

**GEORGE SASSOWER**

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November 10, 1986

Hon. Jacob Mishler  
United States District Judge  
Eastern District of New York  
Uniondale Avenue & Hempstead Turnpike,  
Uniondale, New York, 11554

For Media Distribution

Re: Sassower v. Berger et el.  
86Civ.3797

Honorable Sir:

1a. The within Notice of Motion was prepared and executed before receipt of the Report of Acting Justice Burton S. Joseph, dated November 6, 1986, a copy of which is herewith enclosed.

b. Such determination, in my opinion, reinforces my contention of bad faith harassment, Mr. Justice Joseph specifically excluded in the making of this charge!

2a. Everyone involved, including the Appellate Division, the Suffolk County Attorney's Office, and those representing the Public Administrator, actually knew that on March 7, 1978 I was in the midst of a trial in Supreme Court, Bronx County, at the time the commitment order was signed, and at all of the times thereafter!

b. Setting this matter down for a "Pearl Harbor style Inquiry", and insisting that it not be disposed of summarily, was patently frivolous, dilatory, and harassing! In view of the documentary evidence, the request that Doris L. Sassower, Esq., be called, as a Court's witness, to travel to a distant county for that purpose, as still another confirming witness, was senseless.

c. The photograph of Robert M. Calica, Esq., counsel to the Suffolk County Attorney, in Newsday of November 2, 1986, with drawers of files, had numerous statements by me, others, and indeed court documents, confirming such other engagement, but that office, as well as the Public Administrator, insisted on a hearing nevertheless.

d. Were not Mr. Calica and Richard C. Cahn, Esq. [the Attorney for the Public Administrator], not been civil adversarial attorneys, but ethical public prosecutors, they would have affirmatively advised the courts that their files revealed, without contradiction, of such other court engagement, that the Surrogate's Court always knew of such other court engagement, that it knew it could not issue an order of conviction and incarceration based on such compelled absence, that the Public Administrator never intended to go forward if I had appeared, and that this Captain Ahab pursuit of "phantom" books and records, which the Public Administrator always had in his possession, was an outright fraud, inter alia, upon the Estate's and government's pocketbook!

e. Martin B. Ashare, Esq., the Suffolk County Attorney, should inform the readers of Newsday, how much public funds were expended in such needless hearings, in such fraudulent pursuit of "phantom" books and records!

3a. Mr. Ashare should inform the readers of Newsday, how much public funds were expended for the seemingly endless 1977 Writ hearings, as to whether the Signorelli (1) no accusatory charge; (2) no notice of any hearing or trial; the in absentia, (3) trial; (4) conviction; and (5) incarceration order, was valid!

b. It should not have taken, nor did it take anyone more than two (2) seconds to conclude that it was not valid, but the Suffolk County Attorney's Office had to have about five (5) days of hearings, to make it seem like some esoteric point of law was involved!

c. Perhaps the public should be informed that according to former Assistant District Attorney, former County Court Judge, and Acting Supreme Court Judge Ernest L. Signorelli, a Writ of Habeas Corpus is not available to one incarcerated by him, under the aforementioned conditions; or that he does not know, according to his sworn testimony, what an [accusatory] "charge" is "exactly", nor less than nothing about the 5th Amendment!

4. Mr. Ashare should inform the readers of Newsday, how much public funds were expended by the numerous forays by the Sheriff's Office into Westchester, New York, and Kings Counties in order to apprehend me, "a fugitive from justice", when it had in hand my written offer to surrender at any time convenient to that office at Supreme Court Westchester, Bronx, or Manhattan!

5. Mr. Ashare should inform the readers of Newsday, about the incarceration of DORIS L. SASSOWER, Esq., and our daughter, simply because they served a Writ of Habeas Corpus, directing my release!

6. How much more monies are now going to be spent, Mr. Ashare, in pursuing these "phantom" books and records which were in the possession of the Public Administrator since before the first contempt proceeding, in order to conceal the "plundering", "blundering", and "barbaric" practices in the Suffolk Surrogate's Court and by your client?

7a. In any event, when criminal contempt proceedings are pending, I think it is inappropriate for Mr. Ashare, a public official, to inflame and pollute the public arena.

b. In 1977, it was Surrogate Signorelli, Vincent G. Berger, Jr., Esq., and Anthony Mastroianni, soliciting and making private statements to the Daily News for publication!

c. In 1978, it was Surrogate Signorelli, publishing his sua sponte diatribe, which decided and ordered nothing, in the New York Law Journal!

d. Now it is Mr. Ashare, who is following the same course!

e. The only difference between today, and ten (10) years ago, is that I am, unlike before, responding to the media, instead of remaining silent!

8a. Mr. Ashare and his co-confederates do not have to make any frivolous motions. All they need do is have a judge's law secretary, ex parte, telephone a Westchester County Jurist to change the venue from Westchester to Suffolk!

b. I do not believe that the robe is an emolument of office to improperly influence the determinations of other jurists, and must make motions for the relief I seek, even at the risk of concealing judicial corruption that jurist may call the motion frivolous!

c. The business day following, the jury's return of the guilty verdict for Chief Circuit Court Judge Martin T. Manton, the New York Times editorialized:

"Nothing could strike a more deadly blow at the foundations of our democracy than the evidence, or the mere suspicion, that ... any litigant has an 'inside track' that all men do not come into court on the basis of equality." (New York Times, Editorial, Monday, June 5, 1939, p. 16).

d. At least Judge Manton's attorney could have said, his client did not throw District Attorney Thomas E. Dewey and his family in jail, without a trial, for disclosing his corruption!

e. I think if Mr. Ashare desired to make a public statement, that was both correct and fair, he could have adopted the sworn testimony of Assistant County Attorney, Erick F. Larsen, Esq.:

"I have made that absolutely clear to you. That there was no case, no authority, no anything to justify what occurred twice over in Surrogate's Court" (Former Assistant County Attorney, Erick F. Larsen, Esq., Examination Before Trial, Sept. 18, 1984, p. 64).

9a. Perhaps, Mr. Ashare, the readers of Newsday should know that when the Public Administrator, a Signorelli appointee, needed an attorney, he retained a Manhattan based matrimonial and criminal attorney, who happened also to be Signorelli's private matrimonial attorney. His claim against the Kelly estate was for \$12,500 when all he could show was one affidavit opposing the expeditious termination of the Estate proceeding! Mr. Justice Joseph gave him \$1,000 [too much]! Can not, Mr. Ashare, the public assume that this is the way Surrogate Signorelli pays his private obligations?

b. For serving me with an Order to Show Cause, which the process server failed to do, and which the Sheriff of Westchester County would have done for about \$15, the Estate was billed \$1,495 by a local acquaintance!

c. In 1978, one year after Ms. Sassower was incarcerated for serving a Writ of Habeas Corpus, the Public Administrator, subpoenaed Ms. Sassower to come to Riverhead to testify as to the whereabouts of books and records which the Public Administrator thereafter admitted he had in his possession since 1977, the Estate paying the local process server \$168!

d. Mr. Ashare, tell the readers of Newsday, how Signorelli authorized me to enter into a contract of sale, on the record, then aborted same at the eve of closing as unauthorized, and that it thereafter took the Public Administrator seventeen (17) months to convey title to the same person for the same price. How the Public Administrator tried to impose upon the Estate the cost of maintaining such vacant house for such period of time, and that Mr. Justice Joseph denied the Public Administrator any commissions (which goes to the County) because of same.

Mr. Ashare, weren't the readers of Newsday entitled to know that County funds were denied to it because of such conduct by the Public Administrator, Signorelli's appointee!

Respectfully,

  
GEORGE SASSOWER

cc: Defendants  
Hon. Robert Abrams  
Doris L. Sassower, Esq.  
Newsday, Att: Ms. Jane Fritsch  
(unidentified media)