

GEORGE SASSOWER

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June 1, 1993

President William J. Clinton
President of the U.S.
The White House
1600 Pennsylvania Avenue,
Washington, D.C. 20500

Re: Circuit Judge Jon O. Newman

Dear Mr. President,

In order that you may make a fully informed decision, I here set forth some of the documented and uncontroverted "in-office" activities of U.S. Circuit Court Judge Jon O. Newman who, according to published reports, is being considered for a seat on the Supreme Court of the United States.

1a. In Sassower v. McFadden (SDNY 93-0343 [PKL]), Judge Newman and others, sued in their personal capacities, conceded the following Local Rule 3g statements to be correct.

" 1. None of the federal defendants, represented by the U.S. Attorney, including ... JON O. NEWMAN ['Newman'] ... have applied for and/or received a 28 U.S.C. §2679[d] 'scope' certificate.

2. The federal defendants being represented by the U.S. Attorney, including ... Newman ... know and are clearly aware that such federal representation, at federal cost and expense, in this personal capacity action is unauthorized (28 U.S.C. §547), and that they are defrauding the federal purse.

3. The U.S. Attorney ... also know and are aware that in this personal capacity action, their representation of the federal defendants is unauthorized and they are defrauding the federal purse.

4. [The U.S. Attorney] ... and the federal defendants in this action, including ... Newman ... know and are aware that their actions as alleged herein, which includes the diversion of monies payable 'to the federal court' to private pockets, are contrary to the legitimate and monetary interests of the United States.

5. [The U.S. Attorney] ... and the federal defendants in this action, including ... Newman ... know and are aware that their actions as alleged herein, are criminal in nature and violative of the federal criminal code.

6. The federal defendants being represented by the [U.S. Attorney] including ... Newman ... are aware that such personal capacity civil representation for criminal activities itself, compromises and obstructs the ability of the U.S. Attorney to prosecute them for their criminal activity in this jurisdiction.

7. The federal defendants being represented by the [U.S. Attorney], ... including ... Newman ... are aware that such personal capacity civil representation violates the constitutional scheme for the separation of powers, and is unconstitutional.

8. The federal defendants being represented by the [U.S. Attorney] ... including ... Newman ... are aware that such personal capacity civil representation, at federal cost and expense, is effectively an unlawful increase in these defendants' compensation, constitutes `taxable income', and that they defendants have no intention of reporting such `taxable income' on their tax returns, or paying taxes upon such income."

b. Aside from a plain reading of the statute (28 U.S.C. §2679[d]), all the reported cases are to the effect that absent a statement by the Attorney General or one of his designees (28 CFR §15.3), certifying that the misconduct was "within the scope of [his] office or employment", the cost of the defense and satisfaction of any judgment is at personal, not governmental, expense.

c. Obviously, neither the Attorney General nor any U.S. Attorney will "scope" certify activities such as, diverting monies payable "to the federal court" to private pockets as being "within the scope of office" of any federal judge or prosecutor, or aiding and abetting such activities.

d. Nevertheless, employing the "clout" of their office, Judge Newman and his co-conspirators, are able to dragoon the services of U.S. attorneys, for their personal civil defense, at federal cost and expense.

2. Mr. President, I suggest that you requisition the file in Sassower v. Mahoney (CCA Docket No. 88-6203) from the federal archives in Bayonne, New Jersey, or obtain a copy of the microfiche of that case, which exists in the Library on the 25th Floor of the Foley Square Courthouse, whether you nominate Judge Newman or not.

In Sassower v. Mahoney (supra) you will find, conceded and/or uncontroverted, the following several situations are disclosed.

a. All the judicial trust assets of PUCCINI CLOTHES, LTD. --- "the judicial fortune cookie" -- were made the subject of larceny by the state and federal judiciary and/or their cronies, leaving nothing for any legitimate New York to California creditor.

b. Nothing was left in the Estate of Eugene Paul Kelly, a born American and World War II veteran, because it was the practice of a Surrogate to pay his personal obligations from judicial estates.

c. Dennis F. Vilella, a pro se defendant, a born American, a college graduate, married, with two small children, very active in civic and church affairs, and with a clean criminal record, has been incarcerated for six (6) years, for crimes that were never committed by anyone.

The alleged victim, whose testimony was uncorroborated, swore she was struck violently, on the head, about 20 times, with a "tire iron". However the prosecutor and judge deliberately concealed from the trial jury the Hospital Records, which showed no skull fractures, a negative CAT Scan, the highest possible non-coma score, and no treatment for skull injuries or brain damage.

d. Hyman Raffe, also a born American, is paying monies, to the cronies of the federal and state judiciary in order to avoid incarceration under a criminal conviction. In a recent unsolicited affidavit, filed in Sassower v. Abrams (SDNY 92-8515 [PKL]), Mr. Raffe swore that there had been "extorted" from him more than \$2,000,000, to avoid incarceration, all of which can be confirmed by cancelled checks.

e. In Sassower v. Mahoney (supra), Judge Newman revealed a manifest disregard of the United States Constitution, as well as the criminal code, since despite the Eleventh Amendment jurisdictional prohibition, state officials were being represented in the federal forum, at state cost and expense.

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f. Judge Newman was also aware that the U.S. Attorney, now a federal judge, was defending, in civil litigation, at federal cost and expense, judges and officials, who were defrauding the United States.

g. Mr. President, in Sassower v. Mahoney (supra) you will also find the modus operandi of corrupt federal jurists, not taught in any law school.

h. The Newman remedy was not to afford any relief to any victims in the above situations, including the federal and state governments, but to punish the "whistle-blower", albeit the criminal and professional obligation to expose (18 U.S.C. §4; Code of Professional Responsibility, DR 1-103).

3a. When Judge Newman, as he has, employs his federal judicial powers to sanction members of my family in an obvious attempt to retaliate against me for resisting any involvement in these criminal judicial racketeering adventures, or exposing them, he has disregarded the fundamental First Amendment right of "free association", as well as abusing the authority of his office.

b. Judge Newman, and others, in keeping Vilella incarcerated for crimes never committed, in having Raffe pay millions of dollars in extortion monies, and by their other retaliatory activities, have essentially proclaimed that it is "open season" against anyone perceived to be associated with me.

c. As a born American citizen and battle-starred veteran of World War II, my response is -- a Bastogne style, Nuts!

4. Mr. President, if you desire a full documented presentation, including on the subject of the diversion of monies payable "to the federal court" to private pockets; the payment of "extortion" monies to the judicial cronies, to avoid incarceration under a criminal conviction; or any other subject mentioned herein, a simple request is all that is necessary.

5. To say more would be supererogatory.

Sincerely yours,

GEORGE SASSOWER

cc: Atty. Gen. Janet Reno
Bernard S. Nussbaum, Esq.
Judge Jon O. Newman
(Media)