

SAMUEL W. PHILLIPS
CIRCUIT EXECUTIVE
UNITED STATES COURT OF APPEALS
FOURTH CIRCUIT

P.O. BOX 6G
RICHMOND, VIRGINIA 23214-1850

804-771-2184
FTS-925-2184

May 17, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. George Sassower
16 Lake Street
White Plains, NY 10603

**Re: In the Matter of a Judicial
Complaint Under 28 U.S.C. § 372**

Dear Mr. Sassower:

Your judicial complaint is presently under consideration by the Chief Judge of the Fourth Circuit.

You have elected to proceed under 28 U.S.C. § 372 and your judicial complaint is all that is before the Chief Judge. Your appeal from the district court will be assigned to a three-judge panel. In addition, 28 U.S.C. § 372 is limited to complaints against circuit, district or bankruptcy judges, or magistrates (now magistrate judges). It has no application to lawyers, law firms, corporations, or to any court officials other than judges. The Chief Judge of the Fourth Circuit has no authority to deal with complaints against judicial officers in any judicial circuit other than the Fourth Circuit.

On April 10, 1991, the Chief Judge submitted specific questions to you for your responses. After carefully reading your answers to these questions, he does not find that the answers you have given are responsive to the questions he posed to you. The Chief Judge is required by section 372 to determine if your judicial complaint is "directly related to the merits of a decision or procedural ruling," [see § 372(c)(3)(A)(ii)] or if it is "frivolous" [see § 372(c)(3)(A)(iii)]. It has been held that a judicial complaint that is not supported by factual allegations may be dismissed as "frivolous". In re Charges of Judicial Misconduct, 691 F.2d 924 (9th Cir. 1982). Although the Chief Judge has attempted to read the voluminous documents that you have sent to him he finds that many of them appear to have nothing to do with your judicial complaint and do not contain any specific answers to the questions posed to you by the Chief Judge. The Chief Judge does not intend at this time to seek information from other persons

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about your grievances. When a judicial complaint is filed that is vague, general and unclear, the Chief Judge follows a routine course of action and that is to require the complainant to respond to specific questions designed to identify and clarify the exact nature of the complaint before him so that he may understand it and then determine how he should proceed and what action he should take.

Therefore, the Chief Judge has requested that I present the list of questions to you a second time. Please answer the following questions under oath. Vague references to other documents are not acceptable answers, nor are suggestions that he ask these questions of someone else. Please answer the questions directly, clearly and specifically.

1. Was the Referee Diamond appointed in the State of New York?

2. If so, when, where and by what court was he appointed?

3. To what court or courts was the receiver required to report and render his accounts?

4. What illegal, improper or unethical conduct did the following judges engage in:

- a. Judge Harvey
- b. Judge Hargrove
- c. Judge Black
- d. Judge Motz

5. What personal knowledge of illegal, improper or unethical conduct on the part of either Whiteford, Taylor and Preston, Fidelity and Deposit Company of Maryland, or anyone else in the Fourth Circuit did the following judges have:

- a. Judge Harvey
- b. Judge Hargrove
- c. Judge Black
- d. Judge Motz

6. To whom should these judges have disclosed this information:

- a. Judge Harvey
- b. Judge Hargrove
- c. Judge Black
- d. Judge Motz

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7. What past associations with Whiteford, Taylor and Preston did the following judges have?

- a. Judge Harvey
- b. Judge Hargrove
- c. Judge Black
- d. Judge Motz

8. Which relatives of the following judges have been or are now associated with Whiteford, Taylor and Preston? (Give names of each relative).

- a. Judge Harvey
- b. Judge Hargrove
- c. Judge Black
- d. Judge Motz

9. With whom did Judge Hargrove have ex parte communications and what were those communications about?

10. Name the "robed and unrobed fixers" who gave "marching orders" to Judge Hargrove.

11. What were those "marching orders"?

12. Exactly what did Whiteford, Taylor and Preston do to "corrupt" the following judges:

- a. Judge Harvey
- b. Judge Hargrove
- c. Judge Black
- d. Judge Motz

13. Other than the four judges named in 12 above, were any other judges in the District of Maryland or elsewhere in the Fourth Circuit "corrupted"?

14. If the answer to No. 13 is "yes", name the judges and describe in detail how they were corrupted.

15. What basis do you have for your serious charges of "corruption"?

- a. Do you have personal knowledge of the alleged misconduct?
- b. If so, what is your personal knowledge?
- c. If you have no personal knowledge, what

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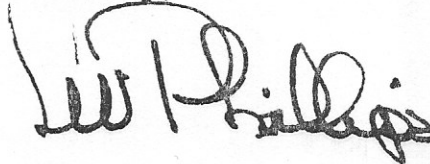
factual basis do you have for your serious accusations? (Describe in detail).

d. If you rely on witnesses to support your accusations, disclose the following about each witness:

1. Name.
2. Address.
3. What you expect him/her to say.

Please send your responses to me at the above address on or before May 31, 1991. If you fail to respond by this date or if you again respond as you did previously, your judicial complaint will be dismissed.

Sincerely,

A handwritten signature in dark ink, appearing to read "Samuel W. Phillips". The signature is written in a cursive style with a large, looping initial "S".

Samuel W. Phillips

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