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DEPARTMENT OF LAW
NEW YORK CITY OFFICE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GEORGE SASSOWER,

Plaintiff,

-against-

File No.
77 C 1447

ERNEST SIGMORELLI, ANTHONY MASTROIANNI,
VINCENT G. BERGER, JR., JOHN P. FINNERTY,
ALLEN KROOS, ANTHONY WISNOSKI, and LEONARD
J. PUGATCH,

Defendants.

-----x

PLAINTIFF'S MEMORANDUM OF LAW.
(STAYING DISCRIMINATORY PROSE-
CUTION).

GEORGE SASSOWER, Esq.
Attorney for plaintiff-pro se.
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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GEORGE SASSOWER,

Plaintiff,

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77 C 1447.

-against-

ERNEST L. SIGNORELLI, ANTHONY MASTROIANNI,
VINCENT G. BERGER, JR., JOHN P. FINNERTY,
ALLEN KROOS, ANTHONY WISNOSKI, LEONARD J.
PUGATCH,

Defendants.

-----x
STATEMENT.

Plaintiff moves to stay prosecution in the state court by the judiciary (Surrogate's Court: Suffolk County) which is discriminatory and an attempt to impede the prosecution of the instant action in this Court.

If there is any question of fact of bad faith or an attempt to harass by the defendants then a hearing should be held on this or any other question of fact.

Since the prosecution in State court is for criminal contempt, punitive in nature, there can not be any prejudice to the State for any improper delay that this Court may cause.

POINT I.

THIS COURT SHOULD STAY
ANY DISCRIMINATORY
ENFORCEMENT OF STATE LAWS.

The equal protection clause of the Constitution of the United States applies to the courts as well as every other agency of the government (Shelley -v- Kraemer, 334 U.S. 1).

The proper method of raising such contention is by a proceeding to enjoin prosecution (Boynton v. Fox, 60 F. 2d 851), since the determination is made by a court and not a jury (People v. Utica Daw's Drug Co., 16 A.D. 2d 12, 15-16).

It is more important in this case that plaintiff's application be granted since the State action is designed to or actually does impede an action pending in this Court.

Dated: August 22, 1977.

Respectfully submitted,

GEORGE SASSOWER, Esq.
Attorney for plaintiff-pro se.