

## SUMMONS IN A CIVIL ACTION

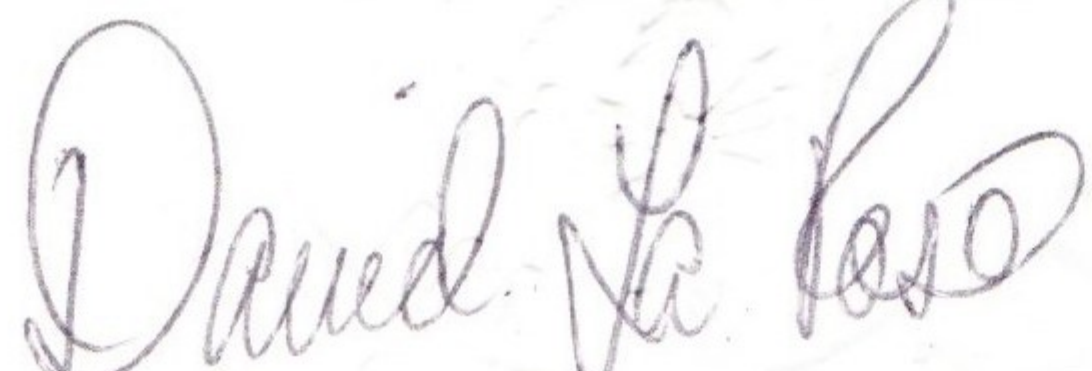
<b>United States District Court</b>	DISTRICT Eastern District of New York
GEORGE SASSOWER,  v.  ERNEST L. SIGNORELLI, ANTHONY MASTROIANNI, JOHN P. FINNERTY, ALAN CROCE, ANTHONY GRZYMALSKI, and THE COUNTY OF SUFFOLK,	DOCKET NO. <b>CV-84-2989</b>  TO: (NAME AND ADDRESS OF DEFENDANT) <b>MISHLER, J.</b>  ERNEST L. SIGNORELLI Surrogates Court, Suffolk County Riverhead, New York, ANTHONY MASTROIANNI Surrogate's Court, Suffolk County Riverhead, New York (see annexed sheet)

YOU ARE HEREBY SUMMONED and required to serve upon

PLAINTIFF'S ATTORNEY (NAME AND ADDRESS)

GEORGE SASSOWER, Esq.  
 2125 Mill Avenue,  
 Brooklyn, New York, 11234

an answer to the complaint which is herewith served upon you, within  
 days after service of this summons upon you, exclusive of the day of service. If you fail to do so,  
 judgment by default will be taken against you for the relief demanded in the complaint.

CLERK  <b>ROBERT C. HEINEMANN</b>	DATE July 17, 1984
(BY) DEPUTY CLERK  	

JOHN P. FINNERTY  
ALAN CROCE  
ANTHONY GRYZMALSKI  
Sheriff's Office  
County Seat Drive  
Riverhead, New York, 11901

HARRY SEIDELL  
Criminal Court Building  
Riverhead, New York, 11901

County of Suffolk  
Suffolk County Office Building  
Hauppauge, New York, 11787

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

CV-84-2989  
MISHLER, J.  
Jury Demanded

-----x-----  
GEORGE SASSOWER,

Plaintiff,

-against-

ERNEST L. SIGNORELLI, ANTHONY MASTROIANNI,  
JOHN P. FINNERTY, ALAN CROCE, ANTHONY  
GRYZMALSKI, HARRY SEIDELL, and THE COUNTY  
OF SUFFOLK,

Defendants.  
-----x-----

Plaintiff, complaining of the defendants  
respectfully sets forth and alleges:

1a. The jurisdiction of this Court is invoked pursuant to the provisions of Title 28, United States Code, §§1331, 1343, this being a suit in law authorized by Title 42, United States Code §1983, brought to redress the deprivation under color of state law, statute, ordinance, regulation, custom and usage of rights, privileges, and immunities providing for equal rights and due process of citizens; Amendment XIV of the Constitution and pendent jurisdiction. The rights here

sought to be redressed are rights guaranteed by the due process, privileges and immunities and equal protection clauses of the laws, including access to the courts, state and federal, and the matter in controversy exceeds the sum of \$10,000, as hereinafter more fully appears.

b. That at all of the times hereinafter mentioned the defendants acted jointly and in concert with each other.

2. At all of the times hereinafter mentioned, plaintiff was and still is a resident and citizen of the United States.

3a. Defendant, Ernest L. Signorelli ["Signorelli"], was and still is the Surrogate of Surrogate's Court, Suffolk County, and at all times acted under "color of law" or in concert with those acting under "color of law".

b. Defendant, Anthony Mastroianni ["Mastroianni"], was and still is the Public Administrator of Suffolk County, and at all times acted under "color of law" or in concert with those acting under "color of law".

c. Defendant, John P. Finnerty ["Finnerty"], was and still is the Sheriff of Suffolk County, and at all times acted under "color of law" or in concert with those acting under "color of law".

d. Defendants, ALan Croce ["Croce"] and Anthony Gryzmalski ["Gryzmalski"], were and still are Deputy Sheriffs of Suffolk County, and at all times acted under "color of law" or in concert with those acting under "color of law".

e. Defendant, Harry Seidell ["Seidell"], was and still is a judge in Suffolk County, and at all times acted under "color of law" or in concert with those acting under "color of law".

f. Defendant, Suffolk County was and still is an independent subdivision of the State of New York.

4. At a full and fair hearing, whose findings were affirmed by the Appellate Division, First Department it was found and determined:

a. Plaintiff was recognized by everyone and everything, documents and otherwise, including Signorelli and Surrogate's Court, as the sole executor of the Estate of Eugene Paul Kelly ["Estate"] until March of 1977.

b. On October 21, 1976, [or five months prior thereto] "on the record" Signorelli "ordered" plaintiff to sell the house owned by the Estate.

c. Plaintiff entered into such contract of sale on behalf of the Estate.

d. At the eve of the closing Signorelli "aborted" the contract.

e. More than a year later, after paying additional taxes and other expenses, Mastroianni, sold this vacant non-income producing house to the same party for the same price.

f. Plaintiff turned over all necessary papers and documents to Mastroianni, as ordered by Signorelli, before June 22, 1977.

g. There is no evidence that plaintiff did not turn over the required books and records of the Estate to Mastroianni prior to June 22, 1977.

5a. After such turnover, on June 22, 1977, Signorelli (a) without any accusation, (b) without notice of any trial or hearing, (c) tried, (d) convicted, and (e) sentenced plaintiff to be incarcerated for 30 days in the Suffolk County Jail all performed in absentia, on the contrived charge that plaintiff had failed to turn over such books and records.

The aforementioned Order of Criminal Contempt was based on an alleged charge that in the immediate presence of the court plaintiff had performed such contemptuous act, when in fact plaintiff was about 100 miles away at the time.

b. Signorelli, a law school graduate, an Assistant District Attorney for a number of years, a County Court Judge, also for a number of years, had actual knowledge at the time of such "mock" trial that he did not have jurisdiction over plaintiff for such conviction and sentencing. Furthermore, such knowledge is so fundamental and basic that it is known by every lawyer, law student, and even poorly educated persons.

6a. On the same day, Signorelli and/or those on his behalf, in an enforcement capacity, communicated with defendant, Finnerty, and requested that his office immediately execute a facially invalid warrant of arrest in Westchester County.

b. The defendants knew that Finnerty and his office had no official or police status in Westchester County, except in instances not here relevant.

c. That the defendants agreed, expressly or impliedly, that the deputies of Finnerty, to wit., Croce and Gryzmalski, would expeditiously proceed to Westchester County, unlawfully abduct plaintiff, under color of law, not permit him access to local police authorities or the courts or any judge thereof, federal or state, and bring him to Signorelli, and not the County Jail, as by law provided, which they did.

7a. Pursuant thereto, Croce went to Surrogate's Court, and picked up the Warrant of Commitment, which on its face he and the other defendants, knew was invalid, since inter alia, it provided that plaintiff was to be delivered to Signorelli and not the County Jail. In fact, Croce and Finnerty had never seen such type of warrant of commitment before or since.



b. Before working hours the following morning, Croce and Gryzmalski, started out for Westchester County with all the defendants knowing of the illegality of their intended conduct.

c. It is standard police practices, including the Sheriff's Office of Suffolk County, in such circumstances to either communicate with a defendant or his attorney and request they surrender or have local police authorities make the arrest, and then, upon notification of the arrest, travel to the place of detention and transport the arrested person to the place of conviction.

d. Without local police assistance, they effectuated an illegal arrest of plaintiff and abducted him back to Signorelli, not to the County Jail, as by law provided, and as demanded by plaintiff.

e. At all times, and pursuant to the aforementioned agreement by and between the defendants, they refused to permit plaintiff to present his hastily prepared Writ of Habeas Corpus to any judge, federal or state, and otherwise prevented plaintiff from receiving aid and/or legal assistance.

f. At Signorelli's courthouse, Croce and Gryzmalski, kept plaintiff incommunicado and did not permit him to present his Writ of Habeas Corpus to any judicial officer, at Signorelli's express instructions, who was acting as warden at the time.

g. At Signorelli's courthouse, Croce and Gryzmalski kept plaintiff from enjoying other basic constitutional rights, including his 5th Amendment rights, right to communicate with counsel, and right to a writ of habeas corpus, all at Signorelli's express instructions, who was acting as warden at the time, although plaintiff was under the jurisdiction of Croce and Gryzmalski and entitled to their protection.

8. Thereafter when someone, on behalf of plaintiff attempted to obtain a writ of habeas corpus on behalf of plaintiff, and his release thereby, after plaintiff was eventually incarcerated, Signorelli told or conveyed a false and contrived story to the Appellate Division, which in reliance thereon, refused to release plaintiff on bail, on this clearly invalid in absentia conviction.

9. When plaintiff was released by way of another, previously submitted, writ of habeas corpus on bail, the defendants and/or those on their behalf, solicited the appearance of a reporter for the New York Daily News, gave him a private interview, and caused the publication of a completely false story on the morning that plaintiff's writ of habeas corpus was to be heard in order to deprive plaintiff of a fair and constitutional hearing.

10a. Still operating corruptly, the defendants caused the hearings on this writ, based on this "mock" conviction to continue endlessly, and caused various complaints to be filed against plaintiff, in order to deprive him of his basic constitutional and legal rights to a fair trial.

b. Only after the intervention of a federal court, and as a result thereof, did the hearings terminate and was the writ sustained.

11a. The defendants continued to harass not only plaintiff, in and out of the judicial forum, but also his family.

b. Thus, for example, defendants retained a former police official in Suffolk County to travel to Westchester and New York counties, exhibiting a spurious police badge, and make continual inquiries regarding plaintiff, in the vicinity of his home and business, implying, if not stating, that he was being investigated for criminal activities.

12a. Finally, plaintiff resorted again to the federal forum for relief and there, on February 3, 1978, Signorelli's attorney represented, on behalf of his client, after speaking to him, that everything had been completed regarding the plaintiff and the Estate, that nothing further was pending involving plaintiff and the Estate, except possible contempt proceedings against him and that he was recusing himself from both the Estate matter and plaintiff.

b. The attorney for Signorelli promised the federal court that he would submit an affidavit from his client to that effect within one week confirming same. As a result thereof, interim relief was not pressed.

c. On February 24, 1978, the defendant, Signorelli, without submitted such affidavit, caused to be issued, published, and distributed a professional and ethical "diatribe" which decided nothing nor ordered anything, nor was it intended to decide or order anything, against plaintiff and his attorney wife.

Such publication was widely distributed by defendants, including to the Presiding Justice of the Appellate Division [who had no personal jurisdiction in the matter], to Signorelli's successor, Harry Seidell, to the New York Law Journal, and to various other persons, and by its overpublication, expressly violated statutory mandate.

d. Such "diatribe" was factual false, misleading and deceptive in each and every accusatory manner.

e. At the time of issuance and publication, there was an ethical complaint against plaintiff by or on behalf of defendants with the Disciplinary Committee which plaintiff had very satisfactorily answered, and the committee was waiting for reply or comment, which defendants or those on their behalf, could not give.

13a. The first time a criminal contempt proceeding was scheduled for trial, before Harry Seidell, plaintiff was engaged in the midst of a trial before Hon. Joseph DiFede in the Supreme Court, Bronx County, and advised the Court of that fact.

b. In plaintiff's absence, the defendant Hon. Harry Seidell, as a result of the influence exerted by the recused Signorelli, and enraged by the publication he had received from Signorelli, knowing that he did not have jurisdiction thereof, tried, convicted, and sentenced plaintiff in absentia.

The defendant, Seidell, as a County Judge, had such basic knowledge from his experience as a law student, lawyer, judge, and also from the Order which sustained plaintiff's Writ of June 23, 1977, which defendant Seidell had actual knowledge.

c. Upon learning of the aforementioned, plaintiff proceeded to the federal forum and the court clearly advised the representative of Suffolk County that the conviction was constitutionally invalid, in no uncertain terms, and advised it be recalled.

d. When the defendants, including the now recused Signorelli, refused, plaintiff offered at Finnerty's convenience, to surrender at Special Term Bronx, Manhattan, or Westchester.

e. Seeking advise from Seidell and Signorelli, the said Seidell, now in an enforcement capacity, directed execution, although at this time he clearly, without any doubts whatsoever knew the warrant was jurisdictionally defective and constitutionally infirm.

f. After receipt of such letter from plaintiff and knowing of the invalidity of such conviction, the defendants nevertheless, in an enforcement capacity decided to harass and defame plaintiff, not by withdrawing the warrant, or arresting him properly as offered, but by repeated forays into Westchester and New York County, advising and telling everyone that plaintiff was being sought as a convicted person, causing deep emotional strain and embarrassment upon and to plaintiff and his family.

f. On all these forays, the defendants knew that Finnerty and his office were transgressing their jurisdictional bailiwick, as established by law.

14a. Eventually, they apprehended plaintiff, who was never seeking to evade defendants, in Westchester County, and when plaintiff sought police aid and assistance, Gryzmalski and his partner repeatedly struck, assaulted, and threatened him.

b. The defendants incarcerated plaintiff in such manner as was contrary to statutory provisions for convictions on contempt, and in other ways deprived him of his constitutional and statutory rights.

15a. The defendants after incarceration, refused to permit plaintiff's wife and child to visit him; refused to permit his attorney to consult with him; and refused to honor a writ of habeas corpus for his release, as provided therein.

b. On the contrary, defendants incarcerated plaintiff's wife and child when they presented the writ of habeas corpus, and thus assured themselves that they were incommunicado with the outside world while they attempted to unlawfully obstruct the mandate of the Writ of Habeas Corpus.

c. The defendants directly or indirectly, in the interim tried to improperly interfere with his writ of habeas corpus through improper judicial influence upon the judge who signed same.



16. Since such time, defendant, by improper methods, have improperly interfered with plaintiff's right to a fair hearing, at trial and appellate tribunals, in ways and means, that will appear by separate affidavit.

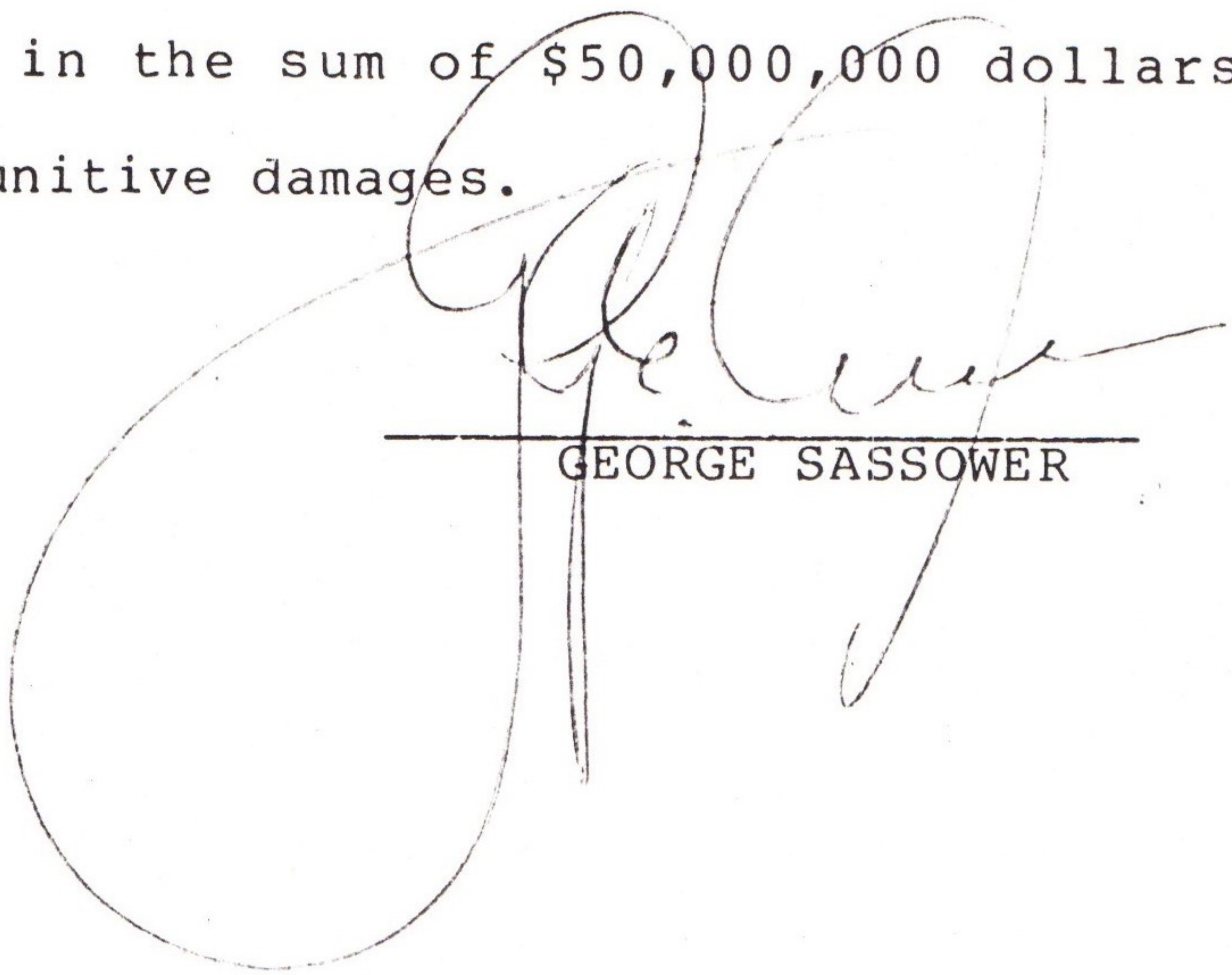
17. Furthermore, in an attempt to have plaintiff disbarred and disgraced, the charged plaintiff with criminal assault upon Gryzmalski, contending he was a police officer in Westchester County, when in fact he had no police power in Westchester at the time, and the proceeding was dismissed.

18a. Signorelli, by a ploy, obtained the aid and cooperation of the Presiding Justice of the Appellate Division in pressing disciplinary charges against plaintiff, as well as his wife, destroying or secreting most of the exculpatory documents on file in Surrogate's Court resulting in disciplinary proceedings, which would never have taken place if such documents had not been destroyed and/or secreted.

b. Both plaintiff and his wife were resoundingly vindicated in the Signorelli inspired charges, in no uncertain terms based upon confessions and admissions that the basic charges against plaintiff were false and contrived.

19. By ways and means appearing in separate affidavit, the defendants have obstructed the rights and remedies of plaintiff and his family in the state courts, as also appears by separate affidavit.

WHEREFORE, plaintiff demands judgment against defendants in the sum of \$50,000,000 dollars, compensatory and punitive damages.



A large, stylized handwritten signature in cursive script, written in black ink. The signature is positioned above a horizontal line that serves as a separator between the signature and the printed name below it.

GEORGE SASSOWER