



ATTORNEY REGISTRATION AND DISCIPLINARY COMMISSION
of the
SUPREME COURT OF ILLINOIS

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Denise Rotheimer
25421 W. Rockford St.
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Chicago
April 1, 2003

Re: Laura Diane Horner
in relation to
Denise Rotheimer
No. 03 CI 1154

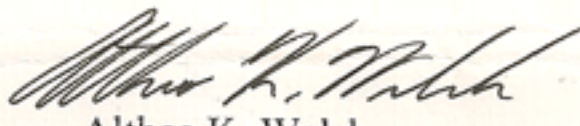
Dear Ms. Rotheimer:

Enclosed is a copy of the response of Laura Diane Horner to the matters about which you have complained.

If you believe the response is inaccurate or if you wish to provide additional information or documents, please write to me within fourteen days.

We will evaluate the matter and advise you of our decision. Again, thank you for your cooperation.

Very truly yours,


Althea K. Welsh
Senior Counsel

AKW:cd
Enclosure

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April 10, 2003

Althea K. Welsh
Senior Counsel
Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois
One Prudential Plaza
130 E. Randolph Drive
Chicago, IL 60601-6219

Re: Denise Rotheimer
In relation to Laura Diane Horner
No. 03 CI 1154

Dear Ms. Welsh:

I am in receipt of your letter informing me of the communication from Ms. Horner in which she states that my rights under the Rights to Crime Victims and Witnesses Act, 725 ILCS 120 were fulfilled. That statement is completely false.

Ms. Welsh, I did not learn of this Act until I pursued hiring an attorney to represent me on the case I have against Ms. Horner. Mr. Jason Marks at Sullivan, Smith, Hauser & Noonan, Ltd., Attorneys At Law, 25 North County Street, Waukegan, IL 60085-4342 faxed a copy of the Act to my attention, hoping it could help me pursue my case against Ms. Horner. Unfortunately, Mr. Marks did not have jurisdiction in which to file a complaint;

Under the Scope of Act 120, clearly states, any act of omission or commission by any law enforcement officer or State's Attorney, by the Attorney General etc. will not impose civil liability upon the individual or entity or his or her supervisor or employer. Therefore, Mr. Marks suggested that I contact the Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois to perform an investigation into the case against Desario.

My complaint per the initial application has not been satisfied by Ms. Horner's response. She entered into a plea agreement with the Defense Attorney without my knowledge. The Defense Attorney sat next to me, outside the court room before the case was heard and told me that he and Ms. Horner agreed to enter a plea for six years. The Judge could not accept the plea and questioned Ms. Horner why she would even accept it and present it to the court based on the facts that I had mentioned in lieu of Ms. Horner's disclosure of the facts relating to the case. Ms. Horner did not fully disclose the facts of the case to the Judge. Ms. Horner did not inform me on the status of the case. Ms. Horner misled me to believe that she would propose a 10 year prison sentence if the defendant plead guilty, or twenty years if the case went to a jury trial.

Based on her response in relation to my mental state as a mother whose child happened to be violated by an adult perpetrator has no relevance to her failure to disclose the facts of the case before the Judge, nor does it entitle her any defense against my complaints against her incompetent representation as our State's Attorney.

Ms. Horner does not need to use her logic to try and argue that she was in the right to sentence a sex criminal for years less than what he is guilty of. She does not need to use her legal tactics to try and lessen my rights as a citizen of this Country or as a parent to ensure my child's safety and the safety of other children in our community. Ms. Horner was berated by the Judge for her inability to serve justice in this case against the accused. Ms. Horner should be disciplined to know that it is her responsibility and duty to inform the "witness(es)" of the case OF THE CASE. We are not to be used as a ploy for her to argue that she has done her job. She eliminated pertinent information that was viable for the Judge to hear, as they were the FACTS OF THE CASE. Ms. Horner revealed her insecurities in working against the Defense Attorney. She explained how he won a prior case against her, because she did not have enough facts to support her case. Irony?

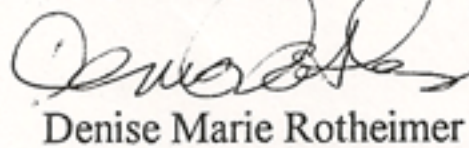
Ms. Horner worked with the Defense Attorney by acting against the STATE. She agreed to the Defense Attorney's plea as mentioned in her letter of response, that given the circumstances of the case and in consideration of the accused's criminal background she felt her plea was substantial which the Judge later opposed. She went against her initial sentencing agreement with me and then she used my daughter's testimony against the case to validate a minimum sentence. At that point I stepped in to speak before the Judge and disclosed the facts which Ms. Horner suppressed and found compassion in the Judge to serve what little justice she could because, our representation from Ms. Horner had not been in favor of the State's case.

Ms. Welsh, I would greatly appreciate if you could investigate the court proceeding based on the Court Reporter's transcript compared to my daughter's statement at the Police Department and compare it with the statement my daughter made with the one she verbally revealed to Ms. Horner on the one and only day Ms. Horner met with my daughter. Contrary to Ms. Horner's response, she only met with my daughter one time. I met with her on two other occasions and both were on the scheduled court dates. In addition, there were only several telephone calls that transpired between us, not a numerous amount. Pull the phone records.

Ms. Welsh, my daughter has learned a terrible lesson early in life. Not only can criminals be trusted to do what is right, the State can't be trusted to do what is right. I told Ms. Horner that my daughter and I are not victims. I was clear to let her know that my daughter and I were holding our faith in the system and, we would speak out if we had to. Before a Jury, the Judge, whomever, it didn't matter as long as Justice was going to be served. There was no doubt or misunderstanding about our position in this case. That is why it wasn't necessary for me to continuously call on Ms. Horner, I left her office that first time with my daughter knowing that together all three of us would fight this case to the end. I left Ms. Horner, on a second occasion at the court house and listened to hear tell me that she realized my daughter and I were strong people. I told her to have every confidence in this case because we will win. Unfortunately, Ms. Horner didn't have the faith in her self or the system or maybe both.

I have faith that Justice will be served regardless.

Respectfully,


Denise Marie Rotheimer