

CENTER for
JUDICIAL
ACCOUNTABILITY



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BY HAND

July 25, 1994

Michael E. Deutsch, Legal Director
Center for Constitutional Rights
666 Broadway
New York, New York 10012

Dear Mr. Deutsch:

It was a pleasure to have met you last Monday at the Center's birthday tribute to William Kunstler. I thank you for your kind offer to review the Article 78 proceeding, Sassower v. Mangano, et al. now pending before the New York State Court of Appeals on a motion for reargument of its dismissal of our appeal as of right and, alternatively, for leave to appeal.

Enclosed is that motion, returnable August 1, 1994, and our two original submissions to the Court of Appeals, which I sent to Mr. Kunstler under a May 25, 1994 coverletter.

That coverletter, outlining the mind-boggling constitutional issues involved in this case, is enclosed, as is the letter I sent to Mr. Kunstler's office following our conversation last Monday.

We urgently need organizational support before the Court of Appeals and immediate legal assistance in preparing a petition for a writ of certiorari to the U.S. Supreme Court, which we believe must be filed by August 14, 1994.

In addition, we require organizational and legal backing for a federal action under 42 U.S.C. §1983 based upon the deliberate deprivation of my mother's due process and equal protection rights. We believe such federal action should also seek a declaration that Judiciary Law §90 and the Appellate Division rules are unconstitutional. For discussion of that subject, I refer you to pp. 16-23 of the reargument motion.

Michael E. Deutsch, Esq.

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In that connection, I enclose the case of Mildner v. Gulotta, 405 F.Supp 182 (1975) which I briefly described to you on Monday evening--referred to at ¶¶42-4 of the reargument motion.

Please let us hear from you soon.

Yours for a quality judiciary,



ELENA RUTH SASSOWER, Coordinator
Center for Judicial Accountability

- Enclosures: (a) Sassower v. Mangano, et al.
1/24/94 Jurisdictional Statement
3/14/94 ltr of Evan Schwartz
7/19/94 motion for reargument, leave to appeal
- (b) 5/25/94 ltr to William Kunstler, with enclosures
(c) 7/21/94 ltr to office of William Kunstler
- (d) Mildner v. Gulotta, 405 F.Supp. 182 (1975)