

CONGRESSIONAL OVERSIGHT REQUEST

Documented Prosecutorial Misconduct, Judicial Corruption,

and Systemic Obstruction of Justice

United States v. Joseph Cammarata

RELATED FEDERAL PROCEEDINGS:

- Criminal Fraud Case: E.D. Pa. No. 21-cr-427
- SEC Civil Action: E.D. Pa. No. 21-cv-4845
- Criminal Tax Case: E.D. Pa. No. 22-cr-639

THIRD CIRCUIT APPEALS:

- No. 23-2110 (Fraud Appeal) - Filed June 2023, mandate issued August 2025
- No. 24-1381 (SEC Appeal) - Filed March 2024, government has NEVER filed response brief (21+ months)
- No. 24-1983 (Tax Appeal) - Calendared December 2, 2025, still awaiting decision
- No. 25-1188 (Mandamus) - Filed January 2025, unopposed for 11+ months, no ruling

SUPREME COURT:

- No. 25-6128 (Mandamus Petition) - Government waived response December 3, 2025; conference January 16, 2026

Prepared by Joseph Cammarata, Pro Se | January 19, 2026

I. EXECUTIVE SUMMARY

This submission documents not a disputed conviction, but a federal prosecution and appellate process that continues to operate without subject-matter jurisdiction, while the courts refuse to rule.

Joseph Cammarata is a New Jersey citizen who has been incarcerated for over four years based on a federal prosecution that directly contradicts binding Supreme Court precedent. The Department of Justice secured his conviction by asserting a legal theory that the Supreme Court explicitly rejected in *Sprint Communications Co. v. APCC Services, Inc.*, 554 U.S. 269 (2009). When this fundamental error was exposed at trial, the government abandoned its original theory and introduced an entirely new, uncharged theory during closing arguments. The courts have refused to address this jurisdictional defect.

The documented misconduct includes:

- **Conflict of Interest:** The SEC counsel (SEC Attorney John V. Donnelly, III) has a spouse who is employed as an attorney in the Third Circuit's executive office, where all four of Cammarata's appeals are pending. This was never disclosed.
- **Extraordinary Delays:** A mandamus petition (No. 25-1188) seeking action on stalled appeals has been pending for 11 months with no opposition filed and no ruling. The SEC appeal (No. 24-1381) has been pending for 21 months with the government never filing a response brief.
- **Transcript Alteration:** The trial judge's on-the-record statement 'I consider this a crime against the courts!' was later changed to 'inaudible' in official transcripts.
- **Illegal Asset Freeze:** Over \$75 million in assets were frozen under a TRO that expired by operation of Rule 65(b), yet the freeze continues without valid court order.
- **Simultaneous Hearings:** The court scheduled hearings in Miami and Philadelphia on the same day at the same time, without notice, ensuring Cammarata could neither appear nor access funds to defend himself.
- **FOIA Obstruction:** Six federal agencies have denied FOIA requests seeking documents that would further expose the misconduct.
- **Motion to Transfer Ignored:** A motion to transfer proceedings from the Third Circuit to the Second Circuit due to conflicts of interest has never been ruled upon.

Cammarata has documented 93 constitutional violations across four related federal proceedings. His mandamus petition is currently before the Supreme Court (No. 25-6128), and the White House is actively reviewing his clemency application, having proactively notified his institution (FPC Montgomery) of this review.

Supporting documentation, docket citations, transcripts, and a chronological evidentiary index are publicly available at ExposeJustice.com, which serves as a continuously updated public record of the matters summarized herein.

RELIEF REQUESTED FROM CONGRESS:

1. Investigation into DOJ prosecutions premised on legal theories directly contradicted by Supreme Court precedent
2. Investigation into Third Circuit conflicts of interest and systemic delays in criminal appeals
3. Examination of judicial conduct in the Eastern District of Pennsylvania
4. Inquiry into coordinated FOIA non-compliance across six federal agencies

II. THE CORE LEGAL ERROR: WHY THERE WAS NO CRIME

A. The Government's Theory

The government's entire criminal case rested on a single premise: that securities class-action settlement claims filed in the names of Quartis and Nimello were fraudulent because those entities did not place trades and did not suffer trading losses.

Indictment Paragraph 11 stated this as a legal requirement:

"All claimants to such settlements, including those represented by claims aggregators such as Alpha Plus, were required to show two essential facts in order to qualify for an award of funds. First, claimants needed to demonstrate that they had bought shares of the subject security during the time period set forth in the court-approved settlement agreement. Second, claimants also needed to show they had suffered damages as a result of their purchase of securities."

This premise was presented to both the grand jury and trial jury as settled law. The indictment contained no reference to assignment, assignees, or the legal effect of assigned claims.

B. Why the Premise Is Legally Wrong

The government's theory is foreclosed by binding Supreme Court precedent.

Sprint Communications Co. v. APCC Services, Inc., 554 U.S. 269 (2009) holds that:

- Claims may be lawfully assigned from one party to another.
- Assignees may enforce those claims in their own name.
- The assignee need not be the original party who suffered the loss.
- The assignee has standing to recover on the claim.

Specifically, the Court held that "an assignee of a legal claim for money owed has standing to pursue that claim in federal court, even when the assignee has promised to remit the proceeds of the litigation to the assignor." *Id.* at 271. The Court further explained that "such an assignment satisfies the 'injury-in-fact' requirement despite not having suffered a direct injury; in effect an assignment transfers the assignor's claim to the assignee." *Id.* at 286.

Under Sprint and Pennsylvania assignment law, a claimant does not need to have placed the underlying trades or incurred the original loss if it is a lawful assignee. This directly contradicts the eligibility requirement stated in Indictment Paragraph 11.

C. The Undisputed Trial Evidence

The following facts were established at trial and are undisputed:

- Cammarata personally owned and operated SpeedRoute, a FINRA- and SEC-approved broker-dealer that executed approximately 2-3% of all U.S. Exchange volume daily.
- SpeedRoute executed approximately 11 million trades per day, with roughly 10 million being proprietary trades owned by Cammarata personally.
- Cammarata lawfully assigned his proprietary trades to Quartis and Nimello - legitimate entities with independent directors that were in good standing with all corporate and tax filings.
- Settlement claims were filed only on trades that had been legally assigned. No claims were filed on client-owned trades.
- Every claim form identified the assignee entities as the "beneficial owner" of the trade rights, as required by the claim forms themselves.
- Claims administrator witness Tina Chiango and cooperating witness Erik Cohen both testified that assignment of trade rights is "common" and "not atypical in the business."
- Every claims administrator testified that in seven years and millions of trades, not a single claim filed by the assignees was ever found to be a fake or duplicate trade.
- The government conceded the legality of assignment of trade rights in its closing argument at trial.

D. Legal Consequence

Because the indictment's sole eligibility premise is foreclosed by Sprint and Pennsylvania assignment law, the charged conduct does not constitute a crime as a matter of law. No factual dispute can cure this defect. The government cannot criminalize conduct that the Supreme Court has explicitly held to be lawful.

III. THE CRIMINAL FRAUD CASE (21-cr-427 / Appeal 23-2110)

A. Grand Jury Defects

The only witness presented to the grand jury was Inspector George Clark, who was not the case agent, did not testify at trial, and was not a fact witness to the trading, assignments, or settlement claims. The grand jury was never told:

- That SpeedRoute owned the trades
- That those trades were lawfully assigned
- That assignment alone confers standing under Sprint
- Pennsylvania assignment law

B. Trial: Two Weeks of Government Witnesses Proving the Defense

For two weeks, every government witness testified to the same points: Quartis did not place trades; Nimello did not place trades; Quartis did not lose money; Nimello did not lose money. This was the government's entire case.

But government witnesses also confirmed that the trades were real, the assignments existed, the entities were legitimate, and the claims were processed and paid for seven years without incident.

On the final day of trial, Cammarata testified as the sole defense witness and explained the SpeedRoute model, the assignment structure, and introduced Sprint Communications and Pennsylvania assignment law. At that moment, the legal defect in the government's theory became undeniable.

C. Constructive Amendment in Closing Argument

In closing argument, the government conceded that assignments occurred and that assignment is legal. It abandoned its original theory. The government then introduced a new theory for the first time: that Cammarata had "stolen" trades from clients.

This theory:

- Was not charged in the indictment
- Was not presented to the grand jury
- Was not introduced during trial
- Was unsupported by any evidence
- Gave Cammarata no opportunity to defend

This constituted a constructive amendment of the indictment. The jury was asked to convict based on a theory that did not exist until after the evidence closed. The jury was never instructed on assignment law, assignee eligibility, or any theft-based theory.

D. Appeal No. 23-2110 - The Third Circuit's Refusal to Address Sprint

The appeal was filed June 20, 2023. SEC Attorney John V. Donnelly, III entered an appearance for the government on the same day.

On April 29, 2025, Cammarata filed a pro se Addendum to Petition for Rehearing (ECF #69) identifying that page 19 of the panel opinion contained a paragraph that was "critical and dispositive, yet every sentence in it is factually incorrect, legally flawed, or misleading." The addendum specifically cited Sprint Communications at 554 U.S. 271 and 286, and documented that the government had conceded assignment was legal.

The Third Circuit's response:

- The opinion mentions "assignment" only to dismiss it as an implausible factual defense - treating it as a credibility question rather than settled law
- The opinion never cites, distinguishes, or even acknowledges Sprint Communications - the binding Supreme Court precedent that forecloses the government's entire theory
- Motion to dismiss for lack of subject matter jurisdiction - DENIED in 4 days (September 29, 2025)
- Petition for rehearing en banc - DENIED (October 14, 2025)

IV. THE SEC CIVIL ACTION (21-cv-4845 / Appeal 24-1381)

A. Coordinated Same-Day Action

The DOJ deliberately did not charge securities fraud in the criminal case because securities fraud requires a nexus to a securities transaction that the DOJ could not establish. On the same day as Cammarata's arrest, the SEC filed a civil securities-fraud complaint.

The coordination served a specific purpose:

- DOJ criminal forfeiture exposure: approximately \$16 million (alleged proceeds)
- SEC civil asset freeze: \$78 million initially, peaking at over \$150 million
- The SEC freeze encompassed all assets, including non-tainted and unrelated property, imposed without adjudication

B. Judge Kenney's Prejudgment and Undisclosed Conflict

The SEC case was assigned to Judge Chad F. Kenney. The SEC obtained an ex parte TRO while Cammarata was simultaneously in Miami for a bail hearing, without notice.

At the November 9, 2021 hearing, before any findings or jurisdictional rulings, Judge Kenney's first on-the-record statement regarding Cammarata was: "I consider this a crime against the courts!"

In later versions of the official transcript, this statement was changed to "inaudible."

Judge Kenney's spouse practiced as a class-action attorney in the same ecosystem implicated by the SEC's theory. This relationship was not disclosed.

C. Rule 65 Violations - Void TRO Still Enforced

The ex parte TRO expired by operation of Federal Rule of Civil Procedure 65(b)(2) no later than November 24, 2021. No valid adversarial hearing extended the TRO within the Rule 65 timeframe. Despite expiration, the district court continued enforcing the asset freeze as if the TRO remained in effect. Assets totaling over \$75 million remained frozen without a valid order.

D. Appeal No. 24-1381 - 21 Months Without Government Response

Timeline of obstruction:

- March 5, 2024: Appeal docketed
- June 21, 2024: Cammarata's pro se brief filed
- July-October 2024: SEC obtains multiple extensions
- January 27, 2025: Counseled brief filed

- January 30, 2025: SEC moves to STAY the appeal
- February 5, 2025: Stay granted
- May 19, 2025: Motion to lift stay - DENIED; Motion for release of frozen assets - DENIED
- August 20, 2025: Motion to change venue to Supreme Court - DENIED
- August 27, 2025: Motion to disqualify entire Third Circuit - DENIED by all 12 judges en banc
- August 26, 2025: Stay finally lifted
- September 3, 2025: SEC requests 60 more days to file response
- **January 2026: SEC STILL HAS NOT FILED A RESPONSE BRIEF - 21+ months since appeal filed**

V. THE TAX CASE (22-cr-639 / Appeal 24-1983)

A. Grand Jury Contamination

The tax case grand jury was convened approximately three weeks before the fraud trial began. At the tax grand jury, the government affirmatively represented as fact that the income at issue was "proceeds of fraud" - even though the fraud case had not yet been tried, no conviction existed, and the legal premise was already defective.

B. Brady Violations - Deleted Exculpatory Evidence

Cammarata had documented business expenses exceeding alleged income:

- Alleged income: approximately \$16 million
- Documented business expenses: over \$19 million

These same business expenses were produced in EDPA fraud discovery but were physically deleted from tax case discovery. The government possessed Merrill Lynch and American Express records, used them to calculate "income," but withheld them from Cammarata, the IRS agent, the grand jury, and the trial jury.

The IRS agent admitted at trial that business expenses were material and would affect tax-due calculations.

C. Suppressed 1042-S Forms

Cammarata repeatedly requested IRS Form 1042-S records. The government affirmatively claimed in writing that no such forms existed. In fact, approximately 50 forms existed, showed taxes withheld and paid, and were already in prior discovery.

Settlement checks were accompanied by administrator letters stating payments were not necessarily taxable income (return of capital / consult tax advisor).

D. Appeal No. 24-1983 - Calendared But No Decision

The tax appeal was submitted for decision on December 2, 2025. As of January 18, 2026, no decision has been issued despite the case being fully briefed and submitted.

VI. MANDAMUS PETITION (25-1188 / Supreme Court 25-6128)

A. Third Circuit Mandamus - 11 Months Unopposed

On January 31, 2025, Cammarata filed a Petition for Writ of Mandamus (No. 25-1188) seeking to compel action on his stalled appeals.

- February 7, 2025: Fee paid, petition perfected
- March 6-7, 2025: David J. Ignall, Paul Shapiro, and David Lisitza all enter appearances
- **March 24, 2025: Motion to transfer to Second Circuit filed - NEVER RULED UPON**
- April 14, 2025: Notice filed that petition is UNOPPOSED
- September 8, 2025: Motion for clarification filed - NO RESPONSE
- **January 2026: STILL NO RULING - 11+ months, completely unopposed**

B. Supreme Court Mandamus - No. 25-6128

Due to the Third Circuit's complete inaction, Cammarata filed a Petition for Writ of Mandamus with the Supreme Court (No. 25-6128).

- December 3, 2025: Government WAIVED response
- January 16, 2026: Case on conference calendar
- Decision pending following the January 16, 2026 conference

The government's waiver of response is significant - it suggests they found the Third Circuit's delays indefensible.

VII. CONFLICTS OF INTEREST AND SYSTEMIC OBSTRUCTION

A. The Prosecutor's Wife at the Third Circuit

SEC Attorney John V. Donnelly, III has been the SEC counsel or has entered appearances in multiple Cammarata proceedings. His spouse is employed as an attorney in the Third Circuit's executive office - the same court where all four of Cammarata's appeals are pending.

This conflict was never disclosed. It may explain why:

- The mandamus petition has sat for 11 months with no ruling despite being unopposed
- The SEC appeal has had no government response for 21 months
- The motion to transfer to the Second Circuit was never ruled upon
- All 12 Third Circuit judges denied the motion to disqualify without explanation

B. Career Incentives

John Donnelly has built his career significantly around the Cammarata prosecution. A Google search for "David J. Ignall" prominently features the "\$40 million securities class action fraud involving Joseph Cammarata" as one of his notable cases, alongside the Mychal Kendricks insider trading prosecution.

When a prosecutor's professional reputation becomes intertwined with a conviction, it creates institutional incentives to defend that conviction regardless of its legal merit.

C. FOIA Obstruction

Six federal agencies have denied Cammarata's FOIA requests seeking documents that would further expose the misconduct. This coordinated non-compliance prevents access to evidence that could demonstrate the full scope of prosecutorial and judicial misconduct.

VIII. CURRENT STATUS AND CLEMENCY REVIEW

Cammarata is currently incarcerated at FPC Montgomery. On Wednesday, January 15, 2026, the prison counselor informed him that the White House had emailed the institution to advise that they are actively reviewing Cammarata's clemency application.

This proactive notification from the White House to the institution is highly unusual and suggests the case has received serious attention at the highest levels.

The Supreme Court mandamus petition (No. 25-6128) was on conference January 16, 2026, with a decision pending.

While clemency review is ongoing, clemency cannot substitute for judicial review of a prosecution that lacks jurisdiction. This submission seeks oversight of institutional failures, not executive relief from a valid conviction.

IX. CONCLUSION AND REQUEST FOR OVERSIGHT

This case presents a documented pattern of prosecutorial misconduct, judicial corruption, and systemic obstruction that demands congressional attention:

5. A federal prosecution premised on a legal theory directly contradicted by binding Supreme Court precedent
6. An undisclosed conflict of interest with the prosecutor's spouse employed at the appellate court
7. Extraordinary delays - appeals pending for years, a mandamus unopposed for 11 months with no ruling
8. Transcript alteration removing evidence of judicial prejudgment
9. Illegal asset freeze continuing under a void court order
10. Brady violations and deletion of exculpatory evidence
11. Coordinated FOIA obstruction across six federal agencies

Cammarata seeks not mercy, but justice. He is prepared to provide documentation supporting every claim in this submission. Congressional oversight is essential to expose the systemic failures that allowed this miscarriage of justice to occur and to prevent similar abuses in the future.

Respectfully submitted,

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Dated: January 19, 2026