

COMPLAINT FORM

JUDICIAL COUNCIL OF THE SECOND CIRCUIT

COMPLAINT AGAINST JUDICIAL OFFICER UNDER 28 U.S.C. § 372(c)

INSTRUCTIONS:

- (a) All questions on this form must be answered.
- (b) A separate complaint form must be filled out for each judicial officer complained against.
- (c) Submit the correct number of copies of this form and the statement of facts. For a complaint against:
  - a court of appeals judge -- 3 copies
  - a district court judge or magistrate -- 4 copies
  - a bankruptcy judge -- 5 copies(For further information see Rule 2(e)).
- (d) Service on the judicial officer will be made by the Clerk's office. (For further information See Rule 3(a)(1)).
- (e) Mail this form, the statement of facts and the appropriate number of copies to the Clerk, United States Court of Appeals, United States Courthouse, Foley Square, New York, New York 10007.

1. Complainant's name: GEORGE SASSOWER  
Address: 16 Lake Street  
White Plains, NY 10603-3200

Daytime telephone (with area code): (914) 949-2169

2. Judge or magistrate complained about:  
Name: Judge James L. Oakes  
Court: Circuit Court

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

[ ] Yes [  ] No

If "yes," give the following information about each lawsuit (use the reverse side if there is more than one):

Court: \_\_\_\_\_

Docket number: \_\_\_\_\_

Docket numbers of any appeals to the Second Circuit: \_\_\_\_\_

Did a lawyer represent you?

[ ] Yes [  ] No

If "yes" give the name, address, and telephone number of your lawyer:

4. Have you previously filed any complaints of judicial misconduct or disability against any judge or magistrate?

[  ] Yes [ ] No

If "yes," give the docket number of each complaint.

87-8503; 90-8556; 90-8560; 90-8561; 90-8562

U.S. Circuit Court Judge JAMES L. OAKES  
28 U.S.C. §372(c)

1a. This is a complaint against Circuit Court Judge JAMES L. OAKES ["Oakes"], is based upon his FRCivP 36 admissions in Sassower v. Abrams (SDNY 92-08515[PKL]) of November 27, 1992, almost all of which have independent confirmation (Part "A").

b. There is a second aspect to this complaint proves that Judge Oakes' opinion of April 16, 1987 (Docket No. 87-8503) was false (Part "B").

2. A copy of this complaint is being sent directly to the National Commission on Judicial Discipline & Removal for, inter alia, consideration in its Final Report and Recommendations.

PART "A"

The relevant judicial admissions of Judge Oakes in Sassower v. Abrams (supra) are as follows:

" 1. With your consent, U.S. Attorney OTTO G. OBERMAIER ["Obermaier"] represents you, a named defendant, in this action, although no 28 U.S.C. 2679 'scope' certificate has been applied for and/or issued.

2. Although you are being sued in a personal capacity, you have not compensated or reimbursed, nor do you expect to compensate or reimburse, either U.S. Attorney Obermaier or the federal government for this legal representation or the expenses incurred thereby.

3. You were Chief Judge of the U.S. Circuit Court of Appeals for the Second Circuit until this past summer.

4. You are aware that in Raffe v. Citibank (84 Civ. 0305 [EHN]), GS ["Sassower"] and HYMAN RAFFE ['Raffe'] were convicted of non-summary criminal contempt without a trial, without the opportunity of a trial, without any right of confrontation, and without any live testimony in support of such U.S. District Court Judge EUGENE H. NICKERSON ['Nickerson'] convictions.

5. You are aware that the 'fine' monies under such Judge Nickerson trials, without live testimony, convictions were payable 'to the [federal] court'.

6. After the GS trialess Judge Nickerson conviction was elevated to the status of a 'serious' crime and he was disbarred, GS filed a disciplinary complaint which you adjudicated (Docket No. 87-8503).

7. From such disciplinary complaint against, inter alia, Judge Nickerson, you were aware of some of the essential and decisive constitutional and/or jurisdictional infirmities of such conviction.

8. You never entertained any doubts since you became a federal judge that a conviction for non-summary criminal contempt, without a trial, without the opportunity for a trial, without any confrontation rights, and without any live testimony in support thereof, was void.

9. You never entertained any doubt that the Judge Nickerson trialess convictions were a constitutional and/or jurisdictional nullity.

10. Nevertheless, as a Circuit Judge, and thereafter as Chief Judge, you permitted such criminal trialess convictions to remain extant, even when such conviction was elevated to the status of a 'serious' crime and became the pre-text for disbaring GS.

11. You have permitted such trialess convictions to remain extant, although you knew that it was causing GS to be denied his basic constitutional rights, including his right to access to the courts for relief in the Second and other circuits.

12. You are and have been aware that the monies payable 'to the [federal] court' were diverted to KREINDLER & RELKIN, P.C. ['K&R'], CITIBANK, N.A. ['Citibank'] and/or JEROME H. BARR, Esq. ['Barr'], but you have done nothing to remedy such matter.

13. You have been and are aware that the decision of U.S. District Judge WILLIAM C. CONNER ['Conner'] in Raffe v. Doe (619 F. Supp. 891 [SDNY-1985]) was the result of fraud and corruption, whose object was to conceal the larceny of the judicial trust assets of PUCCINI CLOTHES, LTD. ['Puccini'] and other criminal activities.



14. Such corruptly secured decision and Order you, as Chief Judge, have permitted to be employed and unremedied in order to advance a criminal racketeering adventure involving K&R, FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. ['FKM&F'] and members of the judiciary.  
...

17. There pends in the Circuit Court a number of disciplinary complaints against K&R, FKM&F, members of their firms and co-conspirators, all mandating disciplinary action. However you have wilfully refused to process these complaints.

18. You conspired with Circuit Court Judge GEORGE C. PRATT ['Pratt'], in the decision of Sassower v. Sheriff (824 F.2d 184 [2d Cir.-1987]), aware that it was factually contrived, concocted, and fabricated, and whose purpose, in reversing, was to advance a criminal racket involving the larceny of judicial trust assets and other criminal activities, including the extortion of substantial monies.

19. Although you are aware that Sassower v. Sheriff (supra) is a manifest constitutional and/or jurisdictional nullity, you have allowed such decision, as well as Raffe v. Doe (supra), to remain in effect in order to aid in the corruption of courts throughout the United States.

20. You participated in the fraudulent disposition in Cohen and Vilella v. Littman et al. (CCA2nd Docket No. 89-7049), knowing it was a fraudulent disposition, resulting in the continued incarceration of Dennis F. Vilella ['Vilella'] for crimes that were never committed and the unlawful plundering of the Estate of Eugene Paul Kelly.

21. Sued in individual capacity in tort litigation, you have defrauded the federal government by dragooning federal attorneys to represent you and members of the Second Circuit, at federal cost and expense, without obtaining a 28 U.S.C. 2679[d] 'scope certificate'.

22. You have 'fixed' and 'corrupted' federal judges in other circuits, in order to advance your own criminal racketeering activities."

PART "B"

In Raffe v. Citibank (supra), which Judge Oakes admits is void, petitioner and HYMAN RAFFE ["Raffe"] were both convicted of non-summary criminal contempt without a trial, without the opportunity for a trial, without any confrontation rights, in absentia, without due process, without the right of allocution, without any live testimony in support thereof, and without any constitutional or legal waiver.

Judge Oakes clearly lied in his decision of April 16, 1987, when he concluded:

"Complainant's charge ... [of] a corrupt usurpation of power, and other unspecified impeachable offenses are likewise not substantiated."

Every Article III federal judge knows that Congress has deprived every federal judge and federal court of the power to convict anyone of non-summary criminal contempt, absent a plea of guilty, without a trial or without the opportunity of a trial (Nye v. U.S., 313 U.S. 33 [1941]).

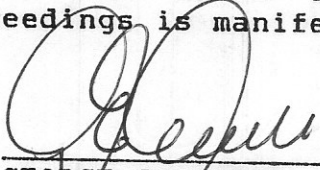
This patent usurpation of power was then made more illegal and egregious by thereafter elevating such conviction was an "offense" to a "serious" crime, thus causing petitioner's disbarment.

At the time of this complaint, petitioner also did not know that the fine monies imposed, including those paid on behalf of petitioner, which should have been paid "to the [federal] court" were diverted to the pockets of K&R and its clients.

Nor was petitioner aware that Raffe was compelled to pay extortion monies, which Raffe admitted in Sassower v. Abrams (supra) now "exceeds \$2,000,000".

A reference to the Grand Jury and for the initiation of Impeachment proceedings is manifestly warranted.

Dated: July 9, 1993

  
\_\_\_\_\_  
GEORGE SASSOWER  
16 Lake Street,  
White Plains, NY 10603  
(914) 949-2169