

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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GEORGE SASSOWER, individually and on behalf of  
others similarly situated,

Plaintiff,

- against -

Jury Trial  
Requested

82Civ4970  
(MJL)

THE APPELLATE DIVISION OF THE SUPREME COURT  
OF THE STATE OF NEW YORK, SECOND JUDICIAL  
DEPARTMENT and THE APPELLATE DIVISION OF THE  
SUPREME COURT OF THE STATE OF NEW YORK, FIRST  
JUDICIAL DEPARTMENT,

Amended  
Complaint

Defendants.

-----X  
Plaintiff, on behalf of himself and all those  
similarly situated, complaining of the defendants,  
respectfully sets forth and alleges:

I. The jurisdiction of this Court is invoked pursuant  
to the provisions of Title 28, United States Code, §1343,  
this being a suit in law and equity which is authorized by  
law, Title 42, United States Code §1983., et seq., brought  
to redress the deprivation under color of state law,  
statute, ordinance, regulation, custom or usage of rights,

privileges, and immunities secured by the Constitution and laws of the United States or any Act of Congress providing for equal rights of citizens. The rights here sought to be redressed are rights guaranteed by the due process and equal protection clauses of the Fourteenth Amendment to the Constitution, the right to habeas corpus relief, and Article 42, United States Code §1981 et seq., as more fully appears.

II. Petitioner asserts that a factual examination of the facts, partially set forth in petitioner's complaint dated July 29, 1982, would compel the inescapable conclusion that (a) respondents have not and cannot fairly, fearlessly, and constitutionally adjudicate the matters involving petitioner and his wife which were before such respondents and which are presently pending therein since they have substantial conflicting non-judicial interests; (b) have constitutionally disqualified themselves in the proceedings petitioner and his wife because of their personal involvement of the events; (c) the disciplinary proceedings were and are processed under flagrantly unconstitutional

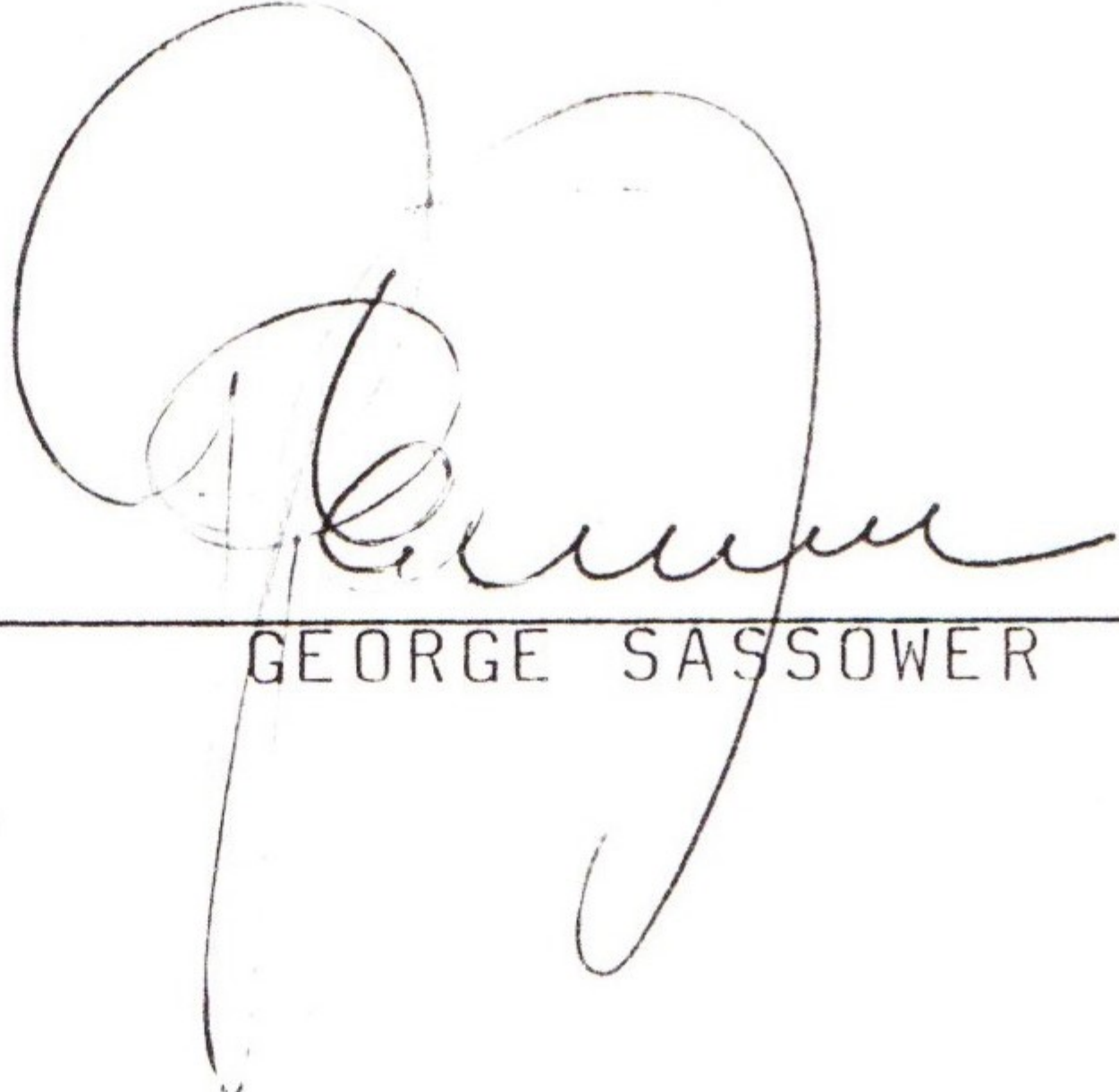
substantive rules; (d) by constitutionally infirm procedures; (e) the proceedings were pursued invidiously and unconstitutionally in bad faith and harassment tactics; and (f) extraordinary circumstances exist mandating federal intervention to protect federally established rights which the state courts have failed, declined and refused to safeguard.

III. Additionally, the Attorney General Office has involved itself in conflicting interests in representing respondents, Surrogate Ernest L. Signorelli, the Grievance Committee and others, in this action and other pending actions.

WHEREFORE, it is respectfully prayed that the respondents be ordered to disclose all ex parte information received by them involving petitioner; that a hearing be ordered in order to ascertain whether the federal courts should abstain in this matter or what other action should be taken to guarantee petitioner his federal rights; that respondents be restrained from interfering in any way with any attempt made by petitioner to the free access to the

state or federal courts in order to obtain a Writ of Habeas Corpus; that the respondents' Grievance Committees be enjoined from discriminatory prosecutions; that all constitutionally vague disciplinary rules be declared null and void; that respondents submit for approval rules of procedure governing disciplinary proceedings; that respondents be directed to disassociate itself from all legislative and executive which conflict with their judicial function, together with such other, further, and/or different relief as to this Court may seem just and proper.

Dated: White Plains, New York  
March 3, 1983



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GEORGE SASSOWER