UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

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UNITED STATES OF AMERICA for the benefit of GEORGE SASSOWER; GEORGE SASSOWER; UNITED STATES OF AMERICA, ex rel., GEORGE SASSOWER; PUCCINI CLOTHES. LTD.; ESTATE OF EUGENE PAUL KELLY; GENE KELLY MOVING & STORAGE, INC., TRUSTS; and those having vested interests in the aforementioned, and on behalf of DENNIS F. VILELLA and HAROLD COHEN,

Plaintiffs,

-against-

Hon. RICHARD L. THORNBURGH; RUDOLPH W. GIULIANI; ANDREW J. MALONEY; FREDERICK J. SCULLIN, JR.; SAMUEL A. ALITO, JR.; ROBERT W. GAFFNEY; HAROLD JONES; JEFFREY L. SAPIR; HUGH J. LEONARD; JOHN J. SCURA; WILFRED FEINBERG; IRVING R. KAUFMAN; THOMAS J. MESKILL; GEORGE C. PRATT; ROGER MINER; ELLSWORTH A. VAN GRAAFIELAND; CHARLES L. BRIEANT; WILLIAM C. CONNER; GERARD L. GOETTEL; DAVID N. EDELSTEIN; EUGENE H. NICKERSON; JACOB MISHLER; LEONARD D. WEXLER; I. LEO GLASSER; EDWARD R. KORMAN; NICHOLAS H. POLITAN; CON G. CHOLAKIS; HOWARD SCHWARTZBERG; HOWARD C. BUSCHMAN, III; DANIEL J. MOORE; JAMES C. FRANCIS, IV; ROBERT ABRAMS; DAVID S. COOK; JEFFREY I. SLONIM; DENIS DILLON; J. KENNETH LITTMAN; MATTHEW D. SANSVERIE; ALBERT M. ROSENBLATT; FRANCIS T. MURPHY; THEODORE R. KUPFERMAN; MILTON MOLLEN; WILLIAM C. THOMPSON; ISAAC RUBIN; MOSES M. WEINSTEIN; JOSEPH W. BELLACOSA; XAVIER C. RICCOBONO; IRA GAMMERMAN; DAVID B. SAXE; ALVIN F. KLEIN; WALTER M. SCHACKMAN; MARTIN B. STECHER; ERNEST L. SIGNORELLI; ANTHONY MASTROIANNI; DONALD DIAMOND; CITIBANK, N.A.; JEROME H. BARR; KREINDLER & RELKIN, P.C.; FELTMAN, KARESH, MAJOR & FARBMAN; NACHAMIE, KIRSCHNER, LEVINE & SPIZZ, P.C.; RASHBA & POKART; IRA POSTEL; HOWARD M. BERGSON; CLAPP & EISENBERG, P.C.; ROTHBARD, ROTHBARD & KOHN; ROBERT H. STRAUS; VINCENT G. BERGER, JR.; REISMAN, PEIREZ, REISMAN, & CALICA; CAHN, WISHOD, WISHOD & LAMB; PETER SORDI; ROBERT MORGANTHAU; ELIZABETH HOLTZMAN; GENERAL INSURANCE COMPANY OF AMERICA; and X INSURANCE COMPANY,

Defendants.

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Relator, GEORGE SASSOWER, Esq., on behalf of himself, and others described herein, as and for his complaint, respectfully sets forth and alleges:

1. This action is brought by relator, on his own behalf, and on behalf of others, and makes complaint against defendants' pattern of criminal racketeering adventures, employing the courts and other agencies of government in order to steal and unlawfully siphon assets from judicial trusts, causing racketeering injury to business and property, and in addition thereto, substantial personal injuries, in gross violation of federal constitutional (43 U.S.C, §1983), and other, legal rights.

2. The courts, state and federal, nisi prius and appellate, in which most of the defendants are associated, are "enterprises", and the defendants activities affect interstate and foreign commerce.

3a. The end purpose of these defendants, by their concerted coordinated action, is (1) to conceal the massive larceny and plundering of the judicial trust assets of PUCCINI CLOTHES, LTD. ["Puccini"], and those estates similarly situated, and (2) to conceal the larcenous adventures of Surrogate ERNEST L. SIGNORELLI ["Signorelli"] with respect to the ESTATE OF EUGENE PAUL KELLY ["Kelly Estate"], and other estates.

b. The Puccini and Signorelli matters described herein are only two (2) of a pattern of ongoing criminal racketeering adventures, centered in the courts, and involving

members of the judiciary and/or their cronies.

4. On June 4, 1980, Puccini -- "the judicial fortune cookie" -- was involuntarily dissolved by Order of the Supreme Court of the State of New York, County of New York, its assets and affairs becoming, at that point, and every since, custodia legis.

5. By mandate of law, an "accounting" <u>must</u> be filed "at least once a year", nevertheless in the more than eight (8) years since Puccini was involuntarily dissolved, not a single accounting has been filed -- not one!

6. As a ministerially imposed "duty", ROBERT ABRAMS ["Abrams"], the Attorney General of the State of New York, <u>must</u> make application for the settlement of a filed accounting and make distribution of its assets, after the lapse of eighteen (18) months, nevertheless in the more than ninety-nine (99) months that have elapsed, Abrams has not made a single application-- not one!

7. No true accounting can ever be filed for this judicial trust, a "person" within the meaning of the XIV Amendment, entitled to "due process", whose assets are held under "color of law", without disclosing the massive larceny, the plundering, the perjury, the extortion, the official and judicial corruption, that has completely denuded Puccini of all its tangible assets, leaving absolutely nothing for its legitimate creditors and stockholders.

8. On or about April 26, 1972, EUGENE PAUL KELLY

["Kelly"] died, and thereafter letters testamentary were issued by the Surrogate's Court, Suffolk County, to the relator, thereby causing the assets to become custodia legis.

9. Signorelli's practices are to pay his personal obligations by having his obligees file claims against estates in his judicial bailiwick, and receive payment from such sources.

10. During Kelly's lifetime, Kelly caused his wholly owned corporation, GENE KELLY MOVING, INC., to establish certain trusts for members of his family, which thereafter came under the jurisdiction of the Supreme Court of the State of New York, County of New York, rendering such assets custodia legis.

11. Since the assets in the Kelly Estate were insufficient to pay all the creditors, bona fide and otherwise, by reason of the Signorelli plunderings and privately motivated adventurisms, the trust assets under the Kelly Trusts, wherein relator is the trustee, were seized for Kelly Estate obligations.

12. While to some the demarkation between plundering and larceny may seem elusive, involved in the Puccini and Kelly matters is flagrant larceny, with all the criminal implications involved therein.

13a. Judicial trusts, of whatever kind and nature, including those resulting from filings in the bankruptcy courts, are "persons" within the meaning of the Fifth and Fourteenth Amendments of the United States Constitution, entitled to "due process", "equal protection of the laws", and other basic constitutional rights.

b. These judicial trusts are held under "color of law" within the meaning of 42 U.S.C. §1983, and the mirrored legal provisions when federal agencies are involved.

14. Notwithstanding the constitutional and legal rights of "judicial trusts", they are generally treated in the judicial forum, as "fortune cookies", whose assets primarily exist in order to serve as carrion in an attempt to satisfy the insatiable monetary appetites of some judges and/or their cronies, and to corrupt justice.

15. Private attorneys, executors, and/or trustees owe their clients and trusts "undivided loyalty", with the concomitant obligation to protect their interests with "zeal".

16. Such fiduciary obligations are invariably in direct conflict with judicial plunderers, holding the inside judicial track, who often desire to rape and ravish these judicial trust assets for private criminal purposes.

17. Since law is a business, as well as a profession, those who desire to practice profitably must, of necessity, compromise their professional obligations when confronted by the greed of some of the judiciary and/or their designees or favorites.

18. As a matter of almost invariable racketeering practice, all judicial trusts, however created, are made the object of plundering wherever the assets are (1) substantial, and (2) there is a judicial appointee involved.

19. The involuntary dissolution of Puccini, was the

direct result of still another extensive, continuous, extraordinarily profitable racketeering practice, known as "estate chasing", which is included as a predicate for this complaint.

20. The very wealthy MILTON KAUFMAN ["kaufman"] died in early 1979, and letters testamentary were issued to CITIBANK, N.A. ["Citibank"] and JEROME H. BARR, Esq. ["Barr"].

21. Barr had prepared Kaufman's will which had named Citibank as a co-executor, and it was and is Citibank's practice to reward attorneys whose clients name it as an executor and/or trustee by unlawfully siphoning estate monies to such attorneys or their designees.

22a. The usual format for such siphoning process is for Citibank to appoint such "estate chaser" to perform some legal work, often needless or self-defeating, and then to over-compensate. Where, as in the Kaufman Estate, the attorney was the co-executor, an "associate" of the "estate chaser" is designated.

b. Thus, for example, the initial task performed by KREINDLER & RELKIN, P.C. ["K&R"], the "associate" of Barr, was to mail a very simple one page letter, for which it charged the Kaufman Estate almost $5,000, claiming it expended almost fifty (50) hours of work, when clearly ten (10) minutes was all that should have been expended.

23a. A competitive motive, particularly with banks with a very active merchandising program, such as Citibank, prompts

very lavish over-compensation for such "estate chasers", or their designees, as an attractive influence for further and other such designations.

b. Otherwise stated, banks and trusts companies who take their fiduciary responsibilities seriously and honestly are not generally designated or recommended by attorneys to be executors and/or trustees for their clients.

24. Kaufman at the time of his death was an officer, director, twenty-five percent (25%) shareholder in Puccini, and also had guaranteed some of Puccini's borrowings from Citibank.

25. The interests of HYMAN RAFFE ["Raffe"] mirrored that of Kaufman, except that he had guaranteed the balance of Puccini's borrowing at another financial institution.

26a. Citibank at all times knew that at Kaufman's death, an intolerable conflict would exist, particularly since an "Iraq-Iran" situation existed between the fiduciary and commercial departments at that institution.

b. In their ex parte application for letters testamentary neither Citibank nor Barr advised the Court of any fact which might disqualify them from being appointed to such lucrative positions, although grounds existed.

27a. The commercial department of Citibank, asserting that the fiduciary department at Citibank did not properly execute certain papers properly, seized some of Kaufman's estate assets, without notice or warning to anyone else, including the fiduciary department.

b. Such wrongful seizure by the commercial department of fiduciary department assets was to serve as pretext to sue Puccini, and it three (3) remaining stockholders on cross-guarantee agreements.

c. Since Puccini was solvent, this lawsuit was patently absurd, except to compensate for "estate chasing", and for a recovery of approximately $32,000 in a simple guarantee action, Citibank paid K&R, as legal fees, almost that sum of money.

28. Similarly, except as a mode for siphoning of monies from the Kaufman Estate to Barr and K&R, the involuntarily dissolution proceeding of Puccini was self-defeating, and could not be justified.

29. Consequently, when the Court, without a trial or hearing, ordered Puccini to be involuntarily dissolved, based essential on perjurious K&R submissions, the Kaufman Estate had expended a great deal of monies only to decrease its own equity in Puccini.

30. K&R and Citibank, then attempting to unilaterally reverse the process, engineered the massive larceny of Puccini's judicial trust assets, and to conceal such criminal conduct, inundated the court with perjurious affidavits denying that such dissipation of judicial trust assets had taken place.

31. In such criminal adventure, in exchange for a portion of such larcenous assets, the law firm of NACHAMIE, KIRSCHNER, LEVINE & SPIZZ, P.C. ["NKL&S"], charted a course of

continuous betrayal of its clients, EUGENE DANN ["Dann"] and ROBERT SORRENTINO ["Sorrentino"] who each had a twenty-five percent (25%) stock interest, as well.

32. LEE FELTMAN, Esq. ["Feltman"], the court-appointed receiver, who is an agent of the court, under the court's exclusive control, agreed not to expose such larceny or make any attempt at recovery of Puccini's assets, provided he was given the balance of Puccini's judicial trust assets.

33. Since Feltman's commission are fixed by statute, the "bribe" payments were to be made to FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. ["FKM&F"], the law firm wherein Feltman was senior partner.

34a. FKM&F received almost one million dollars ($1,000,000) of Puccini's trust assets, without doing anything which benefitted Puccini, or was intended to benefit such judicial trust, and although local law provides that unless they are judicially appointed, and they were not, they cannot receive any monies from the judicial trust.

b. State statutes and judicial rule further provide that all compensation received, when in excess of $200, must be reported by the jurist, but the records at the Office of Court Administration whose Chief Administrator was JOSEPH W. BELLACOSA ["Bellacosa"] and now is ALBERT M. ROSENBLATT ["Rosenblatt"], reveals no such mandatory reports having been filed by the corrupt jurists involved.

c. In short, despite statutory and judicial mandates,

for the proper amount of consideration, to the appropriate persons, these mandates simply camouflage the fact that justice is bought and sold in this area of the law.

35a. In order to stonewall any inspection of Puccini's books and records as a result of relator's accusations of larceny by K&R and NKL&S, Feltman petitioned for the appointment of RASHBA & POKART ["R&P"], as investigatory accountants on Puccini's behalf and at its expense

b. Concealed was the fact that K&R were the clients of R&P, and in order to satisfy an invoice from R&P to K&R, NKL&S had unlawfully taken $10,000 from Puccini's judicial trust assets, "laundered" such monies, giving R&P $6,200 to satisfy such K&R indebtedness, keeping for itself the sum of $3,800, as a "laundering fee".

36. On November 7, 1983, three and one-half (3 1/2) years after Puccini was dissolved, the initial "hard evidence" of the massive larceny, plundering, and corruption surfaced, and in the months that followed it reached avalanche proportions.

37a. For considerations paid and received, past and promised, K&R, Citibank, and FKM&F sought out and received, the aid of their cadre of corrupt judges and officials.

b. There followed a continuous series of judicial plagues upon the victims, not the perpetrators, of this massive fraud by the corrupted members of the judiciary and their thrall, which is still continuing, and which has reach the outer limits of creditability.

38a. Obviously, under the aforementioned circumstances, even with the corruptive power of K&R and FKM&F -- "the criminals with law degrees" -- and Citibank, they cannot render an accounting for Puccini's judicial trust assets.

b. As a matter of conscience, professional and otherwise, relator has been steadfast in his insistence that all the victims of this judicial larceny be given restitution, whether they be relator's clients or not.

c. Relator, in almost forty (40) years at the bar has never had any part of any judicial fraud, and is resolved in not participating in any in the future, including those made the subject of this complaint.

d. Consequently, the "wrath of these corrupt judicial gods" have fallen upon relator, who also personally holds a substantial judgment against Puccini, as well as other monetary claims, affording him legal and constitutional standing.

39a. In March of 1977, Signorelli sua sponte and ex post facto removed relator as the executor of the Kelly Estate, as of March 1976, and in the process intentionally cancelled a contract for the sale of a house, a contract which Signorelli had expressly authorized relator to prepare and execute.

b. Disregarding the provision which named relator's spouse as the alternative executrix, Signorelli nominated Public Administrator ANTHONY MASTROIANNI ["Mastroianni"], who in turn appointed VINCENT G. BERGER, JR., Esq. ["Berger"], Signorelli's political campaign manager, as his attorney in this estate.

40. Without any action that significantly benefitted the Kelly Estate, or was intended to do so, all its assets were dissipated by the Signorelli entourage, and the beneficiaries will receive absolutely nothing.

41a. In 1986, after delaying the filing and settlement of an accounting for about eight (8) years, the Signorelli entourage made the attempt to run the gauntlet by filing and settling this very much overdue accounting.

b. Such attempt had disastrous consequences by reason of relator's participation in the proceeding, since he vividly exposed the Signorelli criminal schemes.

42a. For example, there was a claim for twelve thousand five hundred dollars ($12,500) by the second of Mastroianni's three (3) attorneys, a payment which been approved by Mastroianni, a Signorelli appointee.

b. The only legal work such attorney could produce was an affidavit opposing relator's motion for the "expeditious settlement" of the Mastroianni stewardship.

c. This few page opposing affidavit was not intended to benefit the Kelly Estate, nor did it, nevertheless a claim of twelve thousand five hundred dollars ($12,500) for such few minutes efforts was in every sense of the term, attempted larceny, which was engineered by Signorelli and Mastroianni.

d. This attorney, who specialized in criminal and matrimonial law, and was not even from Suffolk County, served as Signorelli's personal attorney in his personal matrimonial

action, and as obvious payment for his services, he was told to file claims in three (3) estates, including the Kelly Estate, which he did.

e. This attorney was awarded the sum of one thousand dollars ($1,000) by a lower echelon jurist, who had been appointed as Acting Surrogate, and exemplifies the fact that some jurists will simply not accept "marching orders", and attempt to perform their judicial obligations with independence and integrity.

43. Instructively, none of the attorneys representing the Kelly beneficiaries, rendered any objection to any Mastroianni approved expenditures, nor are they making any claims against Mastroianni for his misconduct, and that of his several attorneys, including the failure to pay federal taxes, since they know Signorelli has the power to retaliate, and would not hesitate to employ the power of his judicial office to do so.

THE MACHINERY OF JUSTICE

44. On a sub-criminal level, the law recognizes that as between a corrupt judge and/or a corrupt appointee, the private beneficiaries and/or their attorneys have no effective clout, and thus has wisely imposed some mandatory judicial rules and made the Attorney General of the State of New York, as the statutory watchdog.

45a. By legislative statute, Abrams, the Attorney General, has discretionary powers and mandated "duties".

b. With respect to his mandated "duties", he must

act, which "duties" include compelling the settlement of a filed accounting and distribution after the expiration of eighteen (18) months.

46. However, there is a confidential understanding and/or agreement between Abrams, Presiding Justice FRANCIS T. MURPHY ["MURPHY"] of the Appellate Division, First Judicial Department, and Administrator XAVIER C. RICCOBONO ["RICCOBONO"], of Supreme Court of the State of New York, County of New York, that Abrams and his office will not interfere and protect such judicial trusts, even when mandated duties are involved, and will even aid and abet plunderings and larceny when they occur.

47. Signorelli can always count on Presiding Justice MILTON MOLLEN ["Mollen"] no matter how outrageous and barbaric his misconduct may be.

48. "Comity", as practiced in the Second Circuit, means that the federal court will fully and actively cooperate in the barbaric outrageous of the state judiciary.

49a. The public prosecutors, including the United States Attorneys, never proceed against members of the judiciary and/or their cronies, except when compelled by media disclosure, and the powers in the judiciary expressly and/or impliedly consent to same.

b. In short, the "machinery of justice" has been corrupted by those who have taken an oath of obedience in order to serve their own private lawless purposes.

<u>AS AND FOR A FIRST CAUSE OF PETITION</u>

50. Relator repeats, reiterates, and realleges each and every allegation of the complaint marked "1" through "49" inclusive, with the same force and effect as though more fully set forth herein, and further alleges:

51. The defendant, Hon. RICHARD L. THORNBURGH ["Thornburgh"] is the Attorney General of the United States, and constitutionally part of the executive branch of government.

52. With rare exception, not here relevant, exclusive prosecutorial jurisdiction and authority with respect to the penal laws of the federal government, lies with the Attorney General and his subordinates.

53. The Attorney General and his subordinates also defend claims and suits against members of the federal government, including the federal judiciary, although the obligation is not mandatory and clearly inappropriate where contrary to the Canons of Professional Conduct and/or their criminal responsibilities.

54. By the simple expedient by the federal judiciary in dragooning the services of the local United States attorneys and establishing with them an attorney-client relationship, in related civil litigation, they have effectively immunized themselves from criminal prosecution and penalties.

55, In the Puccini and Signorelli matters, heretofore described, members of the federal judiciary and government have been sued civilly for conduct having clear criminal implications.

56. However, United States Attorneys, RUDOLPH W.

GIULIANI ["Giuliani"], ANDREW J. MALONEY ["Maloney"], FREDERICK J. SCULLIN, JR. ["Scullin"], and SAMUEL A. ALITO, JR. ["Alito"] have permitted themselves to be dragooned, and even volunteered themselves, for the defense of such actions against federal governmental officials, including the judiciary, even where, on their face, the charges asserted clear criminal conduct.

57. Indeed, the aforementioned local United States attorneys have, in addition thereto, have affirmatively and effectively aided, abetted, and facilitated such criminal adventurisms.

58. An indispensable element of American criminal law and society is that no person, no matter how exalted or lofty his position, is above the criminal laws of the United States, and equality of treatment is a legitimate and appropriate constitutional goal, if not a mandate.

59. The defendant Thornburgh, as well as his assistants, should be enjoined from defending civilly, or otherwise establishing an attorney-client relationship, where the allegations against there potential clients have criminal implications.

AS AND FOR A SECOND CAUSE OF PETITION

60. Relator repeats, reiterates, and realleges each and every allegation of the complaint marked "1" through "59" inclusive, with the same force and effect as though more fully set forth herein, and further alleges:

61. Although the United States attorneys have wide

discretionary prosecutorial powers, they nevertheless must present and permit the grand jury the right "to inquire into offenses against the criminal laws of the United States" (18 U.S.C. §3332).

62. Furthermore, as a matter of ministerial obligation, permitting no discretion whatsoever, the United States attorney, or one of his assistants must, according to 18 U.S.C. §3332, inform the grand jury of any legitimate request made by anyone that there be conveyed to that body information concerning criminal conduct.

63. The grand jury, an independent body, then has the right to request such informant to testify, inquire further into the matter, issue subpoenas, and/or take such other action as such body may deem appropriate.

64. Although relator has given to Giuliani, Maloney, and Alito, irresistibly compelling evidence, documentary and otherwise, concerning criminal conduct, violative of the laws of the United States, including by federal officials, those prosecutors, on information and belief, have failed and refused to comply in any respect with 18 U.S.C. §3332.

65. A writ of mandamus should be issued against the aforementioned United States attorneys compelling compliance with 18 U.S.C. §3332.

AS AND FOR A THIRD CAUSE OF PETITION

66. Relator repeats, reiterates, and realleges each and every allegation of the complaint marked "1" through "65"

inclusive, with the same force and effect as though more fully set forth herein, and further alleges:

67. Relator, as a Chapter 13 debtor, with trust powers and authority, has given Giuliani and Alito all the information necessary, and more, in order to trigger their obligations under 18 U.S.C. §3057[b].

68. Nevertheless, Giuliani and Alito have failed and refused to follow the mandate of the law, as set forth in 18 U.S.C. §3057[b], and they should be compelled to do so.

<u>AS AND FOR A FOURTH CAUSE OF PETITION</u>

69. Relator repeats, reiterates, and realleges each and every allegation of this complaint marked "1" through "68" inclusive, with the same force and effect as though more fully set forth at length herein, and further alleges:

70. Pursuant to 18 U.S.C. §1504, relator has attempted to communicate with the grand jury requesting an appearance before such body, as is relator's right.

71. On information and belief, those requests have unlawfully been hijacked by the Offices of the United States attorneys, and never received by such body.

72. The United States attorneys should be prohibited from hijacking or in any way interfering with such lawful requests, under a writ of prohibition, and mandated to make proper delivery of prior requests.

<u>AS AND FOR A FIFTH CAUSE OF PETITION</u>

73. Relator repeats, reiterates, and realleges each

and every allegations contained in paragraphs numbered "1" through "72" inclusive, with the same force and effect as though more fully set forth at length herein, and further alleges:

74. By reason of the aforementioned, the defendant THORNBURGH should be mandated to disqualify the aforementioned United States attorneys, directed to assign one or more United States attorneys not heretofore associated with the Second or Third Circuits to inquire and take such action as he or they deem appropriate under the circumstances.

AS AND FOR A SIXTH CAUSE OF COMPLAINT

75. Relator repeats, reiterates, and realleges each and every allegation of this complaint marked "1" through "74" inclusive, with the same force and effect as though set forth more fully at length, and further alleges:

76a. There exists between the relator and the jurists and judicial system in the Second Circuit, which has metastasized over into the Third Circuit, a general bias, indeed a jihad, making it inappropriate for any litigation involving relator, directly or indirectly, to be conducted by any jurist assigned to those circuits, and all such actions and proceedings in such jurisdictions should be declared a nullity (Hazel-Atlas v. Hartford, 322 U.S. 238), and be removed to a constitutional and legal forum for adjudication.

b. A judicial system where Judge WILLIAM C. CONNER ["Conner"] employs his robe to "fix" cases wherein relator is involved; where Nickerson assigns and reassigns jurists,

involving relator, after they meet with his administrative approval; where Chief Judge CHARLES L. BRIEANT ["Brieant"] employs his administrative position to dismiss actions being adjudicated by other jurists; and ex parte communications and "marching orders" are continually being made and given, is unconstitutional and unacceptable.

77. The facts reveal that the Second Circuit, and the state courts within that jurisdictional bailiwick, and some courts in the Third Circuit are simply "Unfit for Human Litigation".

AS AND FOR A SEVENTH CAUSE OF COMPLAINT

78. Relator repeats, reiterates, and realleges each and every allegation of this complaint marked "1" through 77" inclusive, with the same force and effect as though more fully set forth at length herein, and further alleges:

79a. Each time relator was afforded some semblance of "due process" he was resoundingly vindicated or otherwise triumphed.

b. Consequently, the courts in which the defendants are associated, initiated a "no due process" procedure for all litigation in which relator is involved, civil and criminal.

80a. Unquestionably, absent a plea of guilty, as a matter of ministerial compulsion, <u>every</u> American jurist, <u>must</u> afford the accused a trial or hearing before he is convicted of any crime, including for the crime of non-summary criminal contempt (<u>Nye v. U.S.</u> 313 U.S. 33; <u>Bloom v. Illinois</u>, 391 U.S.

194).

b. More than one hundred fifty (150) years ago, congress intended that Luke Lawless, Esq. to be "the last victim" of judicial tyranny (Nye v. U.S., supra).

81a. Nevertheless, under trialess scenarios, far more egregious than the one involving Luke Lawless, Esq., relator has been convicted about ten (10) times, and incarcerated seven (7) times; relator's client, HYMAN RAFFE ["Raffe"] was convicted three (3) times; and SAM POLUR, Esq. was convicted and incarcerated one (1) time.

b. Thus, while the President of the United States, the appointor of Thornburgh, was telling the students and faculty at Moscow State University that in America every person is entitled to a trial before a fair and impartial jurist before he is convicted of a crime, the robed tyrants in the Second Circuit, state and federal, act otherwise (cf. 18 U.S.C. §241).

c. Even the Ku Klux Klan, in the heyday of their power, gave their untried victims a "drumhead" trial, a right to which neither relator, Raffe, or Polur had.

82a. In January 1985, after a more than two (2) year study, Mr. Justice MARTIN EVANS, vindicated HYMAN RAFFE ["Raffe"] and relator of non-summary criminal contempt, clearly triggering constitutional and statutory "double jeopardy" prohibitions.

b. Nevertheless, within three (3) weeks, FKM&F re-instituted the same charges, but this time Administrator Riccobono, ex parte, induced Mr. Justice Evans to refer same to

Referee DONALD DIAMOND ["Diamond"] for a Report.

c. At the time there was several suits by relator and Raffe against Riccobono and Diamond.

d. The Reports of Referee Diamond proliferate with statements that "a plea of not guilty", which were the pleas interposed, "was tantamount to a general denial in a civil proceeding, and raises no triable issues of fact", that "no trial was necessary because I [Referee Diamond] know they are guilty", and similar nonsense, and recommended the maximum term of incarceration for both, with the maximum fine of $250 on each of sixty-three (63) counts against relator, and seventy-one (71) counts against Raffe.

e. Mr. Justice Evans refused to confirm or reject, it was simply sat lying on his desk.

83a. Some weeks later, District Court Judge EUGENE H. NICKERSON ["Nickerson"], without a trial or hearing, without even notice, found relator and Raffe to be in non-summary criminal contempt, and imposed criminal fines payable "to the court".

b. Neither the court nor any agency of the federal government received such fines, but they were paid instead to K&R, the patrons of Judge Nickerson.

c. Needless to say, had either Raffe or relator been afforded a trial, there was no possible way that a conviction could be obtained.

84. The Nickerson trialess convictions were affirmed, per Chief Judge WILFRED FEINBERG ["Feinberg"], Circuit Judges

IRVING R. KAUFMAN ["Kaufman"] and THOMAS J. MESKILL ["Meskill"].

85. Relator has published, and overpublished the fact that the criminal fines were received by K&R, under such trialess conviction initiated by that firm, the same firm that engineered the larceny of Puccini's judicial trust assets, including to Mahoney, without any affirmative action by the said U.S. Attorney.

86a. Based on an approximate ten thousand ($10,000) judgment rendered by Nickerson against Raffe, a multi-millionaire, K&R, without notice or warning, served approximately two hundred (200) restraining notices, potentially restraining four million dollars ($4,000,000) of Raffe's assets, and with FKM&F, instituted other in terrorem self-help procedures.

b. Relator moved in state court to declare CPLR §5222[b] unconstitutional, insofar as it permitted restraints of "twice" the amount of a judgment or order, and the in terrorem procedures being employed actionable.

c. Without a trial or hearing, Judge DAVID B. SAXE ["Saxe"] found relator to be in non-summary criminal contempt for bringing such a proceeding, had him incarcerated for ten (10) days, fined him, and reported the conviction to the authorities for disciplinary purposes.

87a. Another state jurist, Mr. Justice ALVIN F. KLEIN ["Klein"], also without a trial or hearing, in one document, found Raffe, Polur, and relator, all to be in non-summary criminal contempt, and sentenced each to be incarcerated for

thirty (30) days.

b. Polur and relator served their full term under such trialess convictions, but when Murphy's disciplinary tribunal commenced proceedings against Polur, he left the scene.

c. Raffe paid millions of dollars to FKM&F, and gave other considerations, including general releases to almost all the defendants herein, including to the state judges and all the federal judges in the Southern and Eastern District of New York, and was never incarcerated.

d. In the words of Raffe "they are bleeding me to death", words which Giuliani and Mahoney are keeping from the ears of the grand jury (cf. 18 U.S.C §1951).

88. Based essentially upon the aforementioned three (3) trialess convictions, relator was disbarred from the state courts, where he was not permitted to controvert these manifestly unconstitutional convictions, a matter which Mahoney does not permit the grand jury to know about.

89a. Eventually, in January 1986, after Administrator Riccobono again intervened, ex parte, and requested confirmation of the Referee Diamond report against relator, Mr. Justice Evans confirmed, but without penalties.

b. Since Raffe was paying extortion in the millions of dollars, no request was made for confirmation of the Referee Diamond report against him, as it was agreed, in writing, as long as Raffe complied with the requests of these legal barbarians, they would not move to confirm.

90a. In the one year period, between January 1985 and January 1986, about twenty-five (25) contempt proceedings, all resulted in determinations other than guilty, except for the aforementioned trialess convictions, and each triggering "former jeopardy" considerations.

b. Consequently, Mr. Justice IRA GAMMERMAN ["Gammerman"], without a motion, without an order to show cause, without any moving papers, without any accusation, without any trial or hearing, without any opposing papers, without any anything, simply found relator guilty of non-summary criminal contempt, and dragooned all relator's cases, wherever pending in the state courts to himself, and stayed same.

c. Mr. Justice Gammerman dragooned to himself even those cases wherein he was personally an active party defendant or respondent, and where he was an essential Dennis v. Sparks (449 U.S. 24) essential witness.

d. A petition in bankruptcy was consequently unavoidable, particularly with Referee Diamond issuing phantom judgments against relator, which were being made the subject of property execution and restraining notices.

91a. Murphy issued his "marching orders" to his thrall at the Appellate Division, and they re-imposed the sentence of a thirty (30) day term of incarceration, based upon the trialess Report of Referee Diamond.

b. At a hearing ordered by U.S. Magistrate NINA GERSHON ["Gershon"] FKM&F admitted that the record showed that

there was no trial, no hearing, nor any opportunity for same, and consequently the United States Magistrate recommended that relator's writ be sustained without examining the other contentions of the relator, a report which Judge DAVID N. EDELSTEIN adopted.

c. There was no one, who ever saw relator's writ of habeas corpus, with its multiple grounds of constitutional violations, that did not recognize that in appealing, FKM&F were confident of their "fix" in that Court.

d. The fact is that there is not a scintilla of evidence in the record to support the assertions made by the Second Circuit (Sassower v. Sheriff, 824 F2d 184 [2d Cir.]) that:

> "[relator] refused to appear before [Referee Diamond] ... was notified by the attorney for the receiver that he would be required to appear before the referee for proceeding on the criminal contempt motion ... failed to appear."

e. These, and other, statements by the Court were fabricated, contrived, deceitful, criminal (18 U.S,C. §1001), tortious, and actionable.

92. All the fines imposed, state and federal, however described and designated, were for criminal contempt, without employing the procedures mandated for criminal contempt, and were all without due process, in every essential aspect, and should be declared null, void, and of no force and effect.

AS AND FOR AN EIGHTH CAUSE OF ACTION

93. Relator repeats, reiterates, and realleges each and every allegation of the complaint marked "1" through "92"

inclusive, with the same force and effect as though more fully set forth at length herein, and further alleges:

94. Upon relator's sua sponte, ex post facto, removal as executor of the Kelly Estate, he turned over the books and records of said Estate to the defendant, ANTHONY MASTROIANNI ["Mastroianni"] or those on his behalf, and he and they repeatedly admitted this to be a fact during two (2) extended hearings, and were so found by the jurists presiding at such hearings.

95. Despite the aforementioned, the courts have repeatedly, without benefit of a trial or hearing, convicted relator and/or incarcerated him, for non-summary criminal contempt for his failure to turn over "phantom" books and records, and still desire him to be incarcerated for such "phantom" crimes.

96. All of the aforementioned proceedings, civil as well as criminal, should be declared null, void, and of no force and effect, as a blatant fraud and hoax, to obscure and camouflage the criminal conduct of Surrogate Signorelli.

AS AND FOR A NINTH CAUSE OF COMPLAINT

97. Relator repeats, reiterates, and realleges each and every allegation of the complaint marked "1" through "96" inclusive with the same force and effect as though more fully set forth at length herein, and further alleges:

98. Every decision, order, judgment, and/or decree rendered against relator over the past six (6) years has been the

result of his not being permitted to show or prove that he was being made the object of discriminatory treatment because of his refusal to submit to a code of silence and submit to judicial corruption.

99. Every such decision, order, judgment, and/or decree should be declared null, void, and of no effect unless relator is permitted by the court to show that he is being made the subject of discriminatory treatment or disparate treatment because of the exercise of his First Amendment rights, and all special rules made applicable to relator, including limiting his right to access to the courts, should be enjoined.

AS AND FOR A TENTH CAUSE OF COMPLAINT

100. Relator repeats, reiterates, and realleges each and every allegation of the complaint marked "1" through "99" inclusive, with the same force and effect as though more fully set forth at length herein, and further alleges:

101. From the 27th day of October, 1986 until the 18th day of August, 1988, excepting for a few days in December of 1987, relator was subject to Title 11 of the United States Code.

102. Relator was compelled to seek relief under Title 11 because of the freezing of relator's litigation and the phantom claims being made against him, which as filed in the Court of Judge HOWARD SCHWARTZBERG ["Schwartzberg"], reached about twenty-one million dollars ($21,000,000).

103. Despite same the defendants Feinberg, Mishler, Cholakus, Mollen, and WILLIAM THOMPSON ["Thompson"], on their own

behalf, and on behalf of others, ignored the stay provisions contained in §362[a] of Title 11 of the United States Code, and demanded prepetition debts, all in violation of law, causing relator monetary damages presently unascertainable.

104. Furthermore, in violation of §525 of Title 11 of the United States Code, the defendants Pratt, Mollen, Thompson, and others on their own behalf, and on behalf of others, retaliated against relator for filing a petition in bankruptcy because it vested relator's property in that Court and the trustee and frustrated the attempt at a sham accounting, causing relator very substantial damages.

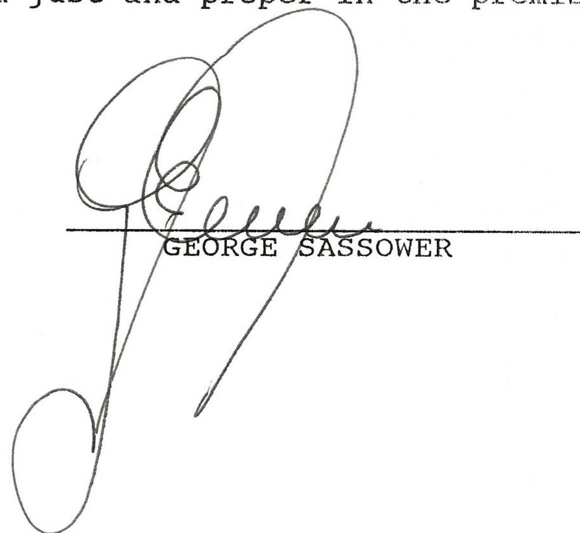
AS AND FOR A TENTH CAUSE OF COMPLAINT

105. Relator repeats, reiterates, and realleges each and every allegation of the complaint marked "1" through "104" inclusive, with the same force and effect as though more fully set forth herein, and further alleges:

106. The defendants named herein, except for the defendant Thornburgh, are all engaged in a pattern of racketeering activity, which includes bribery, mail and wire fraud, obstruction of justice, obstruction of criminal investigation, obstruction of state and local law enforcement, extortion, and fraud under Title 11 of the United States Code, causing relator and those on whose behalf he brings this action, for which damages are sought in the sum of three hundred million dollars ($300,000,000), together with attorney's fees, costs and expenses, together with such other, further, and/or different

relief as to this Court may seem just and proper in the premises.

Dated: September 16, 1988



GEORGE SASSOWER

GEORGE SASSOWER, Esq., affirms the following to be true under the penalty of perjury.

That he has read the foregoing complaint, knows the contents thereof, and the same is true to his own knowledge, except as to matters stated thereon to be on information and belief, and as to those matters he believes them to be true.

Dated: September 16, 1988

____
GEORGE SASSOWER

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

-------------------------------------x

UNITED STATES OF AMERICA
for the benefit of GEORGE
SASSOWER; et el.,

Plaintiffs,

-against-

Hon. RICHARD L. THORNBURGH; et el.,

Defendants.

-------------------------------------x

VERIFIED COMPLAINT

-------------------------------------x

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