AO 440 (Rev. 5/85) Summons in a Civil Action — Judge MacLaughlin — 7/30/90

United States District Court

DISTRICT OF MINNESOTA

GEORGE SASSOWER

V.

FRANCIS E. DOSAL, et. el.,

SUMMONS IN A CIVIL ACTION

CASE NUMBER: Cv 4-90-571

TO: (Name and Address of Defendant)

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon

PLAINTIFF'S ATTORNEY (name and address)

GEORGE SASSOWER
16 LAKE STREET
White Plains, New York 10603
914-949-2169

an answer to the complaint which is herewith served upon you, within Twenty (20) days Sixty (60) days --Federal days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

Francis E. Dosal
CLERK

July 30, 1990
DATE

Patricia J. Sabin
BY DEPUTY CLERK Patricia J. Sabin

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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GEORGE SASSOWER,

Plaintiff,

-against-

FRANCIS E. DOSAL; FLOYD E. BOLINE; JEROME G. ARNOLD; "JOHN FIXER", name fictitious and unknown to plaintiff at present; WEST PUBLISHING COMPANY; LEE FELTMAN; FELTMAN, KARESH, MAJOR & FARBMAN; KREINDLER & RELKIN, P.C.; CITIBANK, N.A.; JEROME H. BARR; JAMES L. OAKS; WILFRED FEINBERG; GEORGE C. PRATT; CHARLES L. BRIEANT; WILLIAM C. CONNER; EUGENE H. NICKERSON; EDWARD R. KORMAN; I. LEO GLASSER; ALLYNE ROSS; HOWARD SCHWARTZBERG; NICHOLAS H. POLITAN; SOL WACHTLER; MATTHEW T. CROSSON; FRANCIS T. MURPHY; GUY J. MANGANO; MILTON MOLLEN; WILLIAM C. THOMPSON; XAVIER C. RICCOBONO; ALVIN F. KLEIN; DAVID B. SAXE; IRA GAMMERMAN; DONALD DIAMOND; ROBERT ABRAMS; ROBERT STRAUS; DENIS DILLON; MEAD DATA CENTRAL, INC.; LAWYERS CO-OPERATIVE PUBLISHING CO.; NEW YORK LAW JOURNAL COMPANY; PRICE COMMUNICATIONS CORP, and NEW JERSEY LAW JOURNAL,

Defendants.

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Docket #

Jury Trial Demanded

Plaintiff, as and for his Verified Complaint, respectfully sets forth and alleges:

AS AND FOR A FIRST CAUSE OF COMPLAINT
(Mandamus)

1. Plaintiff in this action, as a plaintiff, filed a verified complaint in this Court, dated July 5, 1990 entitled Sassower v. Carlson, et el. which was assigned Docket No. 4-90-511).

2. By reason of economic restrains, not of plaintiff's culpable doing, along with such verified complaint, plaintiff filed an Application to Proceed in Forma Pauperis, as provided by law.

3. In due course, according to law, custom and/or usage, the aforementioned In Forma Pauperis Application was

referred to U.S. Magistrate BERNARD P. BECKER ["Becker"] of this Court.

4. On July 6, 1990, the following was entered as an "Order of Court":

> "The application is hereby granted. Let the applicant proceed without prepayment of cost or fees or the necessity of giving security therefor. /s/ BERNARD P. BECKER."

5a. By law, custom and/or usage, on information and belief, upon receipt of such an order from a U.S. Magistrate, without more, the defendant, FRANCIS E. DORSAL ["Dorsal"], Clerk of the U.S. District Court of the District of Minnesota, or one of his subordinates, issues the process for service on each defendant.

b. On information and belief, where such order from a U.S. Magistrate is confirmed by a U.S. District Judge, such confirmation is pro forma, otherwise, on notice, an order of disaffirmance or remand, is ordered.

6. As a matter of ministerial compulsion, requiring no discretion whatsoever, upon receipt of the aforementioned Order from Magistrate Becker, or expeditiously thereafter, as a matter of law, custom and/or usage, Dorsal was required to issue process for each defendant for service, but in the aforementioned action, he failed to do so.

7. By reason of the aforementioned, a writ of mandamus is requested, compelling Dorsal to issue process for service on each defendant in such action, as required by law, custom and/or usage.

AS AND FOR A SECOND CAUSE OF COMPLAINT
(Declaratory Judgment, Prohibition and Mandamus)

8. Plaintiff repeats, reiterates and realleges each and every allegation of the complaint marked "1" through "7" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

9. Upon approval of plaintiff's In Forma Pauperis Application, the matter was assigned to U.S. District Court Judge DAVID S. DOTY ["Doty"] of the District of Minnesota.

10a. On information and belief, Judge Doty referred the matter to U.S. Magistrate FLOYD E. BOLINE ["Boline"]

> "for all pretrial proceedings under 28 U.S.C. §636 and Local Rule 16".

b. In making such reference, Judge Doty did not expressly or impliedly disaffirm the judicial action taken by Magistrate Becker, as heretofore set forth.

11. Magistrate Boline upon reviewing plaintiff's complaint, and contrary to the implied findings of Magistrate Becker, found plaintiff's complaint, by Report dated July 16, 1990, to be [Report p. 1]:

> "frivolous and malicious within the meaning of 28 U.S.C. §1915[d], and has been brought for the sole purpose of harassing the defendants".

12. Magistrate Boline, at the time, had actual knowledge that he had neither jurisdictional power nor lawful authority to review the actions of Magistrate Becker, and was acting under usurped authority, or no authority.

13. By reason of the aforementioned, the lawless actions and Report of Magistrate Boline, should be declared null, void and of no legal effect, a writ of prohibition should be issued with respect to such Report, and process should immediately issue by Dorsal.

AS AND FOR A THIRD CAUSE OF COMPLAINT
(Monetary Damages)

14. Plaintiff repeats, reiterates and realleges each and every allegation of the complaint marked "1" through "13" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

15. In overruling Magistrate Becker, Magistrate Boline did not assume he knew more about validity of the facts as set forth in the complaint than did Magistrate Becker, which if claimed, would have been irrelevant.

16. On the contrary, Magistrate Boline acknowledged a prior habeas corpus proceeding in that Court, dismissed as being moot, which was then pending, sub judice, in the Eighth Circuit Court of Appeals, which he knew or should have known had been previously assigned to and handled by Magistrate Becker.

17. Consequently, it was Magistrate Becker, not Magistrate Boline who, from prior judicial experience with the matter, could give flesh and blood to the skeleton facts set forth in the filed complaint, and such superior knowledge of the facts by Magistrate Becker was known or should have been known by Magistrate Boline.

18. It was Magistrate Becker, not Magistrate Boline who, from prior judicial experience with the matter, could reject or question the validity of various statements by plaintiff, all of which was known or should have been known by Magistrate Boline.

19a. In short, the clear indication from the Report of Magistrate Boline itself is that Magistrate Boline had been communicated with by "John Fixer", name fictitious and unknown to plaintiff at the present time, and effectively gave Magistrate Boline "marching orders".

b. Although by law and ethics, as a matter of ministerial compulsion, Magistrate Boline should have identified "John Fixer" to plaintiff and given him the substance of such communication prior to the issuance of his Report, Magistrate Boline did and has not since his Report was issued.

20. By reason of the aforementioned, monetary damages are claimed against Magistrate Boline and "John Fixer".

AS AND FOR A FOURTH CAUSE OF COMPLAINT
(Monetary Damages)

21. Plaintiff repeats, reiterates and realleges each and every allegation of the complaint marked "1" through "20" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

22a. There is little, if anything, legally relevant in the Report of Magistrate Boline, and said Report, made with usurped authority, is nothing less that the repetition of libels, for which Referee Boline, as well as the legal publishers, their

authors, and those who procured such authorship, should respond in damages, which are here claimed in substantial amount.

b. In this particular instance, the legal publisher was, on information and belief, WEST PUBLISHING COMPANY ["West"].

c. The specifics of such malicious libels, intentionally made to cause plaintiff prejudice and special damages, and repeated in the aforementioned Report of Magistrate Boline, are exposed in this Complaint and/or contemporaneously served papers under Docket No. 4-90-511, and incorporated herein by reference.

23. By reason of the aforementioned substantial damages are claimed by plaintiff.

AS AND FOR A FIFTH CAUSE OF COMPLAINT
(Declaratory Judgment and Civil Rights Damages)

24. Plaintiff repeats, reiterates and realleges each and every allegation of the complaint marked "1" through "23" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

25. The conclusions contained in the aforementioned Report of Magistrate Boline was based upon facts which plaintiff had no legal requirement to anticipate in his complaint; were not, on their face, conclusive against plaintiff, and "due process" mandated that plaintiff be given an opportunity to respond to same, before said Report was issued.

26. Notwithstanding the basic constitutional requirement of "due process", imposed as a matter of ministerial compulsion, Magistrate Boline did not afford plaintiff any "due process" and did not afford plaintiff an opportunity to

controvert the facts upon which Magistrate Boline based his Report.

27. By reason of the lack of "due process", the aforementioned Report of Magistrate Boline, should be declared null, void, and of no legal effect, and damages, civil rights and otherwise, awarded to plaintiff.

AS AND FOR A SIXTH CAUSE OF COMPLAINT
(Damages)

28. Plaintiff repeats, reiterates and realleges each and every allegation of the complaint marked "1" through "27" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

29a. In the Report of Magistrate Boline, he acknowledged the binding authority of Munz v. Parr (758 F.2d 1254 [8th Cir.-1985]), and quoted, as authoritative, in haec verba, that portion which stated (Report p. 8):

> "Consistent with its neutral role, the court is not to anticipate defenses not obvious from the pleadings. Dismissal is warranted only if the face of the complaint shows an 'insuperable bar to relief'."

b. Notwithstanding the aforementioned, Magistrate Boline completely disregarded the mandate of the Circuit Court as set forth in Munz v. Parr (supra).

c. Indeed, as Magistrate Boline impliedly acknowledged, Neitzke v. Williams, U.S. , 109 S.Ct. 1827, 1831 [1989] reinforces the validity of such Munz doctrine (Report, at p. 7).

30. Notwithstanding same, as is patent on the face of the Report, Magistrate Boline, in order to deny plaintiff access

to the courts and due process, wilfully disregarded the mandates of the Circuit Court and Supreme Court.

31. By reason of such disregard of the ministerial obligations of office by Magistrate Boline, which he failed to obey, Magistrate Boline is liable in damages.

AS AND FOR A SEVENTH CAUSE OF COMPLAINT
(Injunction)

32. Plaintiff repeats, reiterates and realleges each and every allegation of the complaint marked "1" through "31" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

33. In said Report of Magistrate Boline, he states (p. 10, n. 7):

> "The undersigned [Magistrate Boline] has instructed the Clerk of Court to mail a certified copy of the complaint and this Report and Recommendation to Judge Conner so that he may consider whether plaintiff should be held in contempt or sanctioned for filing this action."

34a. By Order dated and filed on January 24, 1990, in the U.S. District Court for the District of New Jersey, United States District Judge NICHOLAS H. POLITAN ["Politan"] signed and caused to be entered an Order, under Docket No. 88-1012, which in relevant part reads:

> "ORDERED that defendant's [sic] motion for appointment of a special attorney to prosecute plaintiff for his criminal contempt of court in filing and prosecuting this action in violation of a prior injunction issued in the State of New York is denied, and it is further"

b. No appeal was taken by the defendants in the New Jersey proceedings from that or any part of said Order, assuming the aforementioned to be appealable.

35a. On or about April 11, 1988, or almost two (2) years prior thereto, the firm of CLAPP & EISENBERG, P.C. ["C&E"], on behalf of its clients, LEE FELTMAN ["Feltman"]; FELTMAN, KARESH, MAJOR & FARBMAN ["FKM&F"]; KREINDLER & RELKIN, P.C. ["K&R"]; CITIBANK, N.A. ["Citibank"]; and JEROME H. BARR ["Barr"], moved for:

> "an Order appointing the United States Attorney or a special attorney to prosecute Sassower for his criminal contempt of court in filing and prosecuting this action in violation of the Federal Injunction ..."

b. The Federal Injunction, referred therein, was that issued in Raffe v. Doe (619 F. Supp. 891 [SDNY-1985]), by U.S. District Judge WILLIAM C. CONNER ["Conner"].

36. The aforementioned motion C&E was supported by facts and legal arguments of fifty-four (54) pages, and C&E and its clients had full and fair opportunity to present their whole and complete case, for the prosecution of the plaintiff.

37. By reason of the aforementioned, the defendants, U.S. Attorney JEROME G. ARNOLD ["Arnold"], Judge Conner, Feltman, FKM&F, K&R, Citibank, and Barr should be enjoined, by the "double jeopardy" constitutional prohibition contained in Amendment V of the U.S. Constitution, from instituting any such contempt motion or proceeding.

38. In further support of such writ of prohibition, authorized under 28 U.S.C. §1651, and as evidence of the malicious nature of the aforementioned Report of Magistrate Boline, in plaintiff's filed complaint, he stated (p. 20-22):

> "20a. On effectively the same charges, plaintiff had received more than forty (40)

adjudications other than guilty, thus triggering 'double jeopardy' prohibitions many times over.

b. Unquestionably also, plaintiff was being made the subject of 'invidious prosecutorial selectivity'.

c. These pleas were interposed, along with plaintiff's plea of 'not guilty'.

d. As to the pleas of 'double jeopardy' and 'invidious prosecutorial selectivity' plaintiff was entitled to an immediate adjudications by the trial court, particularly since they were legally and factually unopposed.

e. Instead, Judge Politan did not rule upon them until the opening of trial, and thereby precluded a separate and prior appeal (Abney v. U.S., 431 U.S. 651 [1977]).

21a. On October 23, 1989, almost immediately after plaintiff's conviction and his filing his Notice of Appeal, he moved for dismissal and reversal based, inter alia, 'double jeopardy' and 'invidious selectivity', which motion bore the legend 'Please Expedite'.

b. Plaintiff was entitled to an almost immediate disposition of such motion, since a grant would have made dispensed with the filing of a Brief and Appendix and otherwise protected 'double jeopardy' values.

c. Here again, the motion was unopposed by the [U.S. Attorney] Alito [New Jersey] office.

d. Plaintiff kept communicating with the Third Circuit with respect to such motion and by non-response or response, plaintiff was given the clear impression that such motion had been properly docketed.

e. After plaintiff's appeal had been submitted to the Third Circuit Panel, and a few days before the decision of June 19, 1990, for the first time, plaintiff was informed that such motion had never been received and therefore never docketed.

f. Consequently, plaintiff sent another copy to the Third Circuit and the Panel, which was received by them on or shortly after June 18, 1990, or after the June 19, 1990 decision had been rendered, but not docketed.

g. By letter dated June 29, 1990, Sisk, Senior Staff Attorney for the Third Circuit, admitted that the Court had received the original October 23, 1989 motion, but had not docketed same.

h. The confluence of events irresistibly compel the conclusion that the failure to docket such motion of plaintiff, the deception by Sisk and Mrvos (Clerk of the Court) Office, was intentional, all with the knowledge of [Ass't U.S. Attorney] Walk, the [U.S. Attorney] Alito Office and C&E [the New Jersey Attorney for "the criminals with law degrees"] in order to deprive plaintiff of his appellate and constitutional rights.

22a. Contained in a twenty-two (22) page supporting affirmation of October 23, 1989 were most of plaintiff's factual information to support his unopposed 'double jeopardy', 'invidious selectivity' and other of plaintiff's contentions, which plaintiff did not repeat in his Brief and/or Appendix.

b. The evidence also appears to support the assertion that the Panel (Hutchinson, Cowen and Seitz) had actual knowledge of the existence of the October 23, 1989 motion, of its absence before the Panel, and the conscience determination by the Panel to disregard its contents."

39. Indeed, K&R and FKM&F -- "the criminals with law degrees" -- nor anyone else, has ever been able to obtain a conviction against plaintiff based upon the injunction of Judge Conner.

40. By reason of patent "invidious selectivity", as well as "double jeopardy", any attempted prosecution of plaintiff by reason of the aforementioned complaint must be enjoined.

AS AND FOR A EIGHTH CAUSE OF COMPLAINT
(Writ of Mandamus and Prohibition)

41. Plaintiff repeats, reiterates and realleges each and every allegation of the complaint marked "1" through "40" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

42. Judge Conner, is being asked by Magistrate Boline, whether he desires plaintiff prosecuted, at government expense, albeit clearly proscribed by the "double jeopardy" provision of the U.S. Constitution, in order to advance a privately motivated criminal racketeering adventure.

43a. Instead, U.S. Attorney Arnold should be mandated to submit to the grand jury plaintiff's evidence of criminal conduct which caused his incarceration in the District of Minnesota (18 U.S.C. §3332), as set forth in his prior complaint, in this complaint, and plaintiff's other papers.

b. Thus, for example, in plaintiff's prior complaint he stated (p. 14):

> "Included in such prior trialess conviction was that of Judge Nickerson, who found petitioner and HYMAN RAFFE [`Raffe'] guilty, and imposed substantial fines payable `to the [federal] court'.
>
> These fines were not paid `to the federal court', but went into the private pockets of K&R and its clients, or those who engineered the larceny of Puccini's judicial trust assets."

c. When plaintiff is transported for three (3) days in handcuffs and leg irons to Minnesota, and incarcerated therein at a psychiatric facility, at great government expense,

in order to destroy his credibility concerning the diversion of monies from the government to the private pockets of the cronies of the judiciary, this becomes a matter over which the U.S. Attorney and the Grand Jury should concern itself.

44. The U.S. Attorney should be mandated to submit to the grand jury plaintiff's evidence of criminal racketeering conduct, and prohibited from any lawful attempt by plaintiff to communicate to such grand jury, as is his right and societal duty, insofar as such conduct relates to this District.

AS AND FOR A NINTH CAUSE OF COMPLAINT
(Writ of Mandamus)

45. Plaintiff repeats, reiterates and realleges each and every allegation of the complaint marked "1" through "44" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

46a. Plaintiff is a person of substantial means, clearly able to file his actions and proceeding in this and other courts without In Forma Pauperis relief, were it not for the fact that, through no culpable fault of his own, his assets are unlawfully frozen and unavailable.

b. Indeed, his In Forma Pauperis Application, which accompanied plaintiff's prior complaint stated that "Everything Frozen", and reference was made to his prior applications to this Court.

47a. Among plaintiff's assets, which he cannot liquidate are (1) $4,500 in bail monies held by reason of the unlawful action of District Attorney DENIS DILLON ["Dillon"]; (2) at least $2,900 held by Feltman and/or FKM&F under an unlawful

seizure; (3) at least $120,000 due by A.R. FUELS, INC. ["A.R."], subject to judicial estoppel; and (4) a judgment, with interest, against PUCCINI CLOTHES, LTD. ["Puccini"] -- "The Judicial Fortune Cookie" -- in the approximate amount of $50,000.

b. The aforementioned are more fully described in plaintiff's contemporaneous Rule 65 application to this Court.

48a. All of the aforementioned assets, except for the Dillon obligation, are contractual in nature and therefore constitutionally protected by Article 1, §10[1] and Amendment V of the U.S. Constitution.

b. In an attempt to compel plaintiff to succumb and remain silent, "the criminals with law degrees" and their cadre of corrupt judges, have denied plaintiff access to the courts so that he could collect the monies due him.

49. Plaintiff's debtors, judgment and otherwise, by summary treatment, should be compelled to pay over to plaintiff, the minimum that is owed him, or else judgment be entered against them, so that plaintiff need not be a burden on the government and proceed in forma pauperis.

AS AND FOR A TENTH CAUSE OF COMPLAINT
(Declaratory Judgment)

50. Plaintiff 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 Boline Report states (Report pp. 3, 5):

"Plaintiff further claims defendants have used the legal media to publish libelous judicial opinions... (citing Sassower v. Sheriff, 824 F.2d 184 (2nd Cir.-1987)"

"plaintiff's abusive conduct in matters related to the Puccini litigation is well documented in published decisions by various courts. See Sassower v. Sheriff of Westchester County, 824, 185-187 (2d Cir. 1987) ... see also Raffe v. John Doe, 619 F.Supp. 891-894-97 (S.D.N.Y. 1985)."

52a. In plaintiff's complaint, he stated (p.12-15):

"Paradigmatic of the judicial corruption in the Second Circuit, employing the legal media to advance its criminal racketeering criminal adventure, is the denigrating, libelous and scurrilous opinion of Circuit Judge Pratt in Sassower v. Sheriff (824 F.2d 184 [2nd Cir.-1987]), which reversed Sassower v. Sheriff (651 F. Supp. 128 [SDNY-1986]).

On its face, known to everyone having any familiarity with 'the law', the Judge Pratt determination is null, void, and of no legal affect.

Every jurist, lawyer, and almost every American knows that absent a plea of guilty, no American court or judge, can adjudge any person guilty of any federally protected crime, including the crime of non-summary criminal contempt, without a trial, or opportunity of a trial and without 'live' testimony in support of same (Nye v. U.S., 313 U.S. 33 [1941], Bloom v. Illinois, 391 U.S. 194 [1968]).

Admitted in the Judge Pratt authored opinion, plaintiff entered a plea of, inter alia, 'not guilty', there is no finding that plaintiff waived his right to a hearing, and even if he did, there was no 'live' testimony to support such conviction -- which is the 'death knell' to any claim to validity.

Additionally, on the face of the opinion of Judge Pratt, other constitutional and legal reasons exist which compel the conclusion that the conviction was a constitutional and jurisdictional nullity.

However, the inflammatory and prejudicial nature of such published opinion has been decisive, even where clearly not relevant in other litigation.

The egregious and criminal nature of Circuit Judge Pratt's opinion are the fabricated and contrived statements contained therein, as well as the extortion racket sought to be advanced by such decision.

Thus, for example, there is nothing--absolutely nothing -- in the Record on Appeal to support the published libelous assertions by Judge Pratt that:

> "Sassower refused to appear at a hearing before the court appointed referee" [p. 185] ... "Sassower was notified by the attorney for the receiver that he was required to appear before the referee for proceedings on the criminal contempt motion and cross-motions." [p. 187]. ... "[Sassower] failed to appear." [p. 187]... "the opportunity for a hearing that was afforded was appropriate under the circumstances" [p. 189]... "Sassower was ... given a reasonable opportunity to be heard" [p. 189] ... "Sassower ... waived that right [to a hearing] by failing to appear" [p. 190] ... "he [Sassower] has repeatedly refused to appear before Referee Diamond" [p. 190] ... "explicitly warned him [Sassower] of the consequences of his failure to appear before the referee" [p. 190]."

The Record on Appeal is wholly and completely to the contrary.

Circuit Judge Pratt, while noting the other non-summary criminal convictions against plaintiff, failed to note that they were all trialess, and without any live testimony in support thereof, and consequently void and considered barbaric in all civilized societies.

Included in such prior trialess conviction was that of Judge Nickerson, who found petitioner and HYMAN RAFFE ['Raffe'] guilty, and imposed substantial fines payable 'to the [federal] court'.

> These fines were not paid 'to the federal court', but went into the private pockets of K&R and its clients, or those who engineered the larceny of Puccini's judicial trust assets.
>
> Judge Pratt, also did not disclose that Raffe had been convicted under a mirrored trialess report by Referee Diamond of substantially the same counts as plaintiff, and some additional counts as well.
>
> However, Raffe agreed to effectively surrender all his interests in Puccini, consent to a 'phantom' accounting for such judicial trust, execute releases to, inter alia, the K&R-FKM&F criminal entourage, including the 'Federal Judges in the Southern and Eastern District of New York', the 'Justice of the Supreme Court, New York County', and in addition pay millions of dollars to K&R and FKM&F, and thereby avoid incarceration.
>
> As long as Raffe keeps paying such 'extortion' monies to K&R and FKM&F -- 'the criminals with law degrees' -- he will not be incarcerated, according to the written agreement.
>
> In Raffe's words 'they are bleeding me to death'.
>
> The aforementioned are the 'coins of the judicial realm' in the courts of the State of New York and the Second Circuit Court of Appeals, controlled by the 'racketeering defendants' from that bailiwick, who also control, under 'color of law', what is and is not published in the legal media."

b. There is nothing in the law, which permitted Magistrate Boline to sua sponte disregard the above assertions, without a scintilla of evidence to the contrary, in an 18 U.S.C. §1950[d] examination.

c. Allegations which must be accepted as true in an 18 U.S.C. §1915[d] examination against any other agency of government, cannot be held frivolous and malicious when levelled against the judiciary.

53. The assertions in plaintiff's verified complaint in Docket No. 4-90-511, as well as this complaint, must be accepted as true, and the contrary, express or implied assertions, by Magistrate Boline, all of which he has no testimonial knowledge, declared to be null, void and/or of no legal effect.

AS AND FOR A ELEVENTH CAUSE OF COMPLAINT
(Declaratory Judgment, Affirmative Injunction and Damages)

54. Plaintiff repeats, reiterates and realleges each and every allegation of the complaint marked "1" through "53" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

55a. The non-summary criminal contempt convictions of plaintiff, HYMAN RAFFE ["Raffe"], and SAM POLUR, Esq. ["Polur"] of June 1985, by (1) U.S. District Judge EUGENE H. NICKERSON ["Nickerson"] of the Eastern District of New York; (2) Acting Supreme Court Justice DAVID B. SAXE ["Saxe"]; and (3) Supreme Court Justice ALVIN F. KLEIN ["Klein"], must be declared null, void and of no legal effect.

b. All of the above convictions were rendered without a trial, without an opportunity for a trial, and without any 'live' testimony in support thereof, in addition to being constitutionally and jurisdictionally infirm in other respects.

56a. On June 7, 1985, under the aforementioned trialess scenario and without pretense otherwise, Judge Nickerson adjudicated plaintiff and Raffe to be guilty, and imposed substantial monetary penal damages, payable "to the [federal] court".

b. These monies were diverted to the private pockets of KREINDLER & RELKIN, P.C. ["K&R"] and its clients, CITIBANK ["Citibank"] and JEROME H. BARR ["Barr"], or those who engineered the larceny of the judicial trusts assets of PUCCINI CLOTHES, LTD. ["Puccini"] -- "the judicial fortune cookie" -- and none of these penal monies was received by any agency of the federal government.

c. The monies which were to have been paid by plaintiff, were paid by Raffe without plaintiff's knowledge, permission and/or consent, along with his own fines, to K&R, Citibank and/or Barr, under pains of incarceration.

57. On June 26, 1985, less than three (3) weeks after the Judge Nickerson conviction, Judge Saxe under the aforementioned trialess scenario found plaintiff guilty, sentenced him to be incarcerated for a fixed term, imposed a fine on plaintiff, and directed that the conviction be reported to the Appellate Division of the Supreme Court, which has jurisdiction over the disciplining of attorneys.

58a. On the same day, August 26, 1985, Mr. Justice Klein, under the same trialess scenario, in one document, (1) plaintiff, (2) Polur, and (3) Raffe were found guilty, each sentenced to be incarcerated for thirty (30) days, and fined.

b(1) Plaintiff and Polur served their full term of incarceration, less good time allowance.

(2) Raffe, as hereinafter shown, paid "millions of dollars" to these private 'indulgence peddlers' and gave other unlawful considerations, and never was incarcerated.

c(1) Disciplinary proceedings were commenced against plaintiff and Polur based upon the aforementioned convictions, but when Polur left the Puccini scene, such proceedings were suspended and then dropped.

(2) When plaintiff refused to leave the scene of litigation and refused to remain silent about judicial corruption, these non-summary criminal contempt convictions--"offenses sui generis" -- were raised to "serious crimes", and plaintiff was disbarred.

59a. These aforementioned trialess convictions, which were mentioned in Sassower v. Sheriff (824 F.2d 184 [2nd Cir.-1987]), but intentionally and deceptively not there constitutional and jurisdictional infirmities, are null, void and without any legal effect (Nye v. U.S. [supra]; Bloom v. Illinois [supra]), and should be so declared.

b. Absent a plea of guilty, even where a defendant intentionally defaults, a conviction of a crime protected by the

Constitution, without 'live' testimony, is a "nullity" (10 Wright, Miller & Kane, Fed Prac & Proced. §2693, p. 481; Klapprott v. U.S., 335 U.S. 601 [1949]).

c. Such declaration of nullity should be in the form, and with a declaration that the legal media, operating under color of law, publish same.

AS AND FOR A TWELFTH CAUSE OF COMPLAINT
(Declaratory Judgment, Affirmative Injunction and Damages)

60. Plaintiff 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.

61a. On or about January 5, 1985, after a massive two year submission by "the criminals with law degrees", Mr. Justice MARTIN EVANS ["Evans"] did not find either plaintiff or Raffe guilty of non-summary criminal contempt, triggering constitutional "double jeopardy" prohibitions.

b. Despite such constitutional prohibition, three week later, FKM&F commenced new proceedings non-summary criminal contempt proceedings against plaintiff and Raffe.

c. This time however, Administrator XAVIER C. RICCOBONO ["Riccobono"], an active defendant in the federal court brought by plaintiff, instructed Mr. Justice Evans to have same referred to Referee DONALD DIAMOND ["Diamond"], who was an active defendant in the same litigation in the federal court.

d(1) On May 1, 1985, in a trialess, without 'live' testimony, Referee Diamond found plaintiff guilty of sixty-three (63) counts of non-summary criminal contempt and in his Report recommended that he be fined and incarcerated.

(2) In a mirrored Report, under the same trialess scenario, without 'live' testimony, Referee Diamond found that Raffe was guilty of seventy-one (71) counts, or eight (8) more than plaintiff.

62a. While plaintiff and Polur were incarcerated under the Klein trialess conviction, "the criminals with law degrees", communicated with Raffe directly or other attorneys and threatened him with seventy-one (71) months of incarceration under the Referee Diamond Report, in addition to the one month under the Klein trialess conviction, unless he succumbed.

b. In exchange for not being incarcerated, Raffe agreed (1) to pay what is now many millions of dollars to "the criminals with law degrees; (2) effectively surrender all his interests in Puccini; (3) agreed to execute releases to "the criminals with law degrees" and their co-conspirators, including the N.Y. State Attorney General and the federal and state jurists; (4) discontinue all Puccini actions and proceedings, including the appeal from the Order of U.S. District Judge WILLIAM C. CONNER ["Conner"]; and (5) other unlawful consideration.

63a. The fabricated, contrived and concocted statements contained in the opinion authored by Circuit Judge GEORGE C.

PRATT ["Pratt"] in Sassower v. Sheriff (supra) notwithstanding, which were not supported by even a scintilla of evidence, the following are excerpts from the Report of Referee Diamond:

> "[p. 5] No hearing is being held for a confluence of reasons; [p. 9] Mr. Sassower's answer to that complaint establishes there is no need to hold a hearing herein; [p. 9] there is no need for a hearing with respect to the charges asserted by movant; [p. 12] there is no issue requiring a hearing; [p. 12] I reported that this issue claim is so devoid of substance, that no hearing is required; [p. 13] no hearing is required; [p. 14] no issue of fact that require a hearing; [p. 14-15] alleges 'Not guilty' as a defense. This allegation is tantamount to a general denial of the allegations contained in the petition; [p. 15] The assertion of a conclusory denial addressed to the enumerated charges in the moving papers does not create a disputed issue requiring a hearing, and I so report; [p. 24] he alleges that movant's 'have received the succor of members of the judiciary' and this is 'an unfortunate state of affairs.' I report that this allegation is false and known to be false to Mr. Sassower; [p. 25] he alleges that 'the entire receivership is nothing but an invitation to corruption.' I report that this claim is without merit. The method of appointing a receiver and the procedure requiring the receiver to provide an undertaking together with provision of Article 64 CPLR and the applicable court rules create a system for the administration of assets that deters corruption; [p. 25] affidavit he claims that a plenary hearing with the aid of subpoenas will be appreciated. I report that there is no issue raised in the affidavit that would warrant holding a hearing, for the reasons stated herein; [p. 26] I report that there is no issue of fact raised ... that raises an issue of fact requiring a hearing; [p. 33] The first twelve paragraphs of the moving affidavit describes the summary of Mr. Sassower's conduct and the background of the case. I report that the allegation are substantially true and base that report upon my person knowledge acquired during performance the duties assigned to me in the order of the Administrative Judge; [p. 34] Mr. Sassower claim of 'Not Guilty' is not sufficient to raise a triable issue of fact with respect to the allegation; [p. 34] there is no triable issue of fact that would provide grounds for Mr. Sassower to commence a lawsuit in the name of the corporation; [p. 46] Mr. Sassower's allegation of 'not guilty' is not sufficient to establish there is an issue requiring a hearing because the documentary evidence establishes that no order to

show cause was obtained; [p. 47] Mr. Sassower's allegation of `not guilty' is not sufficient to establish that there is an issue requiring a hearing; [p. 48] Mr. Sassower's allegation of `not guilty' is not sufficient to establish there is an issue requiring a hearing; [p. 48] Mr. Sassower's allegation of `not guilty' is not sufficient to establish there is an issue requiring a hearing because the documentary evidence establishes that no order to show cause was obtained; [p. 49] Mr. Sassower's allegation of `not guilty' is not sufficient to establish there is an issue requiring a hearing; [p. 50] Mr. Sassower's allegation of `not guilty" is not sufficient to establish that there is an issue requiring a hearing; [p. 50] Mr. Sassower's allegation of `not guilty' is not sufficient to establish that there is an issue requiring a hearing; [p. 51] Mr. Sassower's allegation of `not guilty' is not sufficient to establish that there is an issue requiring a hearing; [p. 51-52] The conclusory claim of `Not Guilty' contained in Mr. Sassower's affidavit is not sufficient to establish that an issue requiring a hearing exists; [p. 53] `not guilty' is not sufficient to warrant the holding of a hearing; [p. 70] If it is determined that Mr. Sassower is to have a hearing; [p. 71] If a hearing is to be provided ..."

b. Before U.S. Magistrate NINA GERSHON (Sassower v. Sheriff, 651 F. Supp. 128 [SDNY-1986]) was as follows (p. 25-27):

"THE MAGISTRATE: I am correct that there is nothing in the record that indicates one way or the other as to whether or not Mr. Sassower was invited to appear, did appear, waived the right to appear, didn't show up or anything of the kind. He says on the documentary evidence he finds that the petitioner is guilty. Is that not correct?

MR. SCHNEIDER [FKM&F]: There is nothing in the record ...

c. When neither FKM&F nor anyone else could produce any documentation to support the contrived statements of the Circuit Court, plaintiff was not re-incarcerated.

64a. In short, Magistrate Boline in his without jurisdiction Report, republished a libel, and in doing so, supported plaintiff's assertion that the (p. 3):

"defendants have used the legal media to

publish libelous judicial opinions."

b. The trialess, without 'live' testimony Report of Referee Diamond, for the aforementioned and other reasons are null, void and/or of no legal effect, and the media defendants should be mandated to publish such fact, in addition to an award of damages by those legally responsible.

AS AND FOR A THIRTEENTH CAUSE OF COMPLAINT
(Damages)

65. Plaintiff repeats, reiterates and realleges each and every allegation of the complaint marked "1" through "64" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

66a. In the various courts, state and federal, through a conspiratorial agreement which included FKM&F, K&R, and ROBERT ABRAMS ["Abrams"], they agreed to conceal the compelled agreements which Raffe had executed and/or its details, which included underwriting the cost, at extravagant rates, for the prosecution of plaintiff under the aforementioned trialess report.

b. In prosecuting plaintiff before Referee Diamond, and thereafter, Feltman, the court-appointed receiver for PUCCINI CLOTHES, LTD. ["Puccini"], as well as FKM&F and Abrams were operating under "color of law".

67. By reason of the aforementioned intentional concealment and other prosecutorial misconduct, the aforementioned proceedings which terminated in Sassower v. Sheriff (supra) are null, void and/or of no legal effect.

AS AND FOR A FOURTEENTH CAUSE OF COMPLAINT
(Declaratory Judgment and Damages)

68. Plaintiff repeats, reiterates and realleges each and every allegation of the complaint marked "1" through "67" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

69a. As a result of the Order of Mr. Justice Evans, dated January 5, 1985, the contempt convictions of Judge Saxe and Mr. Justice Klein, as well as other convictions hereinafter set forth are null, void and/or of no legal effect.

b. In addition thereto, "the criminals with law degrees", and everyone else, should be enjoined (28 U.S.C. §1651) from commencing any new or other criminal contempt proceedings which are prohibited under the "double jeopardy" clause, as incorporated into the XIV Amendment, as a result of the Order of January 5, 1985 or any other Order resulting in a verdict other than guilty, and for damages for the violation thereof by fraud and corruption.

c. Such relief is compelled by the fact that plaintiff is being denied access to the local state and federal courts for such relief.

AS AND FOR A FIFTEENTH CAUSE OF COMPLAINT
(Declaratory Judgment and Damages)

70. Plaintiff repeats, reiterates and realleges each and every allegation of the complaint marked "1" through "69" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

71a. As part of the "reign of terror", there were local attempts to publish defamatory material against plaintiff in the NEW YORK LAW JOURNAL ["NYLJ"], then owned, operated, and published by NEW YORK LAW JOURNAL COMPANY ["NYLJ Co."], and thereafter owned, operated, and published by NYLJ Co. with PRICE COMMUNICATION CORP. ["Price"].

b. When it was recognized that plaintiff had the "hard evidence" of judicial corruption, state and federal, and that plaintiff had no intention of succumbing to this "reign of judicial terror", defamatory material was published by corrupt judges and courts in an attempt to discredit plaintiff, as exemplified by the opinion by the Circuit Court in Sassower v. Sheriff (supra).

72a. On or about August 1, 1984, Raffe commenced a suit in the Southern District of New York, which was assigned to Judge Conner.

b. The title of such action was:

"HYMAN RAFFE, individually and on behalf of PUCCINI CLOTHES, LTD.
Plaintiffs,
-against-
`JOHN DOE', true name unknown to plaintiff but person or persons intended to be those who published and/or distributed certain material on or about July 26, 1984; Hon. DONALD DIAMOND; Hon. XAVIER C. RICCOBONO; Hon. MICHAEL J. DONTZIN; Hon. THOMAS V. SINCLAIR, JR.; Hon. ROBERT ABRAMS; DAVID S. COOK; CITIBANK, N.A., and JEROME H. BARR, individually, and as executors of the Estate of MILTON KAUFMAN; KREINDLER & RELKIN, P.C.; LEE FELTMAN; FELTMAN, KARESH, & MAJOR; ARUTT, NACHAMIE, BENJAMIN, LIPKIN & KIRSCHNER, P.C.
Defendants."

c. Almost immediately, Judge Conner stayed all

disclosure and discovery which had been instituted by plaintiff, as the attorney for the plaintiffs in the above entitled action, which stay was never vacated or modified.

d. There were no trials, no hearings, no nothing and fourteen (14) months later, the matter was dismissed (Raffe v. Doe, 619 F. Supp. 891 [SDNY-1985]).

e. Plaintiff filed a Notice of Appeal, but Raffe under threats by "the criminals with law degrees", Referee Diamond and others, that he would be incarcerated for seven (7) years under the aforementioned trialess scenarios if he did not agree to discontinue his appeal, agreed to discontinue same, in addition to agreeing to other unlawful considerations.

f. Such negotiations were made in the absence of plaintiff and Polur, his attorneys of record.

g. As a matter of blackletter law, under the aforementioned circumstances, such proceedings do not give rise to res judicata and/or there is an estoppel from pleading res judicata.

73a. The action before Judge Nickerson was commenced in January of 1984, and the complaint was never amended.

b. Consequently, a "John Doe" defendant, in the Conner action, who committed an act on July 26, 1984, could not possibly have been adjudicated in the Judge Nickerson action.

74a. Most of the causes of action in the Conner complaint, revolve around the conduct of Referee Diamond who entered the Puccini litigation no earlier than March 26, 1984, and consequently was not a defendant in the Nickerson action.

b. Consequently, the Nickerson complaint and disposition could not serve as res judicata of the Conner action.

75a. In both the Nickerson and Conner complaints, PUCCINI CLOTHES, LTD. ["Puccini"] -- "the judicial fortune cookie" -- was the prime plaintiff.

b. Puccini, albeit helpless and incompetent, was and is a constitutional "person" within the meaning of the XIV Amendment.

c. Puccini, being an "incompetent person", had the right to expect the protection of the court, within the meaning of Rule 17[c] and Rule 55[b][1] of the Federal Rules of Civil Procedure.

d. In short, a dismissal of Puccini's claims, by Judge Nickerson and Judge Conner without appointing anyone to protect Puccini and/or without oral testimony, is void.

76a. In both the Judge Nickerson and Judge Conner trialess proceedings, Puccini's prime fiduciaries, Feltman and Abrams, were Puccini's adversaries who opposed recovery of its assets which were made the subject of larceny engineered by K&R and its clients.

b. Judicial proceedings wherein the fiduciaries oppose their judicial trust is void (Rule 60[b][6]).

c. Thus, by affidavit dated March 5, 1986, when "the thieves" in FKM&F and K&R had a temporary falling-out, Feltman, the receiver for Puccini executed an affidavit which stated:

> "[T]hey [Kreindler & Relkin, P.C.] have substantially delayed the dissolution proceeding by impeding discovery sought by the Receiver concerning (i) the amounts that the Kaufman Estate received from

> Puccini after the Dissolution Order was issued enjoining such payments, and (ii) the books and records of Puccini that appear to be missing. For example, the Kaufman Estate refused to comply with a Subpoena Duces Tecum for eighteen months and remains in default in providing certain discovery despite judicial directives. Moreover, in an effort to block a lawsuit by me as Receiver against the Kaufman Estate to recover for the insolvent Puccini Estate and the payments received and retained by the Kaufman Estate in violation of the Dissolution Order in this proceeding, they have adopted the position that my law firm has a conflict of interest and I should retain another firm to prosecute such suit, threatening to delay such required lawsuit by a disqualification motion [emphasis in original]."

d. This affidavit was secreted by Referee Diamond, and did not come into plaintiff's possession until long after it had been executed.

e. Thus, according to such affidavit in or about September 1984, K&R was in default of a Feltman court-ordered subpoena, which required it to disclose:

> "the amounts that the Kaufman Estate [Citibank and Barr] received from Puccini after the Dissolution Order was issued enjoining such payments, and (ii) the books and records of Puccini that appear to be missing."

f. Such fact was never disclosed in the Judge Conner proceedings, to the extent that there were any proceedings, and was a judicial fraud (Rule 60[b][6]).

77. The point is that it is now known that the larceny engineered by K&R and its clients was massive, and that between such larceny and the unlawful plundering by FKM&F, they took it all, leaving nothing for the legitimate stockholders and creditors.

78a. In every American jurisdiction, a court-appointed receiver -- an arm of the court -- must account for his stewardship.

b. A public accounting by a court-appointed receiver, cannot be waived, excused or enjoined by any court or judge, including Judge Conner.

c. A public accounting cannot be enjoined by "paying-off", "buying" or "corrupting" a judge. Any such order by such corrupted judge, such as Judge Conner, is a transparent nullity and may be disregarded with impunity.

79a. The Judge Conner Opinion and Order is a transparent nullity, void as being the product of fraud and corruption, and should be so ordered, decreed and declared in a due process proceeding.

b. In addition thereto, those who corrupted Judge Conner and other jurists, which includes "the criminals with law degrees", their clients and co-conspirators, are liable in damages to plaintiff.

AS AND FOR A SIXTEENTH CAUSE OF COMPLAINT
(Declaratory Judgment, Injunction and Damages)

80. Plaintiff repeats, reiterates and realleges each and every allegation of the complaint marked "1" through "79" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

81a. When "the criminals with law degrees" could not, after the Judge Saxe and Judge Klein trialess convictions, obtain any further state convictions against plaintiff, although many

attempts were made, they once again solicited the services of Mr. Justice Gammerman.

b. Mr. Justice Gammerman, without any notice of motion, without any order to show cause, without any moving or accusatory affidavit or affirmation, without any trial or hearing, without any anything, found plaintiff to be guilty of non-summary criminal contempt and imposed criminal contempt penalties against him.

c. These criminal contempt penalties included the dragooning of all state actions and proceedings wherein plaintiff was a party and staying same.

d. Included in this dragooning procedures were those actions and proceedings wherein Judge Gammerman was an active party defendant or respondent and those wherein he was an essential witness.

e. According to the edict of Mr. Justice Gammerman, plaintiff could not file any paper in any state court without his permission, which can never be obtained.

82. The aforementioned criminal contempt proceedings and penalties imposed by Mr. Justice Gammerman are a nullity, and should be so ordered, declared and decreed, its enforcement enjoined, with substantial damages imposed.

AS AND FOR A SEVENTEENTH CAUSE OF COMPLAINT
(Declaratory Judgment, Injunction and Damages)

83. Plaintiff repeats, reiterates and realleges each and every allegation of the complaint marked "1" through "82" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

84a. In or about November of 1987, plaintiff "caught", once again, Judge Conner "fixing" a judicial proceeding.

b. This time the judicial proceeding was pending before U.S. District Judge CHARLES S. HAIGHT, JR. ["Haight"] of the Southern District of New York.

c. Indeed copies of such Conner "fixing" memorandum to Judge Haight -- "Bill to Terry" -- were circulated to others as well, including Chief Judge CHARLES L. BRIEANT ["Brieant"], U.S. District Judge GERARD L. GOETTEL, Bankruptcy Judge HOWARD SCHWARTZBERG ["Schwartzberg"], all of the Southern District of New York.

d. Such Conner "fixing memorandum" was distributed on behalf of "the criminals with law degrees" after an ex parte meeting with FKM&F, on behalf of themselves and their co-conspirators, with respect to the matter pending before Judge Haight.

e. As a consequence thereof, as a matter of course, plaintiff amended his complaint to add Conner, "The Fixor", as a Dennis v. Sparks (449 U.S. 24 [1980]) defendant.

f. Since plaintiff was very familiar with the Dennis v. Sparks (supra) holding, he did not include Judge Haight, "The Fixee", as a party defendant.

85a. By an ex parte procedure, in which plaintiff was not involved nor given notice, Chief Judge Brieant apparently was requested to reassign such matter from Judge Haight to another jurist, and for no other purpose.

b. This should have been performed ministerially by the "random selection wheel" method, but instead, without notice, without opportunity to controvert, without any "due process", before or after, without anything, Judge Brieant seized upon the occasion to dismiss, without prejudice, the Judge Haight case, which at all times, both before and after, was before Judge Haight and no one else.

c. The Judge Brieant published "diatribe", in justification thereof, was based upon the false, contrived and concocted premise that:

> "Judge Haight himself has been added to the case as a defendant [by plaintiff] ..".

d. Thus, based upon such false and contrived premise, by a "no due process" ukase, which Judge Brieant himself knew was false and lawless, Judge Brieant could further state that the:

> "inclusion of the assigned judge [Judge Haight] as an additional defendant had the effect, and probably the purpose of disrupting the orderly judicial decisional process of the district court."

86. Still without any due process procedures, Judge Brieant stated:

> "The Clerk of this Court is hereby ORDERED not to accept for filing any paper or proceeding or motion or new case of any kind presented by Mr. George Sassower, or naming him as a party plaintiff or petitioner, without the leave in writing first obtained from a judge or magistrate of this Court who shall have examined such paper to assure that it is not in violation of the 1985 ["Conner"] injunction."

87. By reason of the absence of due process, of conduct wholly beyond Brieant's orbit of judicial competence or authority, and for transcending ministerially prohibitions,

including the judicial independence of an Article III jurist, all under "color of law", the plaintiff has been substantially damaged by Brieant and Conner as aforementioned, for which damages are demanded, and the Judge Brieant ukase ordered, declared and decreed to be null, void and of no legal effect.

88. The day after the aforementioned Judge Brieant ukase, again without any pretense of due process or authority, Judge Brieant invaded the jurisdictional bailiwick of Bankruptcy Judge Schwartzberg, an Article I jurist, and directed that in the proceeding before Judge Schwartzberg that:

> "No further papers are to be filed under this docket number by Mr. Sassower ... without leave in writing first obtained from a Judge or Magistrate."

89a. This Brieant direction, and other "fixing" operations by Brieant, Conner and others, was clearly intended as "marching orders" to Judge Schwartzberg, JEFFREY L. SAPIR, Esq. ["Sapir"], and U.S. Trustee HAROLD JONES ["Jones"], that they should falsify and execute federal documents and papers, which they did, asserting, inter alia, that plaintiff's estate contained "no assets", and terminate plaintiff's case in bankruptcy.

b. This Brieant direction, and other "fixing" operations by Brieant, Conner, and their co-conspirators, was also intended, and perceived by Judge Schwartzberg, as a direction not to entertain those motions which plaintiff might make as a matter of right under, inter alia, Rule 59 and 60 of the Federal Rules of Civil Procedure, and/or as mirrored in the Bankruptcy Rules.

90a. By reason of the aforementioned, plaintiff demands substantial damages from the aforementioned, including from Judge Schwartzberg, for his refusal to entertain motions ministerially compelled, the ukase of Brieant notwithstanding.

b. In addition thereto, demand is made that there be declared null, void and of null effect, the documents executed by Judge Schwartzberg, Sapir and Jones, that Judge Schwartzberg be directed to accept any and all motions made by plaintiff pursuant to Rule 60[b] of the Federal Rules of Civil Procedure, and/or any other paper, document or motion from plaintiff in anon-discriminatory manner, and such other equitable relief as may be just and proper in the manner.

91a. In or about August of 1989, under a conspiratorial arrangement made by and between Brieant and U.S. District Judge NICHOLAS H. POLITAN ["Politan"] of New Jersey, without even a pretense of due process or lawful authority, by oral edict, not made in plaintiff's presence or knowing, Judge Brieant physically excluded plaintiff, as he thereafter learned, from the entire Federal Building in White Plains, and each and every part thereof, including the common areas and areas not under Judge Brieant's exclusive or police power control, "unless and until his [plaintiff's] physical presence is actually required", as Judge Brieant, six (6) months later, wrote.

b. This "no-due process" ukase has also caused plaintiff substantial damages, which are demanded of Judge Brieant and Judge Politan.

AS AND FOR A EIGHTEENTH CAUSE OF COMPLAINT
(Declaratory Judgment, Injunction and Damages)

92. Plaintiff repeats, reiterates and realleges each and every allegation of the complaint marked "1" through "91" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

93a. From the non-public courtroom of Referee Diamond, to which plaintiff is not permitted to enter, even when his vested interests are involved, comes an unending procession of "smut", much of it published by NYLJ, at the overt solicitation of "the criminals with law degrees" and their cadre of corrupt jurists, including Presiding Justice FRANCIS T. MURPHY ["Murphy"].

b. Referee Diamond has very limited jurisdictional judicial powers, and consistently and knowingly violates such limits.

c. In addition thereto, plaintiff is generally not served with papers, and when he is or he learns of a proceeding, his legal papers are not accepted by Referee Diamond.

94a. While plaintiff was incarcerated in Minnesota, Feltman completed the proceeding wherein Referee Diamond "approved" his "final accounting" for Puccini.

b. However there is no accounting which Referee Diamond "approved". The "accounting" which Referee Diamond "approved" is "phantom" -- it does not exist!

95. The proceedings before Referee Diamond are a fraud, and in addition thereto, for various other reasons, some

of which are set forth herein, are null, void and of no legal effect, and same should be ordered, decreed and/or directed, with damages to the plaintiff.

AS AND FOR A NINETEENTH CAUSE OF COMPLAINT
(Declaratory Judgment, Injunction and Damages)

96. Plaintiff repeats, reiterates and realleges each and every allegation of the complaint marked "1" through "95" inclusive, with the same force and effect as though more fully set forth herein, and further alleges.

97a. All the other proceedings mentioned by Magistrate Boline, which plaintiff was not afforded an opportunity to controvert, were subject to the same infirmities as the above matters discussed, including plaintiff's disbarment order, and/or rely on Raffe v. Doe (supra) and/or Sassower v. Sheriff (supra), and will be made the subject of detailed discussion in plaintiff's intended motion for summary relief.

b. This action is brought under 18 U.S.C.§1961, 42 U.S.C. §1983, and directly under the Constitution of the United States and/or federal law.

WHEREFORE, plaintiff demands the relief requested herein, in addition to $500,000,000 damages, racketeering and/or otherwise.

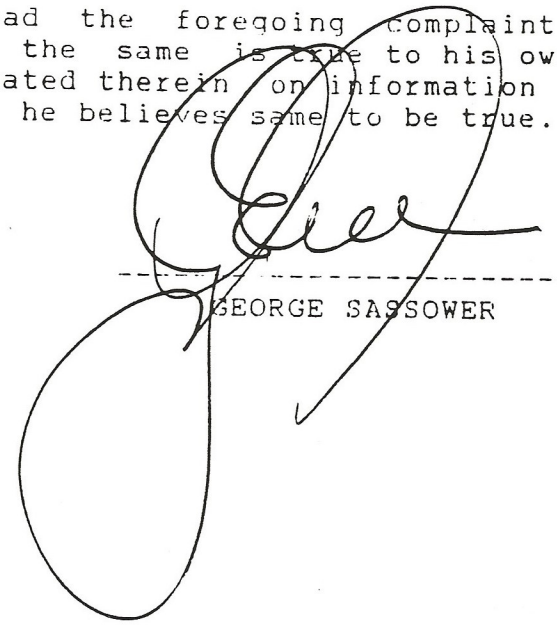
Dated: July 27, 1990

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

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

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

Dated: July 27, 1990



GEORGE SASSOWER