UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

JOHNSON, J. NHJ

GEORGE SASSOWER,

Plaintiff,

-against-

Hon. RICHARD L. THORNBURGH; NICHOLAS H. POLITAN; DANIEL J. MOORE; JOHN F. GERRY; SUSAN C. CASSELL; KREINDLER & RELKIN, P.C.; FELTMAN, KARESH, MAJOR & FARBMAN; CLAPP & EISENBERG, P.C.; ROTHBARD, ROTHBARD & KOHN; HOWARD M. BERGSON; ROBERT ABRAMS; and CITIBANK, N.A.,

Defendants.

Docket No.

89 2214

Trial by Jury

AUG 3 1989

Plaintiff, as and for his complaint herein, respectfully sets forth and alleges:

1. The defendant, Hon. RICHARD L. THORNBURGH ["Thornburgh"] is the Attorney General of the United States and Chief Executive Officer of the United States Department of Justice.

2. The U.S. attorneys, their assistants, the U.S. marshals, and U.S. Bureau of Prisons, including the Metropolitan Correction Center in New York City ["MCC/NY"] and Federal Medical Center in Rochester, Minnesota ["FMC"], are under the jurisdiction and control of Thornburgh, as Attorney General of the United States and Chief Executive Officer of the Department of Justice.

3a. On Friday, March 3, 1989, the defendant, U.S. District Judge NICHOLAS H. POLITAN ["Politan"] of New Jersey, operating in conspiratorial consort with the other defendants herein, except Thornburgh, caused to be issued a void "Arrest Warrant" (Exhibit "A-1"), which he and his co-conspirators actually knew was a nullity, jurisdictionally and otherwise, with the immediate intent of silencing plaintiff with respect to corrupt activities that had taken place in the forum of Bankruptcy Judge DANIEL J. MOORE ["Moore"].

b. These corrupt activities included extortion payments from HYMAN RAFFE ["Raffe"], a former client of plaintiff, for self-defeating efforts, which the media now reports to have exceeded $2.5 million dollars, a portion of which was for and related to the corrupt practices that took place in the Moore forum.

c. The co-conspiring defendants also intended to, and did, abuse process, and committed other tortious acts, under color of federal authority, to achieve their purpose of denying to plaintiff his due process and other fundamental federal constitutional and legal rights.

d. On March 3, 1989, those acting in conspiratorial consort with Judge Politan in this matter included: Bankruptcy Judge DANIEL J. MOORE ["Moore"]; U.S. Chief District Court Judge JOHN F. GERRY ["Gerry"]; KREINDLER & RELKIN, P.C. ["K&R"]; FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. ["FKM&F"]; CLAPP & EISENBERG, P.C. ["C&E"]; ROTHBARD, ROTHBARD & KOHN ["RR&K"]; HOWARD M. BERGSON, Esq. ["Bergson"]; ROBERT ABRAMS, Esq. ["Abrams"], and CITIBANK, N.A. ["Citibank"].

4a. In furtherance of this unconstitutional and tortious plan, Judge Politan, upon issuance of the aforementioned knowingly void Arrest Warrant, instructed the U. S. marshals based in Newark, (1) that they were to make no attempt at obtaining plaintiff's voluntary surrender, (2) nor have locally based marshals execute this warrant, as would have been their usual practice, but instead (3) they should expeditiously travel to White Plains, New York -- a journey of about two (2) hours-- and make a public arrest of the plaintiff.

b. On March 3, 1989, neither Judge Politan, nor his co-conspirators, nor the U.S. marshals involved, had any reason to believe that plaintiff would not voluntarily surrender under a valid warrant, if afforded the opportunity, by mailed summons or telephone request.

c. In giving such enforcement instructions, Judge Politan did not intend to act, nor was he acting, in his judicial capacity, as he, his co-conspirators, and the U.S. marshals all knew or should have known.

5a. The U.S. marshals knew this Arrest Warrant, which they were instructed to enforce in an unusual manner, did not pretend to represent a criminal proceeding since, inter alia, it had a civil title and a civil case number, and charged plaintiff only with:

> "Failure to appear for hearing on Order to Show Cause re: Contempt and Sanctions." [emphasis supplied]"

b. The U.S. marshals also knew, or should have known, that a civil arrest warrant had to have a purge clause and/or a provision for bail or security, which was absent in the Arrest Warrant of March 3, 1989.

c. At that time, and at all times thereafter, the U.S. marshals based in Newark had ready and easy access to the court records in this named civil matter, and an inspection would have revealed that: (1) there was no complaint, affidavit, and/or affirmation by any party charging plaintiff with contempt, an essential ingredient for civil contempt; (2) there was no document which required plaintiff to "appear", personally or otherwise, for any non-existent "hearing", pursuant to any order to show cause, or any other document.

d. The only document in the court docket referable to an order to show cause was filed on February 3, 1989 (Exhibit "A-2"), which made no mention of any "appearance" or "hearing" on March 3, 1989 or any other date.

e. Even the most cursory inquiry by the U.S. marshals would have revealed that on March 3, 1989, Judge Politan and Chief Judge Gerry had received, and were in possession of, (1) a copy of a proceeding instituted by plaintiff in the Circuit Court of Appeals for the Third Circuit related to the aforementioned Order to Show Cause, setting forth many of the jurisdictional, constitutional, and legal infirmities, in said document and (2) a proper Answer to said Order to Show Cause, which had been served on Judge Politan and Chief Judge Gerry.

f. In short, the co-conspiring defendants actually knew that the Arrest Warrant of March 3, 1989, was a fabricated and contrived fraud since, inter alia, there was no "appearance" required to any order to show cause, personally or otherwise, no "hearing" scheduled, and certainly no "failure" with respect to any document, judicial or otherwise, and because of its many infirmities, Exhibit "A-2" could have been, but was not, ignored with legal impunity, and the U.S. marshals should have known of such fact.

6a. Nevertheless, early Monday morning, March 6, 1989, U.S. marshals, under the legal control of the defendant, Thornburgh and the Department of Justice, travelled from Newark to White Plains, came to plaintiff's daughter's apartment, where plaintiff was residing, without prior notice to plaintiff or his daughter, repeatedly pounded on the door, loudly yelling, in an inordinate manner and for an inordinate length of time, that they were the "police", with the deliberate intent to impart the false impression to all other residents in the apartment building that plaintiff and/or his daughter were charged with heinous crimes, when they actually knew otherwise.

b. On information and belief, on instructions from "Marshal Politan", they remained the rest of the day in and about White Plains, returning to the premises at least one more time, and once again comported themselves in a manner similar to that described hereinabove.

c. The following morning, March 7, 1989, these same Newark based U.S. marshals returned once more, abused plaintiff's daughter in public view, refused to give her a copy of the Arrest Warrant or any written authority for forcing themselves into her apartment, did not afford her an opportunity to seek legal advice as she specifically requested, and by such actions, once again, deliberately conveyed the impression to all neighbors that some heinous crimes had been committed, and that plaintiff had been charged with the commission thereof.

d(1) Consequently, on March 8, 1989, the following day, written complaint was made by plaintiff to the Chief U.S. Marshal in Virginia, with a copy to the Chief Marshal based in Newark, which described the above events, and concluded with the statement:

> "The bottom line is that <u>your office</u> spent a great deal of time, effort, and taxpayer monies, and <u>obtained no results. A simple letter or telephone call, however, would have been fruitful in every respect</u>." [emphasis supplied]

(2) That same day, plaintiff also wrote to U.S. Magistrate JOEL J. TYLER, in White Plains, with copies to Judge Gerry, Judge Politan, and the local marshal, stating:

> "If Your Honor would be so kind as to inform me, by letter or telephone, when His Honor or the local marshal receives a Warrant for my arrest originating from New Jersey, <u>I will make reasonably prompt arrangements to surrender myself, at a time meeting with Your Honor's convenience</u>." [emphasis supplied]

(3) On March 13, 1989, upon being informed that the local marshal had been delivered a copy of such Arrest Warrant, plaintiff wrote:

> "I would appreciate it if you would mail me a copy of the warrant for my arrest, since information which I have received seems to indicate that <u>the warrant which you hold is facially defective, invalid, and/or void</u>." [emphasis supplied]

(4) On March 19, 1989, plaintiff wrote to Magistrate Tyler, with a copy to the U.S. marshal, as follows:

> "I requested from the United States Marshal that he favor me with a copy of the purported Arrest Warrant, but he has <u>failed</u> to honor my reasonable request.

Nevertheless, I have obtained a rough idea of the form and contents of same from other sources, and have concluded it is a manifest nullity, and may be ignored with impunity (see Fed. Rules for the Southern and Eastern Dist. of New York §43).

I further assert, that with its patent invalidity, any enforcement of same by the United States Marshal, would trigger potential liability, and suggest that he seek independent legal advice with respect to same.

Enclosed is a copy of my petition of March 17, 1989 to the Circuit Court of Appeals for the Third Circuit, which sets forth some of my legal reasons for my above conclusion." [emphasis supplied]

e. Despite these and other offers to voluntarily surrender, made in writing and orally, directly from plaintiff and through others during almost three (3) months time, at the direction of defendant "Marshal Politan" and/or his co-conspirators, the regularly employed members of the U.S. Marshal's service legally under Thornburgh refused to deliver to plaintiff or anyone on his behalf any Arrest Warrant, valid or otherwise.

f(1). Instead, for almost three (3) months, a small battalion of U.S. marshals, based in Newark, Manhattan, White Plains, and Long Island, at monumental cost and expense to the federal government and its taxpayers, repeatedly frequented the places where plaintiff would normally be found, harassed those related to him and those with whom he normally associated, in an attempt effect a public and denigrating "capture".

(2) Indeed, even a chance notary public, whose services plaintiff engaged to witness his signature, became the subject of an investigatory visit and interrogation.

g. By reason of the aforementioned conduct by the U.S. marshals, the public became absolutely convinced that the crimes for which plaintiff was being pursued were equivalent to those committed by a "serial killer", when in fact, as the Arrest Warrant of March 3 1989, reveals no crime of any kind or nature was even being charged.

h. Finally, plaintiff wrote that he would, on May 19, 1989, be at the broadcasting facilities of talk show host BARRY GRAY at 12:00 noon, and at the broadcasting facilities of talk show host BOB GRANT at 3:00 that same afternoon, both located in Manhattan, and could be arrested then and there, if the U.S. marshals were so inclined.

i(1) Instead of inexpensively arresting plaintiff at the aforementioned times and places, at the direction of "Marshal Politan", and/or his co-conspirators, a swarm of U.S. marshals descended on the Upper West Side of Manhattan, employed some illegal searching practices, sought out the plaintiff, and then employed at least five (5) U.S. marshals to effectuate a public arrest, with public handcuffing.

(2) Such capture and arrest by at least five (5) U.S. marshals took place during the afternoon of May 18, 1989, or less than one (1) day before plaintiff's appearance at the aforementioned broadcasting facilities, where a single marshal could have easily obtained the same result.

j. The message was clear -- the public, taxpaying and otherwise, would not be allowed to know how "governmental police power" is employed under "Marshal Politan" and his co-conspirators, and plaintiff had to be captured and silenced before the 19th day of May, 1989.

k. Clearly the hierarchy in the United States Marshal's service, under Thornburgh, had unlawfully abdicated their duties, functions, and responsibilities to "Marshal Politan" and his co-conspirators in order to advance a criminal racketeering adventure, which included, with judicial aid and assistance, the diversion of monies payable to the federal government into private pockets.

7a. On information and belief, and unknown to plaintiff at the time, directions were given to Judge Politan from the judicial hierarchy, strongly suggesting that he withdraw from circulation the Arrest Warrant of March 3, 1989, which, as he always knew, was a manifest nullity, and an embarrassment to the judiciary.

b. To conceal the existence of such void Arrest Warrant of March 3, 1989 (Exhibit "A-1"), Judge Politan caused to be issued, on or about March 27, 1989, a substitute Arrest Warrant, which was deliberately and intentionally backdated to March 3, 1989 (Exhibit "B") in order to deceive.

c. This backdated Arrest Warrant, issued by Judge Politan, was based upon an undated and unlawful information by Cassell, and was as defective as the prior invalid warrant, if not more so.

d. The backdated Arrest Warrant was also a manifest nullity for numerous reasons, as Judge Politan and Cassell actually knew. Some of those reasons are here set forth.

8a(1) Cassell, as an Assistant U.S. Attorney, also in the employ of Thornburgh and the Department of Justice (a) represented federal defendants in the civil actions brought by plaintiff pending before Judge Politan; (b) represented Judge Moore in the civil proceedings brought against him by plaintiff; (c) had personally and unlawfully stonewalled plaintiff's efforts to submit his evidence of corruption and criminal activity to the local grand jury; (d) was an active and essential participant to the criminal scenarios which had taken place in the Moore forum and elsewhere; and (e) had involved herself in the criminal extortion of monies from Raffe.

(2) Cassell's civil and criminal interests, as well as those of the federal clients she was defending, were served by a criminal prosecution of the plaintiff, and consequently she could not legally or ethically employ her prosecutorial position as an assistant U.S. Attorney to issue a criminal information against plaintiff, and she, Judge Politan, and their co-conspirators actually knew it.

b(1). (a) In April of 1988, based upon extrajudicial misconduct of Judge Politan, plaintiff had filed a recusal affirmation, which remained unadjudicated on March 27, 1989; (b) in May of 1988, based upon the tortious conduct of Judge Politan, of a non-immune nature, plaintiff had included him as a viable party defendant for money damages; (c) Judge Politan had acted as a complaining party, as well as a jurist, in issuing the void Arrest Warrant of March 3, 1989; (4) Judge Politan had functionally acted as a marshall, in an attempt to execute the void Warrant of March 3, 1989; (5) Judge Politan had employed the prestige of his office in soliciting Cassell to execute an invalid criminal information where he was the effective complainant; (6) it was the validity of Judge Politan's own order which was the basis of the Cassell criminal information in this contempt proceeding; and (7) Judge Politan had personally involved himself, transactionally, in a criminal racketeering adventure, which included, as part thereof, the diversion of monies from the federal government to one of his co-conspirators.

(2) For aeons, where criminal contempt was involved, "the appearance of justice" was the jurisdictional standard for acting as a judicial officer, a standard which Judge Politan actually knew he clearly did not meet on March 27, 1989, when he executed a backdated Warrant in order to, inter alia, conceal his prior misconduct.

c. In short, the backdated Warrant of March 27, 1989, wherein, inter alia, no judicial consideration was given to the issuance of a summons in order to cause the voluntary appearance of plaintiff, was also an actionable nullity.

d. Notwithstanding the issuance of the backdated Arrest Warrant (Exhibit "B"), it was still "Marshal Politan" who continued to exercise control over the regularly employed U.S. marshals, rather than Cassell or the U.S. attorney's office.

e. The abdication of prosecutorial control over plaintiff's matter, in favor of "Prosecutor Politan", was complete to the point that prior to plaintiff's "capture" on May 18, 1989, according to Cassell, neither she nor her office had the authority to agree to or suggest an amount of bail if plaintiff voluntarily surrendered.

9a. Plaintiff, having been "captured" on May 18, 1989, charged with a Class B misdemeanor, theretofore categorized as a "petty offense", involving no physical violence, was incarcerated and the next day brought before U.S. Magistrate NINA GERSHON, sitting in Manhattan.

b. The Constitution of the United States and the Acts of Congress mandated reasonable bail as a matter of ministerial judicial obligation under the circumstances at hand.

c. There was no judicial discretion under the circumstances, and if unlawfully denied, plaintiff was entitled to a statutory "hearing" on the matter.

d. Judge Politan however, intruded on plaintiff's right to have an impartial and detached magistrate determine the issues by communicating ex parte with Magistrate GERSHON, and induced Her Honor to violate her constitutional and statutory obligations by denying plaintiff both bail and a bail hearing.

e. In improperly intruding upon Magistrate's GERSHON's judicial independence, Judge Politan told Her Honor that he intended "to teach Sassower a lesson", and of his intention of issuing an 18 U.S.C. §4341[a][b] order.

f. Magistrate GERSHON previously had a judicial experience with plaintiff and knew him to be mentally competent and extraordinarily versed on the law of contempt (Sassower v. Sheriff, 651 F. Supp. 128 [SDNY]).

g. Magistrate GERSHON had previously read many of plaintiff's prepared legal papers and had witnessed him perform professionally in Court before Her Honor.

h. Magistrate GERSHON witnessed plaintiff's performance on May 19, 1989 as a pro se defendant. There was not a scintilla of evidence to support a 18 U.S.C. §4241[a][b] Order, and Her Honor knew that any such order by Judge Politan was to be a contrived fraud and a hoax.

i. Magistrate GERSHON, knew that the uncontroverted documentary evidence revealed that FKM&F and K&R were actively engaged in, inter alia, the criminal larceny of judicial trust assets and judicial and official corruption, activities that plaintiff refused to be silent about, as was his constitutional right and professional obligation.

j. Magistrate GERSHON also knew that ABRAMS had been and was actively betraying his official office, with its mandatory fiduciary obligations, in order to advance this same criminal racketeering adventure.

k. In short, Judge Politan, acting extrajudicially, unlawfully and unethically gave Magistrate NINA GERSHON her "marching orders", so as to deprive plaintiff of his constitutional rights, including "due process" and thereby exposed himself and his co-conspirators to criminal penalties and civil liabilities.

10. In addition to the aforementioned, in the attempt to deceive Magistrate GERSHON, both Judge Politan and Cassell had induced U.S. Marshal LAWRENCE NEVINS ["Nevins"] of New Jersey to execute a knowingly false, misleading, and deceptive Rule 40 Affidavit for submission to Her Honor, wherein he described Exhibit "B" as having been "erroneously" dated on March 3, 1989, when he actually knew that it was intentional and deliberately backdated, while simultaneously he concealed Exhibit "1-A" from Her Honor and Her Honor's Court.

11a. Prior to May 23, 1989, plaintiff had been before Judge Politan, officially or otherwise, only once, and that was more than one (1) year prior thereto.

b. At that time, Judge Politan expressed no view which could be construed as questioning plaintiff's mental competency or legal ability.

c. There was nothing thereafter submitted to Judge Politan by plaintiff which adversely reflected upon plaintiff's mental competency or legal ability.

d. However, even before plaintiff entered the Courtroom of Judge Politan on May 23, 1989, there had been prepared by Cassell and her co-counsel an unsupported bare motion for an 18 U.S.C. §4241[a][b] order, with a proposed order, under a conspiratorial arrangement by the co-conspiring defendants, with the intent of depriving plaintiff of his right to due process and other constitutional and legal rights.

e. There was nothing stated by plaintiff on May 23, 1989, before Judge Politan, which revealed any lack of mental competency or legal ability, nor did Judge Politan expressly state that anything said by plaintiff so indicated.

f. Nevertheless, on May 23, 1989, without a scintilla of evidence to support such an 18 U.S.C. §4241[a][b] Order, Judge Politan, in a mock judicial proceeding, signed same which included the statutory required finding that "reasonable cause" existed for such mental competency inquiry, which he actually knew was false and contrived, and in addition thereto, Judge Politan denied bail, without a hearing.

12a. During the morning hours of May 24, 1989, plaintiff was examined by the regular and well-qualified staff-psychologist employed by MCC/NY, who on information and belief, holds a doctoral degree, and plaintiff was found, without doubt or reservation, to be intelligent, competent, and emotionally stable.

b. Such psychological examination, the morning after the issuance of the Order dated May 23, 1989, did conform, in all respects, with the mental and emotional requirements for testing found in 18 U.S.C. §4247[c].

c. As a result thereof, Thornburgh and the Bureau of Prisons lost all further statutory jurisdiction for holding plaintiff for an 18 U.S.C. §4241[a][b] examination.

d. Had Thornburgh and/or the Bureau of Prisons desired any further examinations of plaintiff, or believed it necessary, it was easily and inexpensively available then and there. However, neither Thornburgh and/or the Bureau of Prisons believed any further formal examination was necessary.

e. On a full-time, twenty-four (24) hour, seven (7) day-a-week basis until June 6, 1989, plaintiff remained under the observational control of MCC/NY, and there was not a single event or incident of any kind and nature which could have supported any assertion of mental incompetency generally or as defined in 18 U.S.C. §4241[a].

13a. In keeping plaintiff in MCC/NY until June 6, 1989 at governmental expense and at the expense of the constitutional, statutory, and civil rights of plaintiff, Thornburgh, MCC/NY, and the Bureau of Prisons abdicated the full statutory control and responsibility they had over plaintiff to expeditiously implement the procedures provided in 18 U.S.C. §4241[a][b] et seq.

b. Once a valid 18 U.S.C. §4241[a][b] order is entered, implementation of same becomes the exclusive statutory responsibility of Thornburgh, and any and all interference by "Warden Politan" was unlawful, including the sufferance of such unlawful interference by Thornburgh and the Bureau of Prisons.

14a. Assuming, arguendo, the existence of a criminal "offense" and "reasonable cause", complete control of the mechanics of such competency inquiry, now vested in Thornburgh, the Attorney General, as heretofore alleged.

b. In fact no prosecutorial "offense" had been committed and no "reasonable cause" existed, in order to constitutionally support an involuntary 18 U.S.C. §4241[a][b] inquiry, particularly on a without bail basis, nor were the statutory pre-conditions met for such inquiry, as is hereinafter shown.

15a. As a matter of statutory, if not constitutional, limitation, where the incarceration is involuntary, the absolute right of bail denied and the "speedy trial clock" stopped pending receipt of an 18 U.S.C. §4247 report, the authority of Thornburgh in executing an 18 U.S.C. §4241[a][b] order is one requiring extraordinary expedition.

b. In addition to having a professionally qualified psychologist on the staff of MCC/NY who examined plaintiff on the morning of May 24, 1989 and found him, without professional reservation, to be intelligent, competent, and emotionally stable, Congress has given the Attorney General great "authority and responsibility" in contracting with local governmental and private facilities for such competency examination (18 U.S.C. §4247[i]).

c. Indeed, the statutory mandate to the Attorney General is to employ a "suitable facility closest to the court".

d. Because of the unlawful interference by "Warden Politan", without any attempt at a further competency examination at MCC/NY or local facility, Thornburgh kept plaintiff incarcerated at MCC/NY, an overcrowded facility, which serves inedible and insufficient food, until June 6, 1989, depriving him of any and all outdoor exercise during such stay.

e. Plaintiff's stay at MCC/NY was for a total of nineteen (19) days, with six (6) days of such time in solitary confinement, although plaintiff did not commit any punishable infraction deserving such confinement.

16a. On June 6, 1989, plaintiff, by vehicle, was taken in leg-irons, waist chain, and handcuffs to Stewart Air Force Base from MCC/NY at Foley Square, with another unconvicted prisoner, by two (2) U.S. Marshals, a journey of several hours.

b. After a long wait, plaintiff was placed on a plane operated by Thornburgh's agency, and given a continued dose of what is commonly known as "Diesel Therapy".

c. For three (3) days out of the next five (5), plaintiff spent approximately fourteen (14) hours per day in leg-irons, waist chain, and hand-cuffs, in very overcrowded conditions, since irrespective of the numbers accommodated, all prisoners are always placed compacted in such plane or vehicle.

d. During the hours that plaintiff was not given "Diesel Therapy", or being processed at the local facility, he was kept continuously in a locked cell.

e. Finally, on Saturday, June 10, 1989, plaintiff arrived at FMC in Rochester, Minnesota, after sequential stops in Pennsylvania, Alabama, Florida, New Jersey, Missouri, Oklahoma, Indiana, Michigan, and Illinois.

f. At FMC he was immediately placed in solitary confinement, not permitted to take any shower or bath, nor permitted to make any telephone calls.

17a. On Monday, June 12, 1989, plaintiff was interviewed by a highly qualified staff psychiatrist from FMC, and independent of the assessment made at MCC/NY, that assessment was confirmed in every respect, with reasonable psychiatric certainty.

b. To plaintiff's request for an immediate 18 U.S.C. §4247[c] Report so that he could be returned to New Jersey for trial or bail, the response, many times thereafter repeated, in sum and substance, was:

> "How can we immediately return you, although there is no doubt as to our assessment, when we have an order that states that 'reasonable cause' exists to question mental competency, without adversely reflecting on the integrity or conclusion of the judge who sent you here?"

18a. Clearly conscious of the potential unconstitutional intrusion on civil rights of the defendant and the cost to the governmental purse, the statute provides that the examination be limited to a "reasonable period", and in a suitable facility "closest to the court" (18 U.S.C. 4247[b]).

b. In selecting a "suitable facility", the "authority and responsibility of the Attorney General" is not limited to federal facilities. He may make contractual arrangements with local government "or a private agency" (18 U.S.C. §4247[i]).

c. Thus, given that defendant was charged with what was formerly classified as a "petty offense", now named a Class B misdemeanor, a fact the Attorney General must consider in selecting a "suitable facility" (18 U.S.C. §4247[a[[2]), the Thornburgh agency clearly ran amuck and kept plaintiff for a total of sixty (60) days, without an opportunity for bail, or a bail hearing.

d. Those sixty (60) days included: ten (10) days in a locked cell, although plaintiff did not commit any punishable infraction; several days of "Diesel Therapy"; and confinement in a mental ward for thirty-seven (37) days, where almost every other prisoner/patient receives medication four (4) times a day. As a result thereof, many of them are simply "walking zombies", and suicides or potential suicides are an ever-present situation.

e. Despite such depressing environment, the Report of FMC with respect to plaintiff, dated June 30, 1989, as relevant, reads as follows:

> "George Sassower, a 65-year-old ... white male, arrived at this facility on June 10, 1989. He was sent by the order of the Honorable Nicholas H. Politan, United States Judge, District of New Jersey pursuant to the provisions of Title 18, United States Code, Section 4241(b) for an evaluation to determine the mental competency ... . There were no further questions from the Court. ...
>
> [T]here were no other materials received from the Court or the U.S. Attorney's Office to assist the examiners in preparing their findings. ... [emphasis supplied]
>
> [Mr. Sassower] goes on to state that he is 'the authority' on contempt issues and has a thorough knowledge of the law regarding the legal issues of contempt. ...
>
> Mr. Sassower was not inclined to provide further background information in that he did not believe personal information should be shared with the Court beyond the issue of his mental competency. [emphasis supplied] ...
>
> Mr. Sassower presents with mildly accelerated speech. His words are clearly articulated and his voice firm and strong. His grammar, syntax, and vocabulary are superior. Overall the associations are excellent, and he can reach goal ideas readily ...
>
> [Mr. Sassower] can be skilled socially and at such times cooperative. Mr. Sassower understood the nature of the evaluation, and the lack of confidentiality. While rather hostile in regard to this issue, he was cooperative and pleasant insofar as personal qualities are concerned. He was somewhat extroverted, outgoing, and basically, cheerful during the time of this evaluation. He did not display undue hostility, depressive symptoms, anxiety, or a tendency to withdraw from his environment. [emphasis supplied] ...

Mr. Sassower's sensorium is clear and he is oriented to time, person, place, and situation. His attention span and concentration were good over prolonged interviews. His memory for both recent and remote events appeared to be excellent for details and accuracy. ...

Mr. Sassower correctly interpreted abstract concepts and his fund of general knowledge was commensurate with his social educational background in both range and degree of richness. He was estimated to be functioning in the Bright to Superior range of intelligence. His stress of thought was clear, rapid, and perceptive. There were no indications of a loss of reality in observation or conversation with Mr. Sassower. ...

Mr. Sassower appears to have good insight into the dynamics of his situation and the roots. His reality contact is quite good ... his decisions do appear to be informed and chosen. ...

TEST RESULTS: ... Mr. Sassower has a sophisticated understanding about the nature and purpose of the proceedings taken against him. He understands the charges, his legal rights, the legal issues and procedures relevant to this case, the role of the defense counsel, the prosecutor, the judge, the jury, and the legal advisory proceedings, as well as the range of possible pleas, verdicts, dispositions, and penalties. He further displays the capacity to cooperate in a rational manner with counsel in presenting his own defense or conducting his defense without counsel should he so choose. He can collaborate in an appropriate manner, he understands and can disclose to others available pertinent facts surrounding the alleged offense. He can further cooperate and collaborate in maintaining a consistent legal strategy. He understands counsel's instructions, should he be so disposed, and can make a decision based on such advice and information. Mr. Sassower has an excellent ability to follow courtroom testimony for contradictions, or errors, and to, if he so chooses, inform counsel in order to realistically challenge prosecution witnesses. Should he choose to, Mr. Sassower further has the capacity to protect himself and utilize available legal safeguards in a self-serving in contrast to a self-defeating manner. ...

> RESPONSE TO REFERRAL QUESTIONS: It is this examiners' finding that at this time Mr. Sassower does not suffer from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. ... [I]t is clear to this examiner that Mr. Sassower is competent and is likely to remain so in the foreseeable future.
>
> CONCLUSION: Mr. Sassower was sent to the Federal Medical Center secondary to the provisions of Title 18, United States Code, Section 4241(b). He was charged with Contempt of Court. Since his arrival here, Mr. Sassower has displayed no signs or symptoms of significant mental disease or defect. He has a sophisticated knowledge and understanding of the particular judicial process and proceedings relevant to his case."

f. In short, the unsupported assertion in the Politan Order of "reasonable cause" was a contrived hoax, exposed as such at taxpayers' expense: (1) approximately $5,000 at FMC, (2) approximately $1,500 per month at MCC/NY, (3) the cost of plaintiff's "Diesel Therapy" to FMC, and (4) approximately $1,500 for the trip from FMC to MCC/NY.

g. Notwithstanding the vindicating report of FMC, the stigma of an Order asserting "reasonable cause" remains, and without any substantive or procedural due process of law, the liberty, civil rights, and privacy rights of plaintiff have been destroyed.

h. Given the copious nature of federal "offenses", including those classified as Class B, Class C misdemeanors, and infractions, jailable or otherwise, every person in America may become the subject of the aforementioned experience when Thornburgh, the Attorney General, and the Department of Justice, give no regard to their duties and responsibilities, as set forth by Congress and approved by the President.

19a. There is no attempt by the employees of Thornburgh or the Department of Justice at MCC/NY or FMC to give any "Miranda warnings", and even were such warning to be given, it would probably be useless in most instances, since after a few days in solitary, one is ready to confess to any nonserious crime, whether real or fictitious.

b. While the mental facilities at FMC are operated by very competent psychiatrists, psychologists, and medical personal, control is with penal officials, where every infraction results in a threat of solitary confinement.

20a. Thornburgh's agents at FMC give little or no respect to the irrelevant personal information, which the patient might desire to remain private, and consequently, personal information which plaintiff desired to remain private, was incorporated nevertheless in the Report of FMC, simply because the psychological and psychiatric personnel had access to plaintiff's physical medical and other records.

b. Consequently, plaintiff's civil adversaries, in this and other litigation, including the defendants herein, have access to a physical and mental profile of plaintiff, which they can employ to their advantage in and out of the judicial forum.

21a. In addition to "reasonable cause", as a precondition to an 18 U.S.C. §4241[a][b] order, there must be in existence an "offense" charged against the defendant.

b. 18 U.S.C. §4241[a][b] was enacted when there was a distinction drawn between an "offense" and a "petty offense" (18 U.S.C. §1[3]).

c. When a "petty offense" was charged, an 18 U.S.C. §4241[a][b] order was not available, since it would be absurd to involuntarily incarcerate under 18 U.S.C. §4241[a][b] for a nonjailable "petty offense", or permit incarceration under 18 U.S.C. §4241[a][b], where the maximum period of incarceration was short term.

d. There is nothing to warrant the conclusion that Congress, in restructuring Title 18, intended any change by the new nomenclature as set forth in 18 U.S.C. §3559.

e. The charge against plaintiff in Exhibit "A-1" is civil in nature, and the charge against plaintiff in Exhibit "B" is for a "petty offense", a non-serious crime, for which an involuntary incarcerating order simply is not obtainable under 18 U.S.C. §4241[a][b].

22a. However, the Cassell information, which is the basis of Exhibit "B", does not charge plaintiff with any criminal action, nor may he be prosecuted for same, even were the charge valid.

b. The charges in the Cassell information were fabricated by Judge Politan and his co-conspirators (1) to compel plaintiff's silence on a subject where he has a duty to speak, and where the public has a right to know, and (2) as a "cover", to conceal the void Arrest Warrant of March 3, 1989 (Exhibit "A-1"), where no crime was even charged.

23a(1) Judge Moore, who has no non-summary criminal contempt power, referred said proceeding against plaintiff to Chief Judge Gerry, a reference which Judge Gerry accepted.

(2) Chief Judge Gerry forwarded same to the U.S. Attorney to prosecute, if after investigation, reasonable cause was determined to exist.

(3) On information and belief, the U.S. Attorney's Office assigned it to Cassell, who knew from her own personal knowledge that the reference had no legitimate basis and was a fraud intended by Judge Moore to intimidate plaintiff.

(4) Consequently, Cassell did nothing on the matter and permitted it to lie fallow.

(5) On December 31, 1988, under an appropriate criminal title, plaintiff moved to dismiss such Judge Moore inspired proceeding, based on U.S. v. Marion (404 U.S. 307, 324), complying in every respect with the rules and procedures of Chief Judge Gerry, and no one has ever contended otherwise.

(6) There was no opposition to such motion, which had irresistible compelling merit, nor did anyone object to the procedure employed by plaintiff in making such motion before Chief Judge Gerry.

(7) Since neither Judge Politan nor his co-conspirators could find any rational or legal reason why plaintiff should be held "in contempt or otherwise sanctioned" for properly making such motion before Chief Judge Gerry, Judge Politan did not annex any supporting affidavit or affirmation to his Order to Show Cause of February 3, 1989 (Exhibit "A-2").

(8) Nevertheless, "Marshal Politan", issued an Arrest Warrant based thereon (Exhibit "A-1"), and after commandeering U.S. marshals, pursued plaintiff Captain Ahab fashion.

(9) By March 27, 1989, when Judge Politan induced Cassell to execute a criminal information against plaintiff, and when neither Judge Politan nor his co-conspirators could not find legal or rational reason for an information based on such motion, it was abandoned as a basis for the Cassell information, and Judge Politan issued his backdated Arrest Warrant (Exhibit "B") without any assertion based thereon.

b(1) Plaintiff filed a timely Notice of Appeal from the Final Order of Bankruptcy Judge Moore, and Judge Moore selected Chief Judge Gerry as the jurist for all matters arising out of his Bankruptcy tribunal, a reference which Chief Judge Gerry accepted, at least no one has ever contended otherwise, including Judge Politan.

(2) Plaintiff also moved, on December 31, 1988, under such bankruptcy title, before Chief Judge Gerry:

> "for an Order (1) directing Hon. DANIEL J. MOORE to forward photostatic copies of the requested documents, necessary for the prosecution of appellant's [plaintiff's] appeal; (2) directing Hon. DANIEL J. MOORE to entertain on its merits appellant's Rule 60(b) motion; (3) together with any other, further, and/or different relief as to this Court may seem just and proper in the premises."

(3) Once again this motion complied in every respect with the rules and procedures of Chief Judge Gerry, and no one has ever contended otherwise.

(4) There was no opposition to such motion with irresistible compelling merit, nor to the procedure employed by plaintiff from anyone.

(5) Once again since neither Judge Politan nor his co-conspirators could find any rational or legal reason why plaintiff should be held "in contempt or otherwise sanctioned" for properly making such motion before Chief Judge Gerry, he did not annex an supporting affidavit or affirmation to his Order to Show Cause of February 3, 1989 (Exhibit "A-2").

(6) Nevertheless, "Marshal Politan", issued an Arrest Warrant based thereon (Exhibit "A-1"), and pursued plaintiff with persistence.

(7) Similarly, by March 27, 1989, neither Judge Politan nor his co-conspirators could find any legal or rational reason to bottom an information thereon, and consequently this motion by plaintiff was also abandoned when the Cassell information was filed and Judge Politan issued his backdated Arrest Warrant (Exhibit "B").

c(1) On December 31, 1988, plaintiff also moved before Chief Judge Gerry, with copies to all affected and interested parties, including U.S. Attorney SAMUEL A. ALITO, JR., of New Jersey:

> "for an Order (1) enjoining and restraining anyone receiving any monies or other considerations, directly or indirectly, from HYMAN RAFFE, and enjoining and restraining HYMAN RAFFE from paying any monies or other considerations, directly or indirectly, for purported legal efforts before Hon. DANIEL J. MOORE, as being the product of criminal extortion (18 U.S.C. §1951[b][2]), except by express written permission of this Court; (2) referring this matter to the United States Attorney for investigation and prosecution; (3) together with any other, further, and/or different relief as to this Court may seem just and proper in the premises."

(2) In part, the plaintiff's short, but dramatic, supporting affirmation, reads as follows:

> "Recent examination of filed papers in the Office of the County Clerk of the County of New York and Appellate Division of the Supreme Court, of the State of New York, First Judicial Department, reveals a clear case of attempted criminal extortion before Hon. DANIEL J. MOORE, Bankruptcy Judge in Newark, New Jersey.
>
> The firms of FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. ['FKM&F'] and KREINDLER & RELKIN, P.C. ['K&R'], openly boast that they, with CITIBANK, N.A. ['Citibank'], control the judiciary, federal and state.
>
> The aforementioned were engaged in the massive larceny, and other criminal activity, with respect to the judicial trust assets of PUCCINI CLOTHES, LTD. ['Puccini'] -- 'the judicial fortune cookie'.
>
> Although there must be a filed accounting, 'at least once a year' 22 NYCRR §202.52[e], in the more than eight and one-half years since Puccini was involuntarily dissolved, not a single accounting has been filed -- not one!
>
> To compel those opposed to these judicial criminals to succumb, without a trial or opportunity for same, one of their corrupt jurists, Mr. Justice ALVIN F. KLEIN, convicted and sentenced affirmant, SAM POLUR, Esq. ['Polur'], and Raffe of non-summary criminal contempt, and sentenced each to thirty (30) days of incarceration.
>
> In addition thereto, also without a trial or opportunity for same, Referee DONALD DIAMOND, found affirmant guilty of sixty-three (63) counts of criminal contempt, and Raffe, seventy-one (71) counts, and in addition to fines, threatened Raffe with incarceration for five (5) years, eleven (11) months--all without a trial.
>
> Raffe, a man over seventy (70), agreed to pay extortion to these judicial thieves, in exchange for not being incarcerated.

To compel affirmant to succumb also, these 'criminal with law degrees', keyed part of the monies extorted from Raffe to their legal activities.

The charges billed FKM&F, under such extorted agreement, are clearly extravagant, by any standard of reasonableness.

More egregious is the fact that neither FKM&F, nor K&R, nor their clients, nor their New Jersey attorneys, CLAPP & EISENBERG, P.C. ['C&E'], had standing before Hon. DANIEL J. MOORE, since they did not file any proof of claim.

After the 'White Plains Massacre', where 'the criminals with law degrees' were compelled to withdraw their sham claims and contrived claims, they apparently had no desire for a repeat performance.

The point is their participation is the proceedings before Judge DANIEL J. MOORE usurped, and partially for the purpose of extorting extravagant funds from Raffe.

Annexed hereto, is a distribution made by your affirmant concerning the 'extortion' that was taking place in the Courtroom of Judge DANIEL J. MOORE (Exhibit 'A').

Apparently, contrary to the impression given to your affirmant in the proceedings before Judge DANIEL J. MOORE, Raffe tired of being 'bled to death', and stopped making payments, and they are suing him.

Obviously, no state court can direct any person from paying extortion, which takes place in the federal forum.

The matter should be referred, by this Court, to the U.S. Attorney for investigation and prosecution.

Raffe's most effective remedy, of course, is the media -- a remedy which affirmant is now giving more attention to."

(3) The exhibit annexed to plaintiff's moving affirmation, was published by plaintiff almost nine (9) months prior thereto and reads, in haec verba, as follows:

> " 'Woe unto you ... for you make clean the outside of the cup and of the platter, but within they are full of extortion and excess. ... [C]leanse first that which is within the cup and platter, that the outside of them may be clean also.' (Matthew, 23:25-26).

CRIMINAL EXTORTION AND CORRUPTION IN T H E COURTROOM OF JUDGE DANIEL J. MOORE.

March 17, 1988

Hon. Daniel J. Moore
U.S. Bankruptcy Court
970 Broad Street,
Newark, New Jersey 07102

Honorable Sir:

1a. Openly admitted on March 14, 1988, is that Your Honor's Courtroom is and will be the forum for criminal extortion and corruption, a practice that Judge Howard Schwartzberg attempted to abort, by the Order dated September 15, 1987.

b. That same ethically depraved scenario which Judge Schwartzberg correctly refused to permit, when the facts became clearly known, has now been resurrected, with CLAPP & EISENBERG, P.C. and ROTHBARD, ROTHBARD, & KOHN, Esqs. substituting for those heretofore disqualified.

c. I submit, where no attorney, ethical or otherwise, would even dare to undertake such Clapp-Rothbard adventure, the irresistibly compelling conclusion is that they know there will be no repercussions from Your Honor, or others, for their egregious conduct.

2a. HYMAN RAFFE, EUGENE DANN, and ROBERT SORRENTINO each have 25% stock, and other, interests in PUCCINI CLOTHES, LTD., which was involuntarily dissolved on June 4, 1980.

b. Puccini's judicial trust assets were made the subject of massive larceny, orchestrated by the law firm of KREINDLER & RELKIN, P.C., and its clients, JEROME H. BARR, Esq. and CITIBANK, N.A.

c. Participating in such larceny of judicial trust assets was the predecessor firm of NACHAMIE, BENJAMIN, LEVINE & SPIZZ, P.C., the attorneys for Dann & Sorrentino, who for monetary 'pay-offs', which unlawfully had as its source in Puccini's trust assets, it betrayed its clients.

3a. LEE FELTMAN, Esq., Puccini's fiduciary, is legally obligated to recover the stolen and misappropriated assets from the Kreindler entourage, but in exchange for massive 'pay-offs' to his law firm, FELTMAN, KARESH, MAJOR & FARBMAN, Esqs., also coming from Puccini's judicial trust assets, he has not done so -- not a single penny has he attempted to recover!

b. Obviously, where <u>all</u> of Puccini's assets were made the subject of larceny and unlawful plundering, Lee Feltman has been unable to render even a single accounting, although almost eight (8) years has elapsed since Puccini-- 'the fortune cookie' -- was dissolved, and the filing of a verified accounting is mandatory for each and every year.

4a. Now, actively aided and abetted by CLAPP & EISENBERG, P.C. and ROTHBARD, ROTHBARD, & KOHN, Esqs., such criminally corrupt conduct has now moved west into New Jersey, and Your Honor's Courtroom, as will be demonstrated.

b. I moved in Your Honor's New Jersey Federal Court to compel Lee Feltman to account for Puccini's judicial trust assets, which accounting will greatly inure to the financial benefit of Raffe, Dann, & Sorrentino, its stockholders, as well as to my Chapter 13 estate.

c. CLAPP & EISENBERG, P.C., who represent Lee Feltman, Puccini's fiduciary, in Your Honor's Court, opposes my motion for such long overdue compulsory accounting, because they also and simultaneously represent Kreindler & Relkin, P.C., Barr, Citibank, and Feltman, Karesh, Major & Farbman, Esqs., who would be compelled to return the vast sums they stole and plundered from Puccini, the judicial trust, if such accounting were rendered.

d. ROTHBARD, ROTHBARD & KOHN, Esqs., who represents Raffe, Dann, & Sorrentino, also oppose my motion, although same would inure to Raffe, Dann, & Sorrentino's benefit, because they also and simultaneously represent, the Nachamie firm, who would have to return the monies stolen from Puccini, if any accounting were ordered.

5a. As the Rothbard firm admitted before Your Honor on March 14th, Raffe is underwriting the cost of the Clapp and Rothbard representation.

b. Why should Raffe pay legal fees to attorneys for taking positions completely contrary and adverse to his personal interests, is a question the Rothbard or Clapp firms avoid answering?

c. The fact is that the Kreindler-Feltman firms are able to obtain unconstitutional criminal convictions and incarcerations in New York without benefit of a trial, but if one agrees to their demands, which in the case of Raffe means the payment of millions in case and other considerations, such incarcerations are held in limbo!

d. Thus in Your Honor's Courtroom, the Clapp and Rothbard firms are being extravagantly paid by Raffe, to argue against his interests.

e. HOWARD M. BERGSON, Esq., who Your Honor admitted to practice in Your Honor's New Jersey Federal Court, serves as the conduit, extorting monies from Raffe in New York to pay the Clapp and Rothbard firms in New Jersey.

6a. Raffe keeps paying extortion monies, in his words, 'because judges are crooks', and unless he continues to make payments, the cadre of 'crooked' judges controlled by the Feltman-Kreindler firms, will impose more draconian hardships on him and his family.

b. Obviously, Raffe makes payments for adverse representation in Your Honor's Court, because he has made to believe that Your Honor is also 'a crook'.

c. I respectfully submit that whether Your Honor's Court is 'Fit for Human Litigation', will be determined by the actions taken by Your Honor with respect to attorneys presenting positions contrary to their client's legitimate interests; permitting attorneys to represent conflicting interests; allowing fiduciaries to betray their trusts; and on permitting payments, extorted from Raffe, to be made based on ostensible services rendered in Your Honor's forum, contrary to his legitimate interests, or for corrupting officials located in New Jersey.

d. It is manifestly obvious, payments to the Clapp and Rothbard firms have been made in order to betray, not represent, and in order to corrupt.

7. To be continued .... .

Respectfully,

GEORGE SASSOWER"

(4) As heretofore noted, the media reports that such extortion payments made by Raffe are now "more than $2.5 million dollars".

(5) On information and belief, the aforementioned motion was routed by the U.S. Attorney's Office to Cassell, who was oath-bound to have her office prosecute, particularly since she was personally aware of the aforementioned criminal activity, and much more.

(6) Obviously also, Chief Judge Gerry, was oath-bound to take administrative action.

(7) Instead, Judge Politan, moved by Order to Show Cause, with notice to Chief Judge Gerry, to hold plaintiff in "contempt and otherwise sanctioned" (Exhibit "A-2"), and thereafter, with "bloody vengeance", pursued plaintiff under a sham and facially defective Arrest Warrant (Exhibit "A-1") for making such motion.

(8) Thereafter, based solely on such motion, and at the request of Judge Politan and his racketeering co-conspirators, Cassell caused to be executed an undated criminal information against plaintiff for the making of such motion, and Judge Politan issued his backdated Arrest Warrant (Exhibit "B").

(9) There was and is a great deal more that was known to Judge Politan, Judge Cassell, and their co-conspirators, including the fact that without a trial or opportunity of same U.S. District Judge EUGENE H. NICKERSON found plaintiff and Raffe of non-summary of criminal contempt, Nye v. U.S. (313 U.S. 33) notwithstanding, and imposed draconian fines payable "to the [federal] court". These fine monies were never received by the federal court or government, but went into the private pockets of K&R and its clients.

(10) In addition, in order for Raffe not to be incarcerated, as was plaintiff, he had to agree to execute general release to federal and state judges, Abrams, "the criminals with law degrees", and others, including Referee Diamond, and relinquish his very substantial monetary interests in Puccini.

24. The Cassell criminal information is legal nonsense and a patent sham, as she, Judge Politan, and their co-conspirators know.

a. Non-summary criminal contempt cannot be employed to frustrate or chill First Amendment rights or criticism of the judiciary -- otherwise a substantial portion of the media would be incarcerated or in FMC for mental examinations, placed there by Politans.

b. Injunctive and/or contempt power cannot be employed by the judiciary to prevent a criminal investigation or criminal prosecution of their members or co-conspirators, otherwise District Attorney THOMAS E. DEWEY and the federal prosecutors of Chief Judge MARTIN T. MANTON of the Second Circuit Court of Appeals and Third Circuit Court of Appeals Judge J. WARREN DAVIS, would have been enjoined, and thereafter incarcerated and placed in a mental institution for investigating and prosecuting such judges.

c(1) Fines and penalties for criminal conduct, including for non-summary criminal contempt, belong to the sovereign, especially when the order, in haec verba, so reads, not to private parties such as K&R or FKM&F, who use such funds for "paying-off" judges, officials, and/or their designees.

(2) Private parties cannot sell "indulgences", wherein for payments of more than $2.5 million dollars, one escapes incarceration or other punishment.

d(1) The undated Cassell criminal information against plaintiff reads that he:

> "did knowingly and wilfully disobey and resist a lawful writ, process, order, rule and decree of the United States District Court of New Jersey, including that:
>
> (a) after being specifically and directly ordered by that Court (on or about May 9, 1988) not to file any new case, proceeding, motion or other litigation document in that Court without specific prior written leave of that Court, the defendant did file and attempt to file a motion and an affirmation (dated December 31, 1988) in that Court seeking (1) to enjoin and restrain all persons from receiving monies or other consideration from Hyman Raffe, and (2) to enjoin and restrain Hyman Raffe from paying any monies or other considerations for legal efforts before the United States Bankruptcy Court (charging that those efforts were the product of extortion), such motion and affirmation being filed without specific prior written leave of that Court;
>
> (b) after being specifically and directly ordered by that Court (on or about May 9, 1988) to annex a copy of that order to all subsequent filing with that Court and to refer to that order on the cover page of any document he filed, the defendant did not include a copy of that order and did not refer to that order on the cover page of the motion and affirmation (dated December 31, 1988), which he had knowingly, willfully and unlawfully filed with that Court; and

(c) after being specifically and directly advised that, if the defendant, alone and through others, violated a provision of the Court's order of May 9, 1988, such as by filing any pleading, new case, proceeding, motion or other litigation document without having first obtained the Court's prior written consent, the defendant could be immediately held in contempt, the defendant proceeded to file and attempt to file his motion and affirmation (dated December 31, 1988).

In violation of Title 18, United States Code, Sections 401 and 2." [emphasis supplied]

(2) Obviously, Judge Politan disregards the limitation of judicial power and authority, and this "judicial caesar" desires to make the courts safe for "criminal racketeers" who rob, plunder, extort, and incarcerate citizens without benefit of trial unless substantial monies are given to "judicial favorites".

e(1) Instructively, Chief Judge Gerry, in cooperating in this criminal adventure, refuses to issue a determination on plaintiff's unopposed motions to dismiss based on constitutional "former jeopardy", or "invidious prosecutorial selectivity", or to recognize that prior restraints cannot be imposed on First Amendment rights, or that First Amendment or other fundamental constitutional rights cannot be chilled by imposing draconian consequences.

(2) Monies and other considerations payable to the sovereign or paid as a result of a criminal prosecution, is the property of the sovereign, and neither Judge Politan nor anyone else can enjoin the attempt to have the sovereign recover such monies or to prevent the payment and receipt of such extortion monies.

25. In other ways and respects, Judge Politan, Chief Judge Gerry, their co-conspirators, and other defendants herein, have denied to plaintiff due process, for which compensation is demanded for the aforementioned, including but not limited to:

a. Compelling plaintiff to remain in either hand-cuffs or leg-irons when in the Courtroom of Judge Politan.

b. Limiting travel of plaintiff to the Southern District of New York, New Jersey, and Washington, D.C.

c. Compelling daily telephone, and weekly personal, reporting to pre-trial services, when, inter alia, Congress has specifically refused to authorized pre-trial supervision for Grade C misdemeanors, or other lower grade offenses.

d. Denying to plaintiff his constitutional right to a "speedy trial", because of a false and sham certification of "reasonable cause" of mental incompetency.

e. Denying to plaintiff his constitutional right to access to the courts for relief.

f. Referring to Judge Politan plaintiff's writ of habeas corpus, or permitting Judge Politan dragoon such proceeding, when he was manifestly and jurisdictionally disqualified from adjudicating the validity of his own order in a habeas corpus proceeding.

g. The aforementioned and much more were done in order to advance a criminal racketeering enterprise involving judges, public prosecutors, their "bag-men", and others, in the federal judicial district of New Jersey or as a result of actions taken in that judicial district.

26a. The aforementioned complaint for which plaintiff seeks damages, although limited to acts and conduct in or arising out the federal judicial district of New Jersey, is part of a pattern of criminal racketeering adventures, inundated with "racketeering activity" as defined in 18 U.S.C. §1961, including "fraud connected with [plaintiff's] case under Title 11 of the U.S. Code", wherein the courts and other agencies and forums of government are employed in order to steal and otherwise unlawfully siphon assets from helpless judicial trusts, including those in which plaintiff has legal interests, criminal extortion and obstruction of justice and criminal investigation, causing racketeering injuries to him, his business, his property, and in addition thereto, substantial personal injuries, all in flagrant violation of his federal constitutional, and other legal rights.

b. The courts, in which some of the defendants are associated, are "enterprises", and the defendants' activities affect interstate and foreign commerce.

WHEREFORE, by reason of the aforementioned, plaintiff demands damages in the sum of fifty million dollars ($50,000,000), and to the extent they affect or have affected his business and property, three (3) times the amount demanded, together with attorney's fees, costs and disbursements.

Dated: August 2, 1989

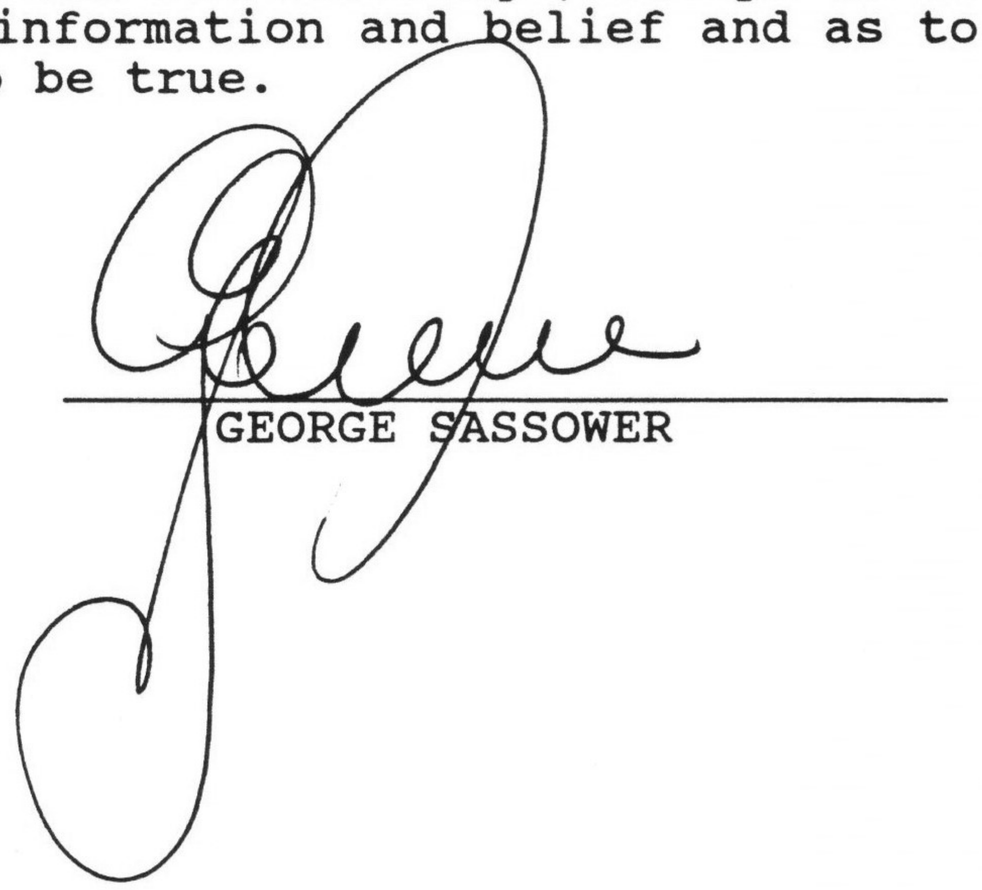
GEORGE SASSOWER

GEORGE SASSOWER
Attorney, pro se
16 Lake Street,
White Plains, New York 10603
914-949-2169

GEORGE SASSOWER, the plaintiff in the within action, affirms the following to be true under the penalty of perjury.

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

Dated: August 2, 1989



GEORGE SASSOWER

United States District Court

for the DISTRICT OF New Jersey

George Sassower

V.

Robert Abrams, et al

FILE COPY

WARRANT FOR ARREST

CASE NUMBER: Civil 88-1012

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest George Sassower
Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☐ Indictment ☐ Information ☐ Complaint ☒ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

Failure to appear for hearing on Order to Show Cause re: Contempt and Sanctions.

in violation of Title _____ United States Code, Section(s) _____

Hon. Nicholas H. Politan
Name of Issuing Officer

U.S. District Court Judge
Title of Issuing Officer

Scott P. Creegan
Signature of Issuing Officer

Scott P. Creegan
Deputy Clerk

3 March 1989 Newark, N.J.
Date and Location

Bail fixed at $ _____ by _____
Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at _____

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST	Exhibit "A-1"	

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

GEORGE SASSOWER,	:	CIVIL ACTION NO. 88-1012
Plaintiff,	:	HON. NICHOLAS H. POLITAN
v.	:	ORDER TO SHOW CAUSE
ROBERT ABRAMS, et al,	:	
Defendants.	:	

GEORGE SASSOWER,	:	CIVIL ACTION NO. 88-1562
Plaintiff,	:	(CONSOLIDATED)
v.	:	
LEE FELTMAN, et al,	:	
Defendants.	:	

This matter having been opened to the Court sua sponte; the Court having received the attached Notices of Motion and Affirmations; it appearing that said Notices of Motion and Affirmations were submitted to the Honorable John F. Gerry in violation of this Court's Order of May 9, 1988; good cause appearing,

IT IS on this 3rd day of February, 1989,

ORDERED that plaintiff, GEORGE SASSOWER, show cause, if any there be, before the undersigned at 9:30 o'clock in the forenoon on March 3, 1989, why he should not be held in contempt

Exhibit "A-2"

or otherwise sanctioned.

NICHOLAS H. POLITAN
U.S.D.J.

cc: Hon. John F. Gerry,
Chief Judge

AO 442 (Rev. 5/85) Warrant for Arrest

United States District Court

DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA
V.

GEORGE SASSOWER

WARRANT FOR ARREST

CASE NUMBER: 89-103 (HNP)

To: The United States Marshal
and any Authorized United States Officer

YOU ARE HEREBY COMMANDED to arrest GEORGE SASSOWER
Name

and bring him or her forthwith to the nearest magistrate to answer a(n)

☐ Indictment ☒ Information ☐ Complaint ☐ Order of court ☐ Violation Notice ☐ Probation Violation Petition

charging him or her with (brief description of offense)

knowingly and willfully disobeying and resisting a lawful writ, process, order, rule and decree of the United States District Court

in violation of Title 18 United States Code, Section(s) 401 and 2

Hon. Nicholas H. Politan
Name of Issuing Officer

United States District Judge
Title of Issuing Officer

Signature of Issuing Officer

March 3, 1989 at Newark, New Jersey
Date and Location

(By) Deputy Clerk
Philip J. Selecky

Bail fixed at $ _____ by _____
Name of Judicial Officer

RETURN

This warrant was received and executed with the arrest of the above-named defendant at _____

DATE RECEIVED	NAME AND TITLE OF ARRESTING OFFICER	SIGNATURE OF ARRESTING OFFICER
DATE OF ARREST	Exhibit "B".	