

Sacramento judge denies ‘disgracing the American Judiciary System’ The strange and bewildering case of Judge Peter J. ‘Chainsaw’ McBrien

By R.V. Scheide – March 6, 2008

rvscheide@newsreview.com

Don’t get mad, the saying goes, get even. Certainly Ulf Carlsson has plenty to be angry about. In 2006, the Swedish-born American citizen entered divorce proceedings hoping to make the best of a bad situation. Instead, he lost custody of his teenage daughter, got fired from a 20-year career with the state of California and is about to lose his home.

So, yes, Ulf Carlsson is massively pissed, and the entirety of his ire is focused on the individual he holds accountable for his astounding reversal of fortune, the magistrate who presided over his two-day divorce trial, Sacramento Superior Court Judge Peter J. “Chainsaw” McBrien.



ILLUSTRATION BY ROBERT ARMSTRONG

Last week, Carlsson and more than a dozen other self-proclaimed victims of McBrien’s alleged legal abuse officially notified the Sacramento Elections Office of their intent to recall the judge. They didn’t waste any time getting to the point.

“You are a disgrace to the American Judiciary System and an extreme danger to children and parents,” the recall petition begins, before detailing a number of alleged wrongs along with the relevant case numbers. “You destroyed a young boy by awarding the father custody after multiple investigations substantiated he had sexually abused the boy. ... You awarded custody to an abusive mother, ignoring medical evidence that she seriously physically abused her young daughter. ... You obtained, in secrecy, a copy of the court transcripts, altered them and had that respondent’s career destroyed. ... When will your evil terrorism be stopped?”

A little over the top? Perhaps. But they don’t call McBrien “Chainsaw” for nothing. In 1999, he ordered a whack-job on a half-dozen oaks blocking his bluff-side view of the American River, knowing full well the trees were on public property, thus making the act of cutting them down felony vandalism. Unless, of course, you happen to be a judge with \$20,000 on hand to bargain the crime down to a misdemeanor—and keep your ass firmly planted on the bench.



David Palmer, a Rancho Cordova resident who's earned a national reputation as a [judicial watchdog](#), lists McBrien in the "Criminals" chapter of his self-published *Judicial Misfits: A Factual Exposé of an Industry Answerable Only to Itself*. McBrien should consider himself lucky. Other chapter titles include "Child Molesters," "Sadists" and "Miscellaneous Perverts." Unfortunately, they're aptly named, and as Palmer's well-researched book demonstrates—with a healthy dose of sarcasm—virtually no crime short of homicide seems heinous enough to result in a judge's removal from the bench.

The wisecracking Korean War vet made sure to mail McBrien an autographed copy of the book. [See letter to McBrien that accompanied the book and follow-up letter below] Palmer's own battle against the legal system began two decades ago, in Toledo, Ohio, after his wife was involved in a near-fatal auto accident, and a couple of [attorneys](#) attempted to help themselves to some of the insurance proceeds. Last week, I met with him and Carlsson at the latter's spacious Gold River home, which he may soon lose to foreclosure.

Palmer's war stories, which include more than a few victories, provided Carlsson a much-needed boost. His life turned upside down in McBrien's courtroom, after the judge fixated on an issue that had little to do with the divorce: his failure to list a rental property on forms required for all state employees by the Fair Political Practices Commission. Sacramento Mayor Heather Fargo paid a \$2,000 fine for a similar omission last year. After McBrien or someone from McBrien's office sent a copy of the transcript to Carlsson's boss at the Department of General Services, it cost the Swede his job.

"These are vindictive people," Palmer growled. "McBrien will destroy you if he can."

For his part, McBrien doesn't deny that. In fact, in his sworn response to the recall petition, the [University of Southern California](#) law school graduate, one-time Deukmejian appointee and 20-year veteran of the bench, denied practically every allegation but destroying Carlsson's career.

"I deny disgracing the American Judiciary System," he stated. "I deny giving children to sexually or physically abusive parents. I deny [cutting down trees on public property](#)."

Tricky, that last denial. True, he didn't do the cutting himself—he hired a chainsaw-wielding tree-killer. And while he denies "altering any public record," he doesn't deny obtaining the transcript that was sent to the Department of General Services and later used as grounds for Carlsson's dismissal. Not that it matters. As one of the state's leading legal scholars told me when [I first wrote about McBrien](#) last August, if a judge suspects you're breaking the law, no matter how minor the infraction, he legally has the right—perhaps even the duty!—to report it.

I was going to note that this very same scholar helped author the law that supposedly put teeth in the [Commission on Judicial Performance](#), the state watchdog agency that subsequently slapped old "Chainsaw" on the wrist for felony vandalism and allowed him to remain on the bench, but I didn't want to make you mad.

There are enough people trying to get even around here already.

Dave Palmer
The Watchdawg
Folsom, California
Email: noethics1@aol.com
URL: www.noethics.net

Feb. 6, 2008

Judge Peter J. McBrien
Sacramento County Superior Court

Re: Dawg's "Judicial Misfit" Publication

Dear Pete:

Find enclosed an autographed copy of the first edition of Judicial Misfits, and please go to page 229 under the chapter titled "Criminals" to read a story about your conduct named "Aggressive Tree Hugger."

Your criminal conduct in destroying 80-year-old oak trees in order to improve your view of the American River is disgusting. Even more disgusting is the so-called punishment meted out to you by the enablers on the California Supreme Court.

Your so-called punishment is further evidence that judges are held to a lower standard of conduct than the rest of us. To suggest that your conduct is "above reproach" is laughable at best. In truth, your conduct is below that of a roach (my apologies to roaches).

Has the value of your property exceeded the \$100,000 that you enjoyed after you and your family illegally destroyed government property? It's comforting to know that your wife and children are malleable (compliant lackeys) to the point of assisting Daddy while he cheerfully engages in criminal conduct.

There are about 20 stories about your fellow Judicial Misfits from California in the book. If you go to my website at www.noethics.net and click onto "Judicial Misfits – Future Candidates," you'll discover the names of 98 California judges, including Chief Justice Ronald George.

I hope or at least I trust that you will enjoy reading this fact-filled exposé. Please email me any comments you have at Noethics1@aol.com (the Noethics moniker is my way of showing appreciation for Ohio Chief Justice Thomas Moyer).

Enjoy the view!

Sincerely yours,

The Dawg

Dave Palmer
The Watchdawg
Email: Noethics1@aol.com
URL: www.noethics.net

February 29, 2008

Judge Peter J. McBrien
Sacramento County Superior Court

Re: Tree-hugger misconduct, etc.

Dear Pete:

First and foremost, did you enjoy reading the “Aggressive tree-hugger” story? Here tell that Stihl Inc. is going to offer a chain saw that comes with a “silencer.” As a courtesy, I’ll drop you a line when it becomes available at Home Depot, Lowe’s or Orchard Supply Hardware (OSH).

I have discovered that you’ve victimized a multitude of litigants who have unfortunately had their cases assigned to your court over the years. I was thoroughly disgusted with the manner in which you cheerfully victimized Mr. Ulf Carlsson. It certainly appears that you actually enjoy acting as a despotic tyrant in punishing those you perceive to be the enemy. Of course the enemy is anyone who disagrees with you or reports your misconduct to higher authorities.

Prior to publishing the 1st edition of “Judicial Misfits,” I decided that I would not write about the same misfit in following editions. That decision was made in order to be excruciatingly fair to all candidates who deserve to have their achievements exposed. However, since it appears that there could be well over 100 victims (maybe as many as 500) that have suffered from your punitive conduct; I believe it will be necessary to forgo this exception.

I have now determined that in the near future I will write a book exposing the top 10 judicial despots who have left more victims strewn hither and yon, then the combined victim totals of the top 10 mass murderers of all time. It’s obvious that you’ll be a shoe-in for this book as will your fellow-despot, Judge Steven Yarbrough of Toledo, Ohio.

In closing and in the interest of journalistic excellence and accuracy, I would appreciate it if you could provide me with a list of your victims. Moreover, if there are any crimes and/or misdemeanors you’ve engaged in that I have not yet reported on; please provide me with a brief summary of said conduct. Remember Pete, accuracy and due diligence go hand-in-hand in reporting the facts.

Respectfully yours,

Dave Palmer
The Watchdawg

PS: How about we get together and tip back a few Arrogant Bastard Ales or Pete’s Wicked Ale if you prefer on St. Pat’s Day on March 15. I’ll pick up the tab unless you can bill the County.
