donovan

Pruhs & Donovan SC
757 N Broadway - Ste 401
Milwaukee, WI 53202
414-221-1950
Fax: 414-221-1959
Email: donovanc34@hotmail.com
TERMINATED: 05/11/2017
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Martin J Pruhs

Pruhs & Donovan SC
757 N Broadway - Ste 401
Milwaukee, WI 53202
414-221-1950
Fax: 414-221-1959
Email: pruhslaw@milwpc.com
TERMINATED: 05/11/2017
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Peter W Henderson

Federal Public Defenders Office (CD-IL)
300 W Main St
Urbana, IL 61801-2624
217-373-0666
Fax: 217-373-0667
Email: Peter_Henderson@fd.org
TERMINATED: 06/28/2018
ATTORNEY TO BE NOTICED
Designation: Federal Public Defender

Robert J Kennedy

Rizzo & Diersen SC
3505 30th Ave
Kenosha, WI 53144
262-652-5050
Fax: 262-652-5053
TERMINATED: 07/16/2015
Designation: Retained

03/07/2017	224	MOTION for Formal Charges Against Witness R. Trent Griffith and Disciplinary Action Against AUSA Wall and AUSA Proctorby Todd A Dyer. (Attachments: # 1 First set of Exhibits WITH BOOKMARKS, # 2 Second set of Exhibits WITH BOOKMARKS, # 3 Third set of Exhibits WITH BOOKMARKS)(asc)
03/07/2017	226	RESPONSE by USA as to Todd A Dyer re 221 MOTION to Withdraw Plea of Guilty (Proctor, Benjamin)
03/08/2017	227	COURT'S FINDINGS to PRESENTENCE INVESTIGATION REPORT (Sealed) as to Todd A Dyer (NOTICE: Counsel for defendant is required to provide a copy of this document to the defendant. Please note this report has been changed since the last disclosure. To view this document use your e-filing log-in and password.) (eh)
03/08/2017	229	Minute Entry for proceedings held before Judge J. P. Stadtmueller: Sentencing held on 3/8/2017 as to Todd A. Dyer (1); IMPRISONMENT: 180 months as to Count Two, 120 months as to Count Twenty-One, to run concurrently, for a total term of 180 months; SUPERVISED RELEASE: 3 years as to Count Two, 3 years as to Count Twenty-One, to run concurrently, for a total term of 3 years; RESTITUTION: \$1,802,482.00 (\$444,885.00 joint and several with codefendant Nicholas Hindman); FINE: waived; SPECIAL ASSESSMENT: \$200.00; Counts One, Three through Twenty, and Twenty-Two through Twenty-Four are DISMISSED pursuant to Defendant's plea agreement. Conditions of Supervised Release imposed. SEE Judgment for additional details. (Court Reporter Heidi Trapp) (cb)
03/08/2017	231	JUDGMENT as to Todd A Dyer (1), Cts 1-31, Superseding Indictment filed. Cts 1s, 3s-20s, 22s-24s, Dismissed. Cts 2s and 21s, IMPRISONMENT: 180 months as to Count 2s of the Superseding Indictment and 120 months as to Count 21s of the Superseding Indictment, to run concurrently for a total term of 180 months; SUPERVISED RELEASE: 3 years as to Count 2s of the Superseding Indictment and 3 years as to Count 21s of the Superseding Indictment, to run concurrently for a total term of 3 years; RESTITUTION: \$1,802,482.00; FINE is waived; SPECIAL ASSESSMENT: \$200.00. Conditions of Supervised Release imposed. SEE Judgment for additional details. Signed by Judge J P Stadtmueller on 3/8/17. (cc: all counsel) (mlm) (Entered: 03/09/2017)
03/08/2017	232	STATEMENT OF REASONS (Sealed) signed by Judge J P Stadtmueller on 3/8/17 as to Todd A Dyer. (NOTICE: Attorneys of record for the government and defendant may view this document using their e-filing log-in and password.) (cc: all counsel) (mlm) (Entered: 03/09/2017)
03/09/2017		TEXT ONLY ORDER as to Todd A. Dyer by Judge J.P. Stadtmueller on 3/9/2017 re: 221 Defendant's MOTION to Withdraw Plea of Guilty; 222 Defendant's MOTION for Charges Against Witness and for Disciplinary Action Against AUSA's; and 224 Defendant's MOTION for Charges Against Witness and for Disciplinary Action Against AUSA's. For the reasons stated in open court during Todd A. Dyer's 3/8/2017 Sentencing Hearing, Defendant's pre-sentencing motions be and the same are hereby DENIED. (cc: all counsel, via mail to Todd A. Dyer) (jm)
03/20/2017	237	NOTICE OF APPEAL by Todd A Dyer re 231 Judgment (cc: all counsel) (dmm)
03/20/2017	238	Pro Se Cover Letter re: 237 Notice of Appeal (Attachments: # 1 Docket Sheet)(dmm)
03/20/2017	239	Transmission of Notice of Appeal and Docket Sheet as to Todd A Dyer to US Court of Appeals re 237 Notice of Appeal. (cc: all counsel) (dmm)
03/20/2017	240	USCA Case Number 17-1580 re: 237 Notice of Appeal filed by Todd A Dyer. (dmm)
03/20/2017	241	LETTER from Todd Dyer requesting copies of documents. (copies sent last Thursday) (mlm) (Entered: 03/21/2017)

EXHIBIT 6

[Query](#) [Reports](#) [Utilities](#) [Help](#) [Log Out](#)

CLOSED,COMPLEX,JPS-GP

United States District Court
Eastern District of Wisconsin (Milwaukee)
CRIMINAL DOCKET FOR CASE #: 2:15-cr-00115-JPS-1

Case title: USA v. Dyer et al

Date Filed: 06/09/2015

Other court case numbers: 17-1580 USCA Dyer
3/20/17
19-2208 USCA Todd A
Dyer 06/24/19
21-3037 USCA Todd
Dyer 11/01/21

Date Terminated: 09/15/2020

Assigned to: Judge J P
Stadtmueller

Appeals court case numbers: 17-
1580 Seventh Circuit, 19-2208, 21-
3037

Defendant (1)**Todd A Dyer***TERMINATED: 09/15/2020**also known as*

Allen Todd

*TERMINATED: 09/15/2020*represented by **Todd A Dyer**

05409-089

Leavenworth US Penitentiary

Inmate Mail/Parcels

PO Box 1000

Leavenworth, KS 66048

PRO SE

Patrick K Cafferty

Cafferty & Scheidegger SC

840 Lake Ave - Ste 300

Racine, WI 53403

262-632-5000

Fax: 262-632-5686

Email:

patrick.cafferty@pcaffertylaw.com
TERMINATED: 08/03/2016
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Robert G LeBell

Robert G Lebell
788 N Jefferson St - Ste 740
Milwaukee, WI 53202
414-276-1233
Email: dorbell@ldm-law.com
TERMINATED: 05/31/2016
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Thomas W Patton

Federal Public Defenders Office
(CD-IL)
401 Main St - Ste 1500
Peoria, IL 61602
309-671-7891
Fax: 309-671-7898
Email: thomas_patton@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Federal Public
Defender*

Christopher D Donovan

Pruhs & Donovan SC
757 N Broadway - Ste 401
Milwaukee, WI 53202
414-221-1950
Fax: 414-221-1959
Email: donovanc34@hotmail.com
TERMINATED: 05/11/2017
ATTORNEY TO BE NOTICED
Designation: CJA Appointment

Martin J Pruhs

Pruhs & Donovan SC**757 N Broadway - Ste 401****Milwaukee, WI 53202**

414-221-1950

Fax: 414-221-1959

Email: pruhslaw@milwpc.com

TERMINATED: 05/11/2017**ATTORNEY TO BE NOTICED***Designation: CJA Appointment***Peter W Henderson**Federal Public Defenders Office
(CD-IL)

300 W Main St

Urbana, IL 61801-2624

217-373-0666

Fax: 217-373-0667

Email: Peter_Henderson@fd.org

TERMINATED: 06/28/2018**ATTORNEY TO BE NOTICED***Designation: Federal Public
Defender***Robert J Kennedy**

Rizzo & Diersen SC

3505 30th Ave

Kenosha, WI 53144

262-652-5050

Fax: 262-652-5053

TERMINATED: 07/16/2015*Designation: Retained***Troy C Owens**

Owens and Laughlin LLC

9 Crystal Lake Rd - Ste 205

Lake in the Hills, IL 60156

847-854-8700

Fax: 847-854-8777

Email:

towens@owenslaughlin.com

TERMINATED: 10/13/2015*Designation: Retained*

EXHIBIT 7

[Query](#) [Reports](#) [Utilities](#) [Help](#) [Log Out](#)

CLOSED,COMPLEX,JPS-GP

United States District Court
Eastern District of Wisconsin (Milwaukee)
CRIMINAL DOCKET FOR CASE #: 2:15-cr-00115-JPS-1

Case title: USA v. Dyer et al

Date Filed: 06/09/2015

Other court case numbers: 17-1580 USCA Dyer
3/20/17
19-2208 USCA Todd A
Dyer 06/24/19
21-3037 USCA Todd
Dyer 11/01/21

Date Terminated: 09/15/2020

Assigned to: Judge J P
Stadtmueller

Appeals court case numbers: 17-
1580 Seventh Circuit, 19-2208, 21-
3037

Defendant (1)**Todd A Dyer***TERMINATED: 09/15/2020**also known as*

Allen Todd

*TERMINATED: 09/15/2020*represented by **Todd A Dyer**

05409-089

Leavenworth US Penitentiary

Inmate Mail/Parcels

PO Box 1000

Leavenworth, KS 66048

PRO SE

Patrick K Cafferty

Cafferty & Scheidegger SC

840 Lake Ave - Ste 300

Racine, WI 53403

262-632-5000

Fax: 262-632-5686

Email:

MJM 0039

			parties regarding scheduling a hearing on this motion. Signed by Magistrate Judge Nancy Joseph on 12/16/2016. (cc: all counsel) (llc)
12/19/2016	208	☐ 152.2 KB	NOTICE OF HEARING as to Todd A Dyer. Bond Hearing set for 12/23/2016 at 10:30 AM in Courtroom 253, 517 E Wisconsin Ave., Milwaukee, WI 53202 before Magistrate Judge Nancy Joseph. (cc: all counsel; copy sent to deft. via US Mail))(kmf)
12/23/2016	211	☐ 150.4 KB	Minute Entry for proceedings held before Magistrate Judge Nancy Joseph: Hearing on request to travel held on 12/23/16 as to Todd A DYER. The parties present their positions. The govt. would request certain conditions be met. Crt. statements. The crt. will allow the deft. to travel for a period of 10 days. The deft. must submit an itinerary to PTS prior to leaving. The deft. must travel under his legal name. Any future requests to travel should be addressed to this court. (Tape #10:37:40-11:25:39) (kmf) (Main Document 211 replaced on 1/3/2017 - correction of case number) (kmf) (cc:
1. NO FILING FOR JANUARY 19, 2017 LETTER 2. NO MOTION TO WITHDRAW AND NO MOTION GRANTING MOTION TO WITHDRAW			
02/06/2017	212	☐ 102.2 KB	NOTICE OF HEARING as to Todd A. Dyer: Sentencing re-set for 3/8/2017 at 8:30 AM in Courtroom 284, 517 E. Wisconsin Ave., Milwaukee, WI before Judge J.P. Stadtmueller. (cc: all counsel, via mail to Todd A. Dyer)(jm)
02/06/2017	213	☐ 451.5 KB	TRANSCRIPT of Jury Trial - Part 1 of 2 as to Todd A Dyer held on December 5, 2016, before Judge J.P. Stadtmueller. Court Reporter/Transcriber Heidi J. Trapp, Contact at 414-297-3074. Transcripts may be purchased using the Transcript Order Form found on our website or viewed at the court public terminal. NOTICE RE REDACTION OF TRANSCRIPTS: If necessary, within 7 business days each party shall inform the Court of their intent to redact personal identifiers by filing a Notice of Intent to Redact. Please read the policy located on our website www.wied.uscourts.gov Redaction Statement due 3/2/2017. Redacted Transcript Deadline set for 3/13/2017. Release of Transcript Restriction set for 5/11/2017. (Trapp, Heidi)
02/06/2017	214	☐ 809.2 KB	TRANSCRIPT of Jury Trial - Part 2 of 2 as to Todd A Dyer held on December 6, 2016, before Judge J.P. Stadtmueller. Court Reporter/Transcriber Heidi J. Trapp, Contact at 414-

EXHIBIT 8

Pruhs & Donovan, S.C.

Martin J. Pruhs
Christopher D. Donovan

757 North Broadway - 4th Floor
Milwaukee, Wisconsin 53202
Tel: (414) 221-1950
Fax: (414) 221-1959

5 March 2024

Todd Dyer (#05409-089)
USP Leavenworth (Camp)
P.O. Box 1000
Leavenworth, KS 66048

Re: Your letter dated February 27, 2024

Mr. Dyer,

We once again remind you of the scope of our stand-by representation as ordered by Judge Jones:

11/14/2016	TEXT ONLY ORDER signed by Magistrate Judge David E Jones on 11/14/2016. It is the Order of this Court that Mr. Dyer shall receive the assistance of standby counsel at this final pretrial conference and at trial. The role of standby counsel is limited to assisting Mr. Dyer with issues pertaining to the presentation and admission of or objections to evidence. Standby counsel will not be authorized to argue any motion or objection, to seek admission of or object to any piece of evidence, to ask any question of any witness or to draft any motion or legal argument. Finally, standby counsel will under no circumstances be converted to lead counsel. Mr. Dyer has waived his right to counsel and has chosen to represent himself in this matter. His decision will be respected. It will also be enforced. Standby counsel shall only serve in the standby role and no other. (cc: all counsel, via US Mail to Mr. Dyer) (el)
------------	---

Our standby duties were limited to the final pretrial conference and trial only. We did not need to file any motion to withdraw because our standby representation was complete once you pled guilty. Our letter to Judge Stadtmueller had to do with obtaining payment for our services under the Criminal Justice Act and was entirely proper. In addition to the limited scope of representation, **you made clear to us that you did not want our assistance for anything to do with sentencing, so we submitted our vouchers in January of 2017 because our work was then complete.** Please do not contact us again as will not respond to any further inquiries. Sincerely,



Chris Donovan

and



Marty Pruhs

EXHIBIT 9

TRULINCS 05409089 - DYER, TODD A - Unit: ELK-E-B

FROM: 05409089
 TO: Donovan, Chris
 SUBJECT: RE: RE: Bakley Representation Question
 DATE: 01/10/2019 08:30:01 AM Email #3

Chris:
 I appreciate your honesty and quick response.

It would also be my position that your representation in the 15-CR-115 Farmand case at the change-of-plea hearing was in direct conflict with Magistrate Jones "limiting order" relative to the scope of representation and that the standby representation was for the final pre-trial conference and trial ONLY.

If you care to comment further, that would be appreciated?
 ... Donovan, Chris on 1/9/2019 5:51 PM wrote: Email #2

We were only standby counsel for the trial with Judge Stadtmuller.

TODD A DYER on 1/9/2019 6:10:29 PM wrote Email #1
 Chris & Marty:

Please identify the date and corresponding docket entry in which you were appointed as my standby counsel for the Joan Bakley 16-CR-100 case.

Please identify the date and corresponding docket entry in which you filed an appearance as my standby counsel for the Joan Bakley 16-CR-100 case.

Thank you for your continued cooperation.

Regards,

NOT 16-CR-100
 ONLY 15-CR-115

EXHIBIT 10

United States v. Dyer

Decided Dec 20, 2016

Case No. 16-cr-100-pp

12-20-2016

UNITED STATES OF AMERICA, Plaintiff, v.
TODD A. DYER, Defendant.HON. PAMELA PEPPER United States District
Judge**ORDER ADOPTING MAGISTRATE
JUDGE'S REPORT AND
RECOMMENDATION (DKT. NO.
32) AND ACCEPTING
DEFENDANT'S GUILTY PLEA**

On December 7, 2016, the defendant (and stand-by counsel) appeared before Magistrate Judge David E. Jones for a change-of-plea hearing. Dkt. No. 32. Both parties consented to Judge Jones conducting the plea colloquy. *Id.* at 1. Judge Jones explained that he would make a recommendation to this court, and that this court would decide whether to accept the plea. *Id.*

Judge Jones questioned the defendant about his rights, the penalties associated with the offense to which he was pleading, and this court's final authority to impose a sentence regardless of the recommendations of the probation department or the parties. *Id.* at 1-2. At the end of the hearing, Judge Jones concluded, and recommended that this court find, that the defendant's plea was knowing and voluntary, and supported by an

independent factual basis. *Id.* at 2. Judge Jones recommended that this court accept the defendant's guilty plea and schedule the case for sentencing. *Id.* *2

No party has objected to Judge Jones' report and recommendation. Having reviewed the case, and in particular, the plea hearing and Judge Jones' findings, the court **ADOPTS** Judge Jones' report and recommendation. The court **ACCEPTS** defendant Todd Dyer's guilty plea, finding that he made it knowingly and voluntarily, understanding his rights and the consequences of his plea. The court **ORDERS** that the probation department begin the process of preparing a presentence investigation report. The court's staff will contact the parties (including the probation officer) to schedule a date for the sentencing hearing, as well as deadlines for disclosure of the draft presentence investigation report, objections to the report, responses, the filing of letters or other supporting documentation, and the filing of the revised presentence report.

Dated in Milwaukee, Wisconsin this 20th day of December, 2016.

BY THE COURT:

/s/ _____

HON. PAMELA PEPPER

United States District Judge

EXHIBIT 11

ORIGIN ID: B0FA (224) 285-4923
MELVIN KRAMICK
AGRI BUSINESS INVESTORS LP
1178 S ELMWOOD AVE
OAK PARK, IL 60304

SHIP DATE: 05FEB24
ACTWGHT: 1.00 LB
CAD: 2596142501NET4535

BILL SENDER

UNITED STATES US

TO **CHIEF JUDGE PAMELA PEPPER**
UNITED STATES COURTHOUSE
UNITED STATES COURTHOUSE ROOM 208
517 EAST WISCONSIN AVENUE
MILWAUKEE WI 53202

583J5EC2B9AE3

REF: (414) 297-3281
INW: PO: DEPT:



J241024011001us

TRK# 7750 7535 8503

TUE - 06 FEB 10:30A
PRIORITY OVERNIGHT

XP MKEA

53202

WI-US MKE



After printing this label:

CONSIGNEE COPY - PLEASE PLACE IN FRONT OF POUCH

1. Fold the printed page along the horizontal line.
2. Place label in shipping pouch and affix it to your shipment.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on [fedex.com](https://www.fedex.com). FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$1,000, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

Dear Customer,

The following is the proof-of-delivery for tracking number: 775075358503

Delivery Information:			
Status:	Delivered	Delivered To:	Receptionist/Front Desk
Signed for by:	P.BISCUVIC	Delivery Location:	UNITED STATES COURTHOUSE 517
Service type:	FedEx Priority Overnight		
Special Handling:	Deliver Weekday		MILWAUKEE, WI, 53202
		Delivery date:	Feb 7, 2024 10:36

Shipping Information:			
Tracking number:	775075358503	Ship Date:	Feb 5, 2024
		Weight:	0.5 LB/0.23 KG

Recipient:
Chief Judge Pamela Pepper, United States Courthouse
United States Courthouse Room 208
517 East Wisconsin Avenue
MILWAUKEE, WI, US, 53202

Shipper:
Melvin Krumdick, Agri Business Investors LP
1178 S ELMWOOD AVE
OAK PARK, IL, US, 60304



February 5, 2024

Honorable Chief Judge Pamela Pepper
United States Courthouse Room 208
517 East Wisconsin Avenue
Milwaukee, WI 53202

Federal Express: 7750 7535 8503

Honorable David E. Jones, Magistrate
U.S. Courthouse
517 East Wisconsin Ave
Milwaukee, WI. 53202

Re: Forthcoming Complaint of Judicial Misconduct and Disability

We are giving Your Honor an opportunity to respond to Todd Dyer's ("Dyer") allegations prior to filing formal Complaints with the 7th Circuit Court of Appeals pursuant to a complaint for Judicial Misconduct and Disability, the United States Courts, and the United States Senate Committee on the Judiciary.

Your refusal to respond to Dyer's many legitimate requests leaves Dyer no choice but report behavior we believe warrants investigation and discipline, with all due respect intended.

As you know, Dyer has long protested his innocence in the various cases brought against him by the U.S. Attorney Office in Milwaukee in 2015 and 2016.

We are of the opinion that, the 15-CR-115-JPS "Farmland" and 16-CR-100-PP "Bakley" case convictions were obtained illegally, and in violation of Dyer's Constitutional rights, most notably, his Sixth Amendment right to the effective assistance of counsel.

In the 16-CR-100-PP "Bakley" case, your case, you repeatedly make references "untruthfully" to the fact that, Dyer had standby counsel. (~~Exhibit 1, 1 page, see BN: FCJMD-0008~~) **REMOVED**

You know, without question that, Dyer had no representation in the 16-CR-100-PP "Bakley" case.

*Out of respect for you, the reader, we have highlighted in yellow, the relevant captions from each exhibit. If you feel the need, read each exhibit in its entirety after verifying the accuracy of the exhibits attached via the highlighted caption. **Bates Numbering is used next to the Exhibit Number to help the reader locate the Exhibit HIGHLIGHT quicker, ex: Exhibit 1, BN: FCJMD 0001, the Bates Numbers are found in the lower right-hand corner of the pages.

REMOVED

One need only review the 16-CR-100-PP "Bakley" case docket, which we have attached (~~Exhibit 2, 18 pages see BN: FCJMD-0010-0027~~), to confirm the fact that, Dyer did not have paid counsel, nor did either you or Magistrate Judge David E. Jones ever appoint Dyer counsel, standby or otherwise in the 16-CR-100-PP "Bakley" case. *Footnote 1*

Consequently, your many orders wherein you claim and/or make reference to Dyer's standby counsel are, to be candid, outrageous lies, we beg your pardon for saying so.

You are aware, we are certain that, the attorney, or attorneys that you claim were Dyer's standby counsel, attorneys Christopher Donovan ("Donovan") and Martin Pruhs ("Pruhs") have stated repeatedly that they were not Dyer's attorneys in the 16-CR-100-PP "Bakley" case, and/or, not appointed to represent Dyer in the 16-CR-100-PP "Bakley" case. (~~Exhibit 3, 1 page, see BN: FCJMD-0029~~) (~~Exhibit 4, 3 pages, see BN: FCJMD-0031-0033~~) REMOVED

It was your responsibility to ensure Dyer's rights were protected, and that Dyer had counsel, or waived his Constitutional right to effective assistance of counsel knowingly, intelligently, voluntarily, and unequivocally in a formal and ceremonial colloquy and, to make sure Dyer was made aware of the dangers and disadvantages of self-representation.

None of these things were done in the 16-CR-100-PP "Bakley" case, your case.

Instead accepting responsibility for your oversight and doing the ethical thing to ensure Dyer's rights were protected, vacating, and remanding the case back, you created an untruthful narrative which you have attempted to maintain at Dyer's expense.

You knew Dyer had no attorney, as no attorney ever filed an appearance in the 16-CR-100-PP "Bakley" case, your case.

You knew Dyer had no attorney, as no attorney ever filed CJA vouchers indicating they had spent time representing Dyer in the 16-CR-100-"Bakley" case, your case.

You knew Dyer had no attorney, as you never approved any attorney receive compensation for representing Dyer in the 16-CR-100-PP "Bakley" case, your case.

You knew Dyer had no attorney, as no hearing was ever held addressing or establishing the scope of any attorney's standby representation of Dyer in the 16-CR-100-PP "Bakley" case, your case.

You knew Dyer had no attorney, as no attorney ever filed a motion to withdraw as Dyer's attorney, nor did you grant any attorney's motion to withdraw as Dyer's attorney, in the 16-CR-100-PP "Bakley" case.

Dyer has drafted some questions meant to give you an opportunity to support your claims that Dyer had representation in the 16-CR-100-PP "Bakley" case prior to making Dyer's allegations to the 7th Circuit Court of Appeals pursuant to a complaint for Judicial Misconduct and Disability, the United States Courts, and the United States Senate Committee on the Judiciary.

Please be aware that, Dyer will be filing any responses you make to his questions or, your failure to respond, as evidence in the aforementioned Complaint.

Dyer believes it relevant to point out the very unusual circumstances of the 16-CR-100-PP "Bakley" case.

The 16-CR-100-PP "Bakley" case has the unusual distinction of being the only Federal case in the record, wherein a Federal District Court Judge, the Chief Judge no less, makes a claim that a defendant had an attorney or attorneys, and in contradiction to the Judge's claims, the attorney or attorneys made reference to by the Judge say, they did not represent that defendant or, were not appointed to represent that defendant.

These circumstances speak to the Constitutional rights violations and misconduct which went on in Dyer's case, and your personal involvement in this misconduct, all behavior well below what the public would expect and demand of the Chief Judge in a Federal Court of Law.

RELEVANT FACTS

Dyer was indicted on the 16-CR-100-PP "Bakley" case, your case, on June 28, 2016.

Dyer was arraigned on the 16-CR-100-PP "Bakley" case, your case, on July 13, 2016.

You have claimed throughout the record that, Dyer waived his Sixth Amendment right to effective assistance of counsel, and that Dyer had standby representation for the 16-CR-100-PP, "Bakley" case proceedings.

QUESTIONS

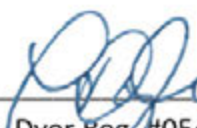
- 1.) On what date was the Faretta colloquy performed in the 16-CR-100-PP "Bakley" case establishing a knowing, intelligent, voluntary, and unequivocal waiver of counsel?
- 2.) What is the docket number relating to the Faretta colloquy wherein a comprehensive examination was performed which made Dyer aware of the dangers and disadvantages of self-representation?
- 3.) Who performed that examination?
- 4.) On what date did you or Magistrate Judge David E. Jones appoint Dyer counsel, standby or otherwise in the 16-CR-100-PP "Bakley" case?
- 5.) On what date did an attorney file an appearance in the 16-CR-100-PP "Bakley" case.
- 6.) What was the name of the attorney or attorneys who filed appearances as Dyer's counsel in the 16-CR-100-PP "Bakley" case? *Footnote 2*
- 7.) Did any attorney submit CJA vouchers in the 16-CR-100-PP "Bakley" case documenting time spent representing Dyer in the 16-CR-100-PP "Bakley" case?
- 8.) Did you approve the payment of any CJA vouchers to any attorney relating to their representation of Dyer in the 16-CR-100-PP "Bakley" case? If so, what was the name of the attorney or attorneys, and how much time did they spend representing Dyer?
- 9.) Did any attorney or attorneys file a motion to withdraw as Dyer's attorney in the 16-CR-100-PP "Bakley" case? If so, what was the name or names of those attorneys and on what date did an attorney file a motion to withdraw?
- 10.) What is the docket number of that motion or motions to withdraw?
- 11.) Did you ever grant a motion to withdraw permitting either Donovan or Pruhs to withdraw as Dyer's attorney?

12.) Are you aware of the fact that, attorneys Donovan and Pruhs have denied being appointed to represent Dyer in the 16-CR-100-PP "Bakley" case?

13.) Who was Dyer's attorney at the March 23, 2017 sentencing hearing on the 16-CR-100-PP "Bakley" case where Dyer attempted and lost his right to withdraw his guilty plea, and was sentenced to 110 months in Federal prison?

I look forward to hearing back from you.

Respectfully submitted,



Todd A. Dyer Reg. #05409-089
Federal Prison Camp Leavenworth
P.O. Box 1000
Leavenworth, KS 66048

cc: Attorneys Christopher Donovan and Martin Pruhs
757 N. Broadway, Suite 401
Milwaukee, WI. 53202
donovanc34@hotmail.com
pruhslaw@milwpc.com

cc: Attorney Jeremy Gordon, PLLC
P.O. Box 2275
Mansfield, TX. 76063
info@gordonddefense.com

Footnote 1

Admittedly, the Defenders Office in Milwaukee had an attorney sit in on the July 13, 2016, arraignment proceedings however, this attorney was not appointed. This inquiry relates to all proceedings following the arraignment proceedings.

Footnote 2

You will note that, attorney Thomas Henderson ("Henderson") is listed as an attorney representing Dyer however, Henderson was appointed as Dyer's appellate attorney, whose appointment, representation and termination of representation came after Dyer's conviction and sentencing at the District Court level.

Enclosures

EXHIBIT 12

[Query](#) [Reports](#) [Utilities](#) [Help](#) [Log Out](#)

CLOSED

United States District Court
Eastern District of Wisconsin (Milwaukee)
CRIMINAL DOCKET FOR CASE #: 2:16-cr-00100-PP-1

Case title: USA v. Dyer

Date Filed: 06/28/2016

Other court case number: 17-1776 USCA Todd Dyer
04/05/17 Date Terminated: 04/13/2017Assigned to: Chief Judge Pamela
PepperAppeals court case number: 17-
1776**Defendant (1)****Todd A Dyer***TERMINATED: 04/13/2017*represented by **Todd A Dyer**

05409-089

Leavenworth US Penitentiary

Inmate Mail/Parcels

PO Box 1000

Leavenworth, KS 66048

PRO SE

Thomas W PattonFederal Public Defenders Office
(CD-IL)

401 Main St - Ste 1500

Peoria, IL 61602

309-671-7891

Fax: 309-671-7898

Email: thomas_patton@fd.org

LEAD ATTORNEY**ATTORNEY TO BE NOTICED***Designation: CJA Appointment*

Pending Counts

18:1343 - FRAUD BY WIRE,
RADIO, OR TELEVISION
(1)

18:1957 - ENGAGING IN
MONETARY TRANSACTIONS
(9)

Highest Offense Level (Opening)

Felony

Terminated Counts

18:1343 - FRAUD BY WIRE,
RADIO, OR TELEVISION
(2-3)

18:2314 and 2(b) - SCHEME TO
DEFRAUD: MONEY, STATE
TAX STAMPS
(4-6)

18:1957 - ENGAGING IN
MONETARY TRANSACTIONS
(7-8)

18:1957 - ENGAGING IN
MONETARY TRANSACTIONS
(10)

18:1512(b)(3) and
(i)INTIMIDATION OR FORCE
AGAINST WITNESS
(11-12)

18:401(3) - CRIMINAL
CONTEMPT
(13)

**Highest Offense Level
(Terminated)****Disposition**

SENT: 110 mos. imprisonment.
SUPERVISED RELEASE: 3 Yrs.
RESTITUTION: \$937,000. SA:
\$100.

SENT: 110 mos. imprisonment.
SUPERVISED RELEASE: 3 Yrs.
RESTITUTION: \$937,000. SA:
\$100.

Disposition

DISMISSED on the Motion of the
Government.

DISMISSED on the Motion of the
Government.

DISMISSED on the Motion of the
Government.

DISMISSED on the Motion of the
Government.

DISMISSED on the Motion of the
Government.

DISMISSED on the Motion of the
Government.

			U.S.C. §2255. (cc: all counsel and a copy sent to the defendant by U.S. Mail) (kgw)
03/01/2021	92	☐	LETTER from Todd Dyer re: documents. (Attachments: # 1 Envelope)(amb) (Additional attachment(s) added on 3/24/2021: # 2 Letter From Clerk's Office re: Photocopy Charge) (amb). (Entered: 03/02/2021)
05/07/2021	93	☐	MOTION Requesting Copies of CJA 20 Vouchers by Todd A Dyer. (Attachments: # 1 Envelope)(amb) (Additional attachment(s) added on 5/7/2021: # 2 Bookmarked Exhibits) (amb).
06/14/2021	94	☐	MOTION to Obtain Grand Jury Transcripts by Todd A Dyer. (Attachments: # 1 Exhibit, # 2 Letter re: Exhibit, # 3 Envelope)(amb)
11/22/2021	95	☐	REQUEST for the court to support claim by Todd A Dyer. (Attachments: # 1 Exhibits)(amb) (Entered: 11/23/2021)
01/31/2022	96	☐	ORDER as to Todd A. Dyer signed by Chief Judge Pamela Pepper on 1/31/2022. 93 Defendant's motion for copies of CJA20 vouchers DENIED. 94 Defendant's post-conviction motion to obtain grand jury transcripts DENIED. Defendant BARRED from filing any further documents in this case or documents with 16-cr-100 in the caption; if defendant files further documents, he may be subject to sanctions including possible financial sanctions or bar on filing documents in any cases before this court. (cc: all counsel, via mail to Todd Dyer at USP Leavenworth) (cb)
10/03/2023	97	☐	PRO SE REQUEST by Todd A Dyer for audio of change of plea hearings in case nos 15-cr-115 and 16-cr-100. (Attachments: # 1 Envelope)(lz)
10/04/2023	98	☐	LETTER from the Court to Todd A Dyer in response to 97 Request for audio recording. (cc: All Counsel - via US Mail to Dyer at FPC-Leavenworth, KS) (lz)

View Selected

or

Download Selected

PACER Service Center

EXHIBIT 13

[Query](#) [Reports](#) [Utilities](#) [Help](#) [Log Out](#)

CLOSED

United States District Court
Eastern District of Wisconsin (Milwaukee)
CRIMINAL DOCKET FOR CASE #: 2:16-cr-00100-PP-1

Case title: USA v. Dyer

Date Filed: 06/28/2016

Other court case number: 17-1776 USCA Todd Dyer Date Terminated: 04/13/2017
04/05/17Assigned to: Chief Judge Pamela
PepperAppeals court case number: 17-
1776**Defendant (1)****Todd A Dyer***TERMINATED: 04/13/2017*represented by **Todd A Dyer**

05409-089

Leavenworth US Penitentiary

Inmate Mail/Parcels

PO Box 1000

Leavenworth, KS 66048

PRO SE

Thomas W PattonFederal Public Defenders Office
(CD-IL)

401 Main St - Ste 1500

Peoria, IL 61602

309-671-7891

Fax: 309-671-7898

Email: thomas_patton@fd.org

LEAD ATTORNEY**ATTORNEY TO BE NOTICED****Designation: CJA Appointment**

			U.S.C. §2255. (cc: all counsel and a copy sent to the defendant by U.S. Mail) (kgw)
03/01/2021	92	☐	LETTER from Todd Dyer re: documents. (Attachments: # 1 Envelope)(amb) (Additional attachment(s) added on 3/24/2021: # 2 Letter From Clerk's Office re: Photocopy Charge) (amb). (Entered: 03/02/2021)
05/07/2021	93	☐	MOTION Requesting Copies of CJA 20 Vouchers by Todd A Dyer. (Attachments: # 1 Envelope)(amb) (Additional attachment(s) added on 5/7/2021: # 2 Bookmarked Exhibits) (amb).
06/14/2021	94	☐	MOTION to Obtain Grand Jury Transcripts by Todd A Dyer. (Attachments: # 1 Exhibit, # 2 Letter re: Exhibit, # 3 Envelope)(amb)
11/22/2021	95	☐	REQUEST for the court to support claim by Todd A Dyer. (Attachments: # 1 Exhibits)(amb) (Entered: 11/23/2021)
01/31/2022	96	☐	ORDER as to Todd A. Dyer signed by Chief Judge Pamela Pepper on 1/31/2022. 93 Defendant's motion for copies of CJA20 vouchers DENIED. 94 Defendant's post-conviction motion to obtain grand jury transcripts DENIED. Defendant BARRED from filing any further documents in this case or documents with 16-cr-100 in the caption; if defendant files further documents, he may be subject to sanctions including possible financial sanctions or bar on filing documents in any cases before this court. (cc: all counsel, via mail to Todd Dyer at USP Leavenworth) (cb)
10/03/2023	97	☐	PRO SE REQUEST by Todd A Dyer for audio of change of plea hearings in case nos 15-cr-115 and 16-cr-100. (Attachments: # 1 Envelope)(lz)
10/04/2023	98	☐	LETTER from the Court to Todd A Dyer in response to 97 Request for audio recording. (cc: All Counsel - via US Mail to Dyer at FPC-Leavenworth, KS) (lz)

View Selected

or

Download Selected

PACER Service Center

EXHIBIT 14

Judicial Council of the 7th

Circuit

COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY

To begin the complaint process, complete this form and prepare the brief statement of facts described in item 4 (below). The RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS, adopted by the Judicial Conference of the United States, contain information on what to include in a complaint (Rule 6), where to file a complaint (Rule 7), and other important matters. The Rules are available in federal court clerks' offices, on individual federal courts' websites, and on www.uscourts.gov.

Your complaint (this form and the statement of facts) should be typewritten and must be legible. For the number of copies to file, consult the local rules or clerk's office of the court in which your complaint is required to be filed. Enclose each copy of the complaint in an envelope marked "COMPLAINT OF MISCONDUCT" or "COMPLAINT OF DISABILITY" and submit it to the appropriate clerk of court. **Do not put the name of any judge on the envelope.**

1. Name of Complainant: Todd A. Dyer
 Contact Address: Todd A. Dyer Reg.# 05409-089
Federal Prison Camp Leavenworth
P.O. Box 1000, Leavenworth, KS 66048

Daytime telephone: (972) 483-4865

2. Name(s) of Judge(s): Judge J.P. Stadtmueller
 Court: 7th Circuit Eastern District of Wisconsin

3. Does this complaint concern the behavior of the judge(s) in a particular lawsuit or lawsuits?
☒ Yes ☐ No

If "yes," give the following information about each lawsuit:

Court: 7th Circuit Eastern District of Wisconsin

Case Number: District Court Case 15-CR-115-JPS "Farmland"

Docket number of any appeal to the 7th Circuit: 17-1580; 21-3037

Are (were) you a party or lawyer in the lawsuit?

☒ Party ☐ Lawyer ☐ Neither

If you are (were) a party and have (had) a lawyer, give the lawyer's name, address, and telephone number:

I proceeded pro se, Attorneys Christopher Donovan and Martin Pruhs (414) 221-1950
 757 N. Broadway, Suite 401, Milwaukee, WI 53202

Judicial Council of the 7th

Circuit

COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY

4. **Brief Statement of Facts.** Attach a brief statement of the specific facts on which the claim of judicial misconduct or disability is based. Include what happened, when and where it happened, and any information that would help an investigator check the facts. If the complaint alleges judicial disability, also include any additional facts that form the basis of that allegation.

See: attached Memorandum in Support, with Exhibits.

5. **Declaration and signature:**

I declare under penalty of perjury that the statements made in this complaint are true and correct to the best of my knowledge.

Signature: _____



Date: 3/4/2024 _____

EXHIBIT 15

COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY

To begin the complaint process, complete this form and prepare the brief statement of facts described in item 4 (below). The RULES FOR JUDICIAL-CONDUCT AND JUDICIAL-DISABILITY PROCEEDINGS, adopted by the Judicial Conference of the United States, contain information on what to include in a complaint (Rule 6), where to file a complaint (Rule 7), and other important matters. The Rules are available in federal court clerks' offices, on individual federal courts' websites, and on www.uscourts.gov.

Your complaint (this form and the statement of facts) should be typewritten and must be legible. For the number of copies to file, consult the local rules or clerk's office of the court in which your complaint is required to be filed. Enclose each copy of the complaint in an envelope marked "COMPLAINT OF MISCONDUCT" or "COMPLAINT OF DISABILITY" and submit it to the appropriate clerk of court. **Do not put the name of any judge on the envelope.**

1. Name of Complainant: Todd A. Dyer
Contact Address: Todd A. Dyer Reg.# 05409-089
Federal Prison Camp Leavenworth
P.O. Box 1000, Leavenworth, KS 66048

Daytime telephone: (972) 483-4865

2. Name(s) of Judge(s): Judge Pamela Pepper
Court: 7th Circuit Eastern District of Wisconsin

3. Does this complaint concern the behavior of the judge(s) in a particular lawsuit or lawsuits?

☒ Yes ☐ No

If "yes," give the following information about each lawsuit:

Court: 7th Circuit Eastern District of Wisconsin

Case Number: District Court Case 16-CR-100-PP ("Bakley")

Docket number of any appeal to the 7th Circuit: 17-1776; 23-2451

Are (were) you a party or lawyer in the lawsuit?

☒ Party ☐ Lawyer ☐ Neither

If you are (were) a party and have (had) a lawyer, give the lawyer's name, address, and telephone number:

I proceeded pro se. Appellate Counsel ONLY. Attorney Peter Henderson, Office of the Federal Public Defender, 300 W Main St, Urbana, IL 61801. Phone: (217) 373-0666

Judicial Council of the 7th

Circuit

COMPLAINT OF JUDICIAL MISCONDUCT OR DISABILITY

4. **Brief Statement of Facts.** Attach a brief statement of the specific facts on which the claim of judicial misconduct or disability is based. Include what happened, when and where it happened, and any information that would help an investigator check the facts. If the complaint alleges judicial disability, also include any additional facts that form the basis of that allegation.

See: attached Memorandum in Support, with Exhibits.

5. **Declaration and signature:**

I declare under penalty of perjury that the statements made in this complaint are true and correct to the best of my knowledge.

Signature:



Date:

02/14/2024

EXHIBIT 16

United States Court of Appeals
for the Seventh Circuit
219 South Dearborn Street
Chicago, Illinois 60604

Christopher G. Conway
Clerk of Court
312-435-5850

May 8, 2024

CONFIDENTIAL

Todd A. Dyer
#05409-089
Federal Prison Camp Leavenworth
P.O. Box 1000
Leavenworth, KS 66048

In Re: Complaint of Judicial Misconduct or Disability No. 07-24-90022

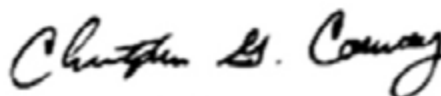
Dear Mr. Dyer:

Enclosed please find a memorandum and order regarding the disposition of your complaint of judicial misconduct or disability filed on March 5, 2024.

Pursuant to Rule 18(a) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, you may petition the judicial council of this circuit to review the memorandum and order. The petition for review must be presented in letter form, addressed to the clerk of court, signed by you, and state the reasons why the petition should be granted. The petition must be in an envelope marked "Misconduct Petition" or "Disability Petition," and the name of the subject judge must not be displayed on the envelope. The petition for review must be filed in the clerk's office of the United States Court of Appeals for the Seventh Circuit by June 19, 2024.

Please be advised that proceedings under the Judicial Conduct and Disability Act are confidential in accordance with 28 U.S.C. § 360(a) and Rule 23 of the *Rules for Judicial-Conduct and Judicial-Disability Proceedings*.

Sincerely,

A handwritten signature in black ink that reads "Christopher G. Conway". The signature is written in a cursive, flowing style.

Christopher G. Conway
Clerk

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT
219 South Dearborn Street
Chicago, Illinois 60604

May 8, 2024

Chief Judge Diane S. Sykes

No. 07-24-90022

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the judge who presided in his 2015 criminal case. He complains that the judge made no inquiries of his standby counsel at sentencing and failed to “revisit” the issue of waiver of counsel. He also accuses the judge of engaging in ex parte communications with his appointed standby attorneys because they sent a letter to the judge at the conclusion of the case concerning compensation under the Criminal Justice Act. Finally, he alleges, without support, that the judge harbored “extreme” bias against him.

The complainant’s allegations concerning his standby attorneys and revisiting his waiver of counsel are directly related to the merits of the judge’s decisions and thus are not proper grounds for a misconduct complaint. 28 U.S.C. § 352(b)(1)(A)(ii). “Any allegation that calls into question the correctness of an official action of a judge ... is merits related.” RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. r. 4(b)(1) cmt. The allegation of bias is wholly unsupported and frivolous. Allegations of misconduct must be supported by sufficient facts to raise an inference that misconduct occurred; adverse rulings alone are not evidence of any type of misconduct. 28 U.S.C. § 352(b)(1)(A)(iii).

Accordingly, the complaint is dismissed pursuant to § 352(b)(1)(A)(ii) and (iii). The complainant may petition the Judicial Council of the Seventh Circuit for review of this order in accordance with Rule 18(b) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings. Id. § 352(c); see RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. r. 11(g)(3). A petition for review must be filed in the clerk’s office of the United States Court of Appeals for the Seventh Circuit not later than 42 days of the date of this order.

EXHIBIT 17

United States Court of Appeals
for the Seventh Circuit
219 South Dearborn Street
Chicago, Illinois 60604

April 5, 2024

Christopher G. Conway
Clerk of Court
312-435-5850

CONFIDENTIAL

Todd A. Dyer
#05409-089
Federal Prison Camp Leavenworth
P.O. Box 1000
Leavenworth, KS 66048

In Re: Complaint of Judicial Misconduct or Disability No. 07-24-90015

Dear Mr. Dyer:

Enclosed please find a memorandum and order regarding the disposition of your complaint of judicial misconduct or disability filed on February 21, 2024.

Pursuant to Rule 18(a) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings, you may petition the judicial council of this circuit to review the memorandum and order. The petition for review must be presented in letter form, addressed to the clerk of court, signed by you, and state the reasons why the petition should be granted. The petition must be in an envelope marked "Misconduct Petition" or "Disability Petition," and the name of the subject judge must not be displayed on the envelope. The petition for review must be filed in the clerk's office of the United States Court of Appeals for the Seventh Circuit by May 17, 2024.

Please be advised that proceedings under the Judicial Conduct and Disability Act are confidential in accordance with 28 U.S.C. § 360(a) and Rule 23 of the *Rules for Judicial-Conduct and Judicial-Disability Proceedings*.

Sincerely,


RDCP 0007

Christopher G. Conway
Clerk

THE JUDICIAL COUNCIL OF THE SEVENTH CIRCUIT
219 South Dearborn Street
Chicago, Illinois 60604

April 5, 2024

Chief Judge Diane S. Sykes

No. 07-24-90015

IN RE COMPLAINT AGAINST A JUDGE

MEMORANDUM AND ORDER

The complainant filed a misconduct complaint against the judge who presided in his criminal case. He challenges the judge's decisions in his case, alleging that she was knowingly "untruthful" when she stated that he had waived his right to counsel and had standby representation. He also claims, without support, that the judge had "extreme" bias against him.

The allegations concerning the judge's statements about the complainant's waiver of counsel and standby representation are directly related to the merits of the judge's rulings and thus are not proper grounds for a misconduct complaint. 28 U.S.C. § 352(b)(1)(A)(ii). "Any allegation that calls into question the correctness of an official action of a judge ... is merits related." RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. r. 4(b)(1) cmt. The allegation of bias is wholly unsupported and frivolous. Allegations of misconduct must be supported by sufficient facts to raise an inference that misconduct occurred; adverse rulings alone are not evidence of any type of misconduct. 28 U.S.C. § 352(b)(1)(A)(iii).

Accordingly, the complaint is dismissed pursuant to § 352(b)(1)(A)(ii) and (iii). The complainant may petition the Judicial Council of the Seventh Circuit for review of this order in accordance with Rule 18(b) of the Rules for Judicial-Conduct and Judicial-Disability Proceedings. Id. § 352(c); see RULES FOR JUD.-CONDUCT & JUD.-DISABILITY PROC. r. 11(g)(3). A petition for review must be filed in the clerk's office of the United States Court of Appeals for the Seventh Circuit not later than 42 days of the date of this order.

EXHIBIT 18

JUL 30 2021

OFFICE OF LAWYER REGULATION

Pruhs & Donovan, S.C.

Martin J. Pruhs
Christopher D. Donovan

757 North Broadway - 4th Floor
Milwaukee, Wisconsin 53202
Tel: (414) 221-1950
Fax: (414) 221-1959

19 January 2017

The Honorable J. P. Stadtmueller
United States District Court Judge
Federal Courthouse - Eastern District of Wisconsin
517 E. Wisconsin Ave. - Suite 182
Milwaukee, WI 53202

Re: United States v. Todd Dyer
Case No. 15-CR-115
Memorandum in support of fees

Dear Judge Stadtmueller,

We write pursuant to 18 USC § 3006A(d)(3) in support of compensation above the statutory maximum. The vouchers we are each submitting arise from our appointment as standby counsel for Mr. Dyer. While the attached vouchers do not reach the statutory maximum, we understand that, when added to the amounts previously submitted by predecessor counsel, the combined totals exceed the cap.

Mr. Dyer was indicted on June 9th, 2015 in a four co-defendant, 31 count indictment that alleged wire fraud, money laundering and interstate transportation of money obtained by fraud. A superseding indictment was later filed reducing the number of co-defendants to three and the counts to 24, with the same types of charges. Mr. Dyer was also indicted on two other cases that also alleged wire fraud and money laundering for which we were not appointed as standby (15-CR-137 and 16-CR-100)

16-CR-100

In this case, Mr. Dyer was first represented by Attorney Troy Owens whom he retained, but Mr. Owens was granted leave to withdraw as counsel on September 1st, 2015. Subsequently, on October 5th, 2015, Mr. Dyer filed a motion for leave to proceed *pro se*, which was granted on October 10th, 2015.

On October 15th, 2015 Attorney Robert LeBell was appointed to serve as standby counsel but seven months later, on May 31st, 2016, he was granted permission to withdraw. On June 10th, 2016 Attorney Patrick Cafferty was appointed standby counsel but after two months, on August 3rd, 2016, he was also granted permission to withdraw.

COPY

JUL 30 2021

OFFICE OF LAWYER REGULATION

Mr. Dyer continued *pro se* until November 3rd, 2016 when the government filed a letter suggesting that he should be provided standby counsel for the trial which was scheduled to last two weeks beginning December 5th, 2016. Mr. Dyer did not object and the Federal Defender's Office asked undersigned counsel to serve as co-standby counsel given the looming trial, its expected duration, and the difficulty of finding a single lawyer whose calendar could accommodate such an appointment on short notice. On November 14th an order was entered appointing undersigned counsel to serve as co-standby counsel for the jury trial.

With approximately three weeks remaining before trial, undersigned counsel began getting up to speed on the case by reviewing the docket, printing the most significant documents and pleadings, and meeting with Mr. Dyer to discuss trial practice and procedure. We reviewed the trial court's scheduling order with him, and explained what he needed to do to meet his requirements regarding the preparation of exhibits and other trial materials. We also discussed the Federal Rules of Evidence we anticipated would be most in play during the pending trial, and created a "cheat sheet" for him with brief explanations of certain objections, and guidelines for potential counter-arguments he could make. We did not review the discovery due to its sheer volume, and given the short time we had to prepare and our limited function as standby counsel.

As the trial drew closer, we advised Mr. Dyer regarding his responsibilities for contributing to the final pretrial report, and also assisted him with trying to arrange for subpoenaing witnesses he wished to call pursuant to Rule 17(b) of the Federal Rules of Criminal Procedure. When the final pretrial report was generated and the government filed a trial brief, we answered questions he had about how to use information contained therein to develop his trial defense. We also advised him regarding questions he had about how to respond to the motions in limine filed by the government. We also both appeared with Mr. Dyer at the final pretrial conference.

For trial, we made a schedule of which days each of us would appear with Mr. Dyer. As such, Mr. Donovan appeared on December 5th, spending all day in court, and Mr. Pruhs appeared with Mr. Dyer on December 6th for a full day in court.

After court on December 6th, Mr. Dyer asked Mr. Pruhs to express to the government that he was interested in resolving the case with a plea. That night Mr. Pruhs spent an additional two hours serving as a conduit of information and facilitating plea negotiations with the government, and answering any questions Mr. Dyer had during that process.

On December 7th before the case was called, the negotiations continued in the courthouse and Your Honor allowed us time to work on a resolution. By noon Mr. Dyer and the government had reached a global resolution resolving all three of his pending cases, and Mr. Pruhs continued to serve as standby counsel for Mr. Dyer through a change of plea hearing.

COPY

JUL 30 2021

OFFICE OF LAWYER REGULATION

On December 8th, we both had additional discussions with Mr. Dyer regarding certain questions and concerns he had about his case. Following those discussions, we confirmed with the CJA Panel Administrator that our obligations under this appointment had been concluded. Undersigned counsel and Mr. Dyer have had several conversations to determine whether he wishes to have full or standby counsel appointed for sentencing, but he has not elected either option at this point and we have been told to close the currently open vouchers.

Conclusion

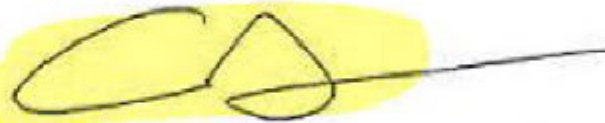
Ultimately, Mr. Pruhs spent 10.7 hours out of court working with Mr. Dyer to prepare for trial (in addition to .5 hours attending the final pretrial conference) and 1.5 hours over two days of trial and plea negotiations which resulted in Mr. Dyer's global plea agreement. Mr. Donovan spent 11.0 hours out of court and 9.0 hours in court for the final pretrial conference and first day of trial. It should be noted that we each did not bill for several short calls, emails, document review, and other miscellaneous work on the case that may have added up to a few more hours of time combined. Also, whenever feasible, we delegated tasks among ourselves to avoid duplication of work on this case.

For the reasons stated in this letter, we respectfully ask the Court to find that the work we did was necessary to provide Mr. Dyer with adequate standby representation and justifies compensation above the statutory maximum. Thank you.

Sincerely,

M. J. Pruhs

Martin J. Pruhs



Chris Donovan

COPY