In The
SUPREME COURT OF THE STATE OF NEW YORK
October Term, 1990
No. 90-6261

In re
GEORGE SASSOWER,
Petitioner-Appellant.

GEORGE SASSOWER,
Plaintiff,
-against-
CHARLES L. BRIEANT; NICHOLAS H. POLITAN; 16 LAKE STREET OWNERS, INC.; LAWRENCE J. GLYNN; DENIS DILLON; WILLIAM C. CONNER; EUGENE H. NICKERSON; ALVIN F. KLEIN; DAVID B. SAXE; FRANCIS T. MURPHY; XAVIER C. RICCOBONO; IRA GAMMERMAN; DONALD DIAMOND; HOWARD SCHWARTZBERG; JEFFREY L. SAPIR, and HAROLD JONES,
Defendants.

PETITION FOR A WRIT OF CERTIORARI
TO THE CIRCUIT COURT OF APPEALS FOR THE
SECOND CIRCUIT

PETITIONER'S MOTION
(DISQUALIFICATION, STAY, etc.)

The Petitioner, GEORGE SASSOWER, asks leave to file the attached motion:

(1) to disqualify the U.S. Solicitor General and the U.S. Attorney General from representing the federal respondents in this proceeding and in particular

(a) U.S. Chief Judge CHARLES L. BRIEANT of the Southern District of New York,

(b) U.S. District Judge WILLIAM C. CONNER of the Southern District of New York,

(c) U.S. District Judge EUGENE H. NICKERSON of the Eastern District of New York, and

(d) U.S. District Judge NICHOLAS H. POLITAN of the District of New Jersey;

(2) to direct the U.S. ATTORNEY GENERAL to recoup from KREINDLER & RELKIN. P.C., FELTMAN, KARESH, MAJOR & FARBMAN, Esq., CITIBANK, N.A. and their co-conspirators

(a) all monies directed to be paid "to the [`federal'] court" but diverted to their private pockets, and

(b) all monies and other consideration paid by HYMAN RAFFE for their private benefit in exchange for not being incarcerated as was petitioner and SAM POLUR, Esq.

(3) to direct the U.S. ATTORNEY GENERAL to initiate an inquiry of judicial corruption in the Second Circuit, including at the Circuit Court level;

(4) to direct the U.S. ATTORNEY GENERAL to initiate an inquiry of the judicial-prosecutorial cooperative complex for criminal racketeering ends in the Second Circuit, including in the Second Circuit level;

(5) to stay the without due process edict of Chief Judge CHARLES L. BRIEANT which physically bars petitioner from the Federal Building and Courthouse in White Plains, New York; and

(6) to estop the federal courts in the Second, Third, Fourth, Eighth, Ninth and District of Columbia Circuits from giving any legal force and effect to any decision, opinion, order, edict, ukase or proclamation which petitioner asserts to be void, voidable, infirm and/or disrobed of authority, until petitioner is afforded free access to the courts, nisi prius and

appellate, state and federal in the Second Circuit-New York judicial bailiwicks.

GEORGE SASSOWER
Petitioner, pro se
16 Lake Street
White Plains, NY 10603
(914) 949-2169

CERTIFICATION OF SERVICE

On November 26, 1990, I served a true copies of this Notice of Motion and Affirmation by mailing same in a sealed envelope, first class, with proper postage thereon, addressed to the Solicitor General, Department of Justice, Washington, D.C. 20530; Hon. Richard L. Thornburg, Washington, D.C.; Chief Judge James L. Oakes, Foley Square, New York, N.Y. 1007; Chief Judges Charles L. Brieant, 101 E. Post Road, White Plains, N.Y. 10601; Judge William C. Conner, Foley Square, New York, N.Y. 10007; Judge Eugene H. Nickerson, 225 East Cadman Plaza, Brooklyn, N.Y. 11201; Judge Nicholas H. Politan, P.O. & Courthouse Bldg., Box 419, Newark, N.J. 07102; Judge Howard Schwartzberg, 101 East Post Road, White Plains, N.Y. 10601; N.Y. State Attorney General, Robert Abrams, The Capitol, Albany, N.Y. 12224; Kreindler & Relkin, P.C., 350 Fifth Avenue, New York, N.Y. 10118; Citibank, N.A., 399 Park Avenue, New York, N.Y. 10022; and Feltman, Karesh, Major & Farbman, Esqs. 645 Fifth Avenue, New York, N.Y. 100022; U.S. Court of Appeals for the Third Circuit, 601 Market Street, Philadelphia, Pa. 19106-1790; United States Attorney, District of New Jersey, 970 Broad Street, Newark, N.J. 07102; Clapp & Eisenberg, P.C., 80 Park Plaza, Newark, N.J. 07102; Rothbard, Rothbard, & Kohn, Esqs., 1180 Raymond Blvd., Newark, New Jersey 07102; Sordi & Sordi, Esqs., 147 Glen Street, Glen Cove, Long Island, N.Y. 11542; Sills, Cumis, Zuckerman, Radin, Tishman, Epstein & Gross, P.C., 33 Washington Street, Newark, New Jersey 07102; U.S. Court of Appeals for the Fourth Circuit, Tenth & Main Streets, Richmond, Virginia 23219; Whiteford, Taylor & Preston, Esqs., Seven Saint Paul Street, Baltimore, Maryland 21202-1626; Quinn, Ward and Kershaw, P.A., 113 West Monument Street, Baltimore, Maryland 21201; Semmes, Bowen and Semmes, Esqs.; 250 West Pratt Street, Baltimore, Maryland 21201; Eccleston & Wolfe, Esqs., 729 East Pratt Street, Baltimore, Maryland 21202; Hon. Beckinridge L. Wilcox, 101 West Lombard Street, Baltimore, Maryland 21201; U.S. Circuit Court of Appeals for the Eighth Circuit, 1114 Market Street, St. Louis, Missouri 63101; U.S. Court of Appeals for the Ninth Circuit, P.O. Box 547, San Francisco, California 94101; Stafford, Frey, Cooper & Stewart, Esqs., 88 Spring Street, Seattle, Washington 98104; U.S. Circuit Court of Appeals for the District of Columbia, Washington, D.C., 20001, and Galland, Kharasch, Morse & Garfinkle, P.C.

Dated: November 26, 1990

GEORGE SASSOWER

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CHARLES L. BRIEANT; NICHOLAS H. POLITAN; 16 LAKE STREET OWNERS, INC.; LAWRENCE J. GLYNN; DENIS DILLON; WILLIAM C. CONNER; EUGENE H. NICKERSON; ALVIN F. KLEIN; DAVID B. SAXE; FRANCIS T. MURPHY; XAVIER C. RICCOBONO; IRA GAMMERMAN; DONALD DIAMOND; HOWARD SCHWARTZBERG; JEFFREY L. SAPIR, and HAROLD JONES,
Defendants.

PETITION FOR A WRIT OF CERTIORARI
TO THE CIRCUIT COURT OF APPEALS FOR THE
SECOND CIRCUIT

PETITIONER'S MOVING AFFIRMATION

This affirmation is made in support of a motion (1) to disqualify the U.S. Solicitor General ["USSG"] and the U.S. Attorney General ["USAG"] from representing the federal respondents in this proceeding and in particular

(a) U.S. Chief Judge CHARLES L. BRIEANT ["Brieant] of the Southern District of New York,

(b) U.S. District Judge WILLIAM C. CONNER ["Conner"] of the Southern District of New York,

(c) U.S. District Judge EUGENE H. NICKERSON ["Nickerson"] of the Eastern District of New York, and

(d) U.S. District Judge NICHOLAS H. POLITAN ["Politan"] of the District of New Jersey;

(2) to direct the USAG to recoup from KREINDLER & RELKIN. P.C. ["K&R"], FELTMAN, KARESH, MAJOR & FARBMAN, Esq. ["FKM&F"], CITIBANK, N.A. ["Citibank"] and their co-conspirators

(a) all monies directed to be paid "to the [`federal'] court" but diverted to their private pockets, and

(b) all monies and other consideration paid by HYMAN RAFFE ["Raffe"] for their private benefit in exchange for not being incarcerated as was petitioner and SAM POLUR, Esq. ["Polur"]

(3) to direct the USAG to initiate an inquiry of judicial corruption in the Second Circuit, including at the Circuit Court level;

(4) to direct the USAG to initiate an inquiry of the judicial-prosecutorial cooperative complex for criminal racketeering ends in the Second Circuit, including in the Second Circuit level;

(5) to stay the without due process edict of Chief Judge Brieant which physically bars petitioner from the Federal Building and Courthouse in White Plains, New York; and

(6) to estop the federal courts in the Second, Third, Fourth, Eighth, Ninth and District of Columbia Circuits from giving any legal force and effect to any decision, opinion, order, edict, ukase or proclamation which petitioner asserts to be void, voidable, infirm and/or disrobed of authority, until petitioner is afforded free access to the courts, nisi prius and

appellate, state and federal in the Second Circuit-New York judicial bailiwicks.

JUDICIAL CORRUPTION IN THE SECOND CIRCUIT
(IN A NUTSHELL).

1a. Chief Judge Brieant, Judge Conner, Judge Nickerson, Judge Politan and other federal jurists, including in the Circuit Court, are actively involved in a private criminal adventure which includes the larceny of judicial trust assets, extortion and other racketeering crimes.

b(1) Decisive of disqualification of the USSG and USAG is the diversion of millions of dollars from the "sovereign[s]", including the federal sovereign, to the private pockets of the judicial cronies.

(2) In the Order of Judge Nickerson, the substantial fines imposed, as a result of non-summary criminal contempt convictions, were to be paid "to the [`federal'] court".

(3) Instead, those fine monies, pursuant to the Judge Nickerson Order, were diverted to private pockets, aided, abetted and ratified by members of the federal judiciary, including at the Circuit Court level.

c. Aside from legal and ethical considerations, the American taxpayer would rightly be incensed if, at their ultimate expense, such criminal diversions from the federal treasury, were defended by the USSG and/or USAG.

2a. Mr. JONATHAN FERZIGER ["Ferziger"] of UNITED PRESS INTERNATIONAL ["UPI"], now stationed in Washington, investigated and reported on the basic corruption involved, and petitioner's allegations were confirmed.

b. Mr. CHRISTOPHER GEORGES ["Georges"], formerly of the NEW YORK TIMES ["NY Times"], now with CNN, also investigated the matter and confirmed petitioner's allegations.

c. Other media representatives have inquired and reported on petitioner's allegations, and found them true in every respect.

d. The USSG, the USAG and/or this Honorable Court can confirm petitioner's allegations by:

(1) Requesting LEE FELTMAN, Esq. ["Feltman"], the court-appointed receiver, or YORK STATE ATTORNEY GENERAL ["NYSAG"], ROBERT ABRAMS ["Abrams"], the statutory fiduciary, to produce a copy of the "final accounting" which was "approved" by Referee DONALD DIAMOND ["Diamond"] for PUCCINI CLOTHES LTD. ["Puccini"] -- "the judicial fortune cookie".

Any inquiry will reveal that this "approved" "final accounting" does not exist, nor is there any other "accountings" on file although, by law, at least ten (10) annual accountings should exist.

(2) Requesting the Clerk of the U.S. District Court for the Eastern District of New York to advise whether it received any monies as a result of the non-summary criminal convictions of June 7, 1985 (Raffe v. Citibank, Docket No. 84 Civ. 0305 [EHN]).

The response will be no monies were received.

(3) Requesting Raffe to advise how much monies he paid to K&R, FKM&F and/or their clients and co-conspirators, in order not to be incarcerated, as was petitioner and Polur.

As of almost two (2) years ago, according to published media reports, it was "more than $2.5 million" (Village Voice, June 7, 1989), and the payments have continued since that time.

(4) Requesting Chief Judge Brieant to set forth his legal authority, if any, for physically excluding petitioner, a native-born American citizen and battle-starred veteran of World War II, from the Federal Building and Courthouse in White Plains, New York.

The response should be none.

(5) Requesting Chief Judge Brieant to set forth what due process procedures, if any, he afforded in issuing such physical exclusion edict.

The response will be none.

(6) Requesting Chief Judge Brieant to set forth what due process procedures, if any, he followed in issuing his other edicts which actually or effectively caused the dismissal of petitioner's actions before other judges in the Second Circuit.

The response will be none.

(7) Requesting Chief Judge Brieant to set forth his "fixing" activities, directly or indirectly, in the federal courts in the Third, Fourth, Eighth, Ninth and District of Columbia Circuits.

Any truthful and full response will reveal extensive "fixing" activities by Chief Judge Brieant in other circuits.

THE EDICT OF ACTING CHIEF JUDGE GRIESA

1. Under the December 10, 1987, no due process edict of Chief Judge Brieant petitioner needs judicial permission before filing any legal papers in the SOUTHERN DISTRICT OF NEW YORK ["SDNY"].

2. When petitioner attempted to file an action in order to nullify, inter alia, these no due process edicts and ukases of Chief Judge Brieant, the application was referred to Acting Chief Judge THOMAS P. GRIESA ["Griesa"] who denied permission to commence such action on the sole ground that it was "vexatious" (cf. Neitzke v. Williams, 490 U.S. , 109 S.Ct. 1827 [1989]).

THE PHYSICAL EXCLUSION UKASE

1. There are several, not readily apparent, considerations in the physical exclusion ukase, mandating favorable consideration to this stay application.

(a) There is pending in such White Plains Courthouse, before U.S. District Judge GERARD L. GOETTEL ["Goettel"], civil litigation wherein petitioner's daughter is a party, involving possession of the apartment in which petitioner resides.

Although many of the allegations revolve around petitioner and his conduct, including his exposure of judicial corruption and his trialess convictions, and despite petitioner's possessory interests he is excluded from the Courthouse.

(b) Many of petitioner's essential papers are in the two (2) Clerk's Offices in the White Plains Federal Building, but under such Chief Judge Brieant ukase, they are unavailable to him.

(c) The constitutional validity of all criminal proceedings before Chief Judge Brieant, Judge Goettel, U.S. District Judge VINCENT L. BRODERICK ["Broderick"], and U.S. Magistrate JOEL J. TYLER ["Tyler"] is in doubt.

(d) There are a number of federal judges who are aware of the situation, and although none have justified the Chief Judge Brieant ukase, they have given such edict conclusive respect.

(e) Fearing judicial retaliatory reaction, none of the local or metropolitan attorneys, including civil liberty attorneys, will take any action or make public expression of disapproval.

"THE ANATOMY OF JUDICIAL CORRUPTION"

1a. Puccini was involuntary dissolved on June 4, 1980 -- more than ten (10) years ago -- by the Supreme Court of the State of New York, County of New York.

b. The dissolution proceeding was initiated by Citibank, not to succeed, but to compensate its "estate chasers" by needless, self-immolating, judicial proceedings.

c. When, without a trial or hearing, a dissolution decree was unexpectedly entered, Citibank and its attorneys, unable to justify the lawsuit, attempted to nullify the expensive consequences, by engineering the massive larceny of Puccini's judicial trust assets.

2a. Citibank and its attorneys, K&R, agreed to give the balance of Puccini's trust assets to Feltman, provided he concealed the larceny and made no attempt at recovery.

b. Since the maximum compensation of a court-appointed receiver is established by statute, they agreed to transfer the balance to FKM&F, the receiver's law firm, who did absolutely nothing to advance the interests of the judicial trust.

c. Obviously, under the aforementioned scenario, no accounting could ever be filed without exposing the criminal conduct that had taken place.

3a. In every American jurisdiction, a court-appointed receiver, an arm of the court, must account for his stewardship.

b. In New York, under a judicial legislative mandate, such accounting must be filed "at least once a year" (22 NYCRR §202.52[e]).

4a. The NYSAG is the statutory fiduciary for all involuntarily involved corporations, with great discretionary powers (Gen. Bus. Law §1214[a]) and some mandatory duties, including the "duty" to make application to compel an accounting, if one is not voluntarily rendered after eighteen (18) months have elapsed (Gen. Bus. Law §1216[a]).

b. However, there is a corrupt understanding between Presiding Justice FRANCIS T. MURPHY ["Murphy"] of the APPELLATE DIVISION, FIRST DEPARTMENT ["AD1st"], and NYSAG Abrams wherein they cooperate in the plundering of these helpless judicial trusts held "under color of law", and where Abrams is the statutory fiduciary.

5a. For three and one-half years, K&R, FKM&F and Citibank inundated the state judicial forums with perjurious affidavits and statements about the unimpaired condition of Puccini's judicial trust assets.

b. Finally, on November 7, 1983, the initial "hard evidence" of the larceny surfaced, and in the months that followed, the evidence reached avalanche proportions.

c. Clearly implicated by such evidence was judicial involvement.

6a. Petitioner, unaware of the corrupt Murphy-Abrams understanding, gave his evidence and confidential information to the Abrams Office, Puccini's fiduciary, including the suspect judges, as was his constitutional right and legal professional obligation.

b. Thereafter, two (2) of those judges, incarcerated petitioner, without a trial, without an opportunity of a trial, and without any `live' testimony in support thereof.

7a. To compel submission and silence of petitioner, Raffe, and thereafter SAM POLUR, Esq. ["Polur"], a "reign of judicial terror", state and federal, was imposed on them.

b. Paradigmatic of this state-federal coordinated "reign of judicial terror" were the trialess convictions of petitioner, Raffe and Polur for non-summary criminal contempt.

8a. Three (3) weeks after Mr. Justice MARTIN EVANS ["Evans"] of the Supreme Court, New York County vindicated petitioner and Raffe of non-summary criminal contempt, clearly triggering constitutional "double jeopardy" prohibitions, the charges were re-instituted by FKM&F and K&R.

Without a trial, without the opportunity of a trial, and without any 'live' testimony, Referee DONALD DIAMOND ["Diamond"] reported that petitioner was guilty of sixty-three (63) counts of non-summary criminal contempt.

In a mirrored trialess Report, Referee Diamond found Raffe guilty of seventy-one (71) counts, and recommended that he be fined $17,750 and incarcerated for seventy-one (71) months.

b. On June 7, 1985, without a trial, without the opportunity of a trial, and without any 'live' testimony in support, U.S. Judge Nickerson found petitioner and Raffe guilty of non-summary criminal contempt, imposed substantial monetary fines on both payable, in haec verba, "to the ["federal"] court".

c. On June 26, 1985, Mr. Justice DAVID SAXE ["Saxe"], without a trial, without the opportunity of a trial, and without any 'live' testimony in support, petitioner was found guilty of non-summary criminal contempt, fined and sentenced to be incarcerated for ten (10) days.

d. Also on June 26, 1985, in one document, Mr. Justice ALVIN F. KLEIN ["Klein"] found petitioner, Raffe and Polur of non-summary criminal contempt, and sentenced each to be

incarcerated for thirty (30) days, again without a trial, without the opportunity of a trial, and without any 'live' testimony in support.

9a. Petitioner and Polur served their full terms of incarceration.

b. While petitioner and Polur, Raffe's attorneys, were incarcerated, Raffe was dealt with directly by K&R and FKM&F, and in exchange for avoiding incarceration for seven (7) years under these manifestly unconstitutional convictions, Raffe agreed to:

(1) Pay K&R, FKM&F and their confederates millions of dollars. Included in such indulgent payments by Raffe was the payment of the Judge Nickerson fine monies, on his own behalf and on behalf of petitioner, to K&R and Citibank, instead of "to the federal court".

As long as Raffe pays and cooperates, he will not be incarcerated, and so the written agreement reads.

(2) Effectively surrender all his stock and creditor interests in Puccini, and agree to the approval of a "phantom" final accounting by Referee Diamond.

(3) Execute general releases to all the federal judges in the Southern and Eastern District of New York, the New York State Supreme Court jurists, Abrams and his office, K&R, FKM&F, their clients and co-conspirators.

(4) Underwrite all future litigation expense by FKM&F, at extravagant billings, even when the FKM&F litigation did not inure to his benefit.

(5) Discontinuance of all litigation and appeals instituted by petitioner and Polur on his behalf.

(6) Disassociate himself, in every respect, from petitioner, his attorney for more than thirty (30) years.

(6) Obey other unconstitutional and barbaric provisions.

10a. When petitioner refused to be silent about judicial corruption, employing his own personal, contractual based, judgment against Puccini, as "standing, the trialess non-summary criminal convictions were escalated to "serious" crimes, petitioner precluded from controverting the conclusiveness of such convictions, and disbarred.

b. Polur left the Puccini scene, since he no longer had standing, and the disbarment proceeding was discontinued against him.

c. In New York, disciplinary proceedings are controlled by the Appellate Divisions.

11a. Petitioner, as a pro se litigant, continued the battle for the return of Puccini's assets, and related litigation.

b. Although none of petitioner's litigation was precluded by res judicata, collateral estoppel or any such doctrine, Mr. Justice IRA GAMMERMAN, Judge Conner, Chief Judge Brieant, Judge Politan and others placed a general and sweeping embargo on any action or legal paper which petitioner desired to file.

12. Reserving the modus operandi of the general injunctions placed on petitioner by other lawless judges, the Chief Judge Brieant ukases, as set forth in his petition to this Court, is here substantially repeated:

a. In or about November of 1987, petitioner "caught", once again, the admittedly disqualified 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 Judge Conner "fixing" memorandum to Judge Haight, "Bill to Terry", was circulated to others as well, including Judge Brieant, Judge Goettel and Bankruptcy Judge HOWARD SCHWARTZBERG ["Schwartzberg"].

d. The Judge Conner "fixing memorandum" was distributed on behalf of K&R and FKM&F 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, petitioner amended his complaint to add "Conner, The Fixor", as a Dennis v. Sparks (449 U.S. 24 [1980]) co-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.

g. Administrator Brieant who was also exerting improper influence on behalf of K&R and FKM&F, seized upon the

occasion of the amendment of petitioner's complaint, to dismiss the action before Judge Haight case.

h. At all times, both before and after the Administrator Brieant dismissal, petitioner's action was before Judge Haight and no one else.

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

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

j. Thus, based upon such false, contrived, fabricated and concocted premise, which also shielded Judge Conner, by a "no due process" procedure, which Administrator Brieant himself knew was a nullity, Administrator 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."

k. Still without any due process procedures, Administrator Brieant also decreed:

> "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."

l. Petitioner was <u>not</u> a party to the 1984 action before Judge Conner (<u>Raffe v. Doe</u>, 619 F. Supp. 891 [SDNY-1985]), verified by its title, and petitioner's interests were not placed in issue in the filed complaint.

m. There were no trials or hearings in such Judge Conner action, and immediately after the filing of the complaint, all pre-trial disclosure on behalf of plaintiff therein were stayed.

o. About sixteen months later, Judge Conner issued his injunctive order against petitioner, a non-party, and Raffe, in addition to imposing Rule 11 costs on both of them.

p. Petitioner filed notices of appeal and K&R and FKM&F threatened Raffe that unless he paid them millions of dollars, discontinued his appeal, executed releases in favor of, inter alia, the federal judges in the Eastern and Southern Districts of New York, he would be incarcerated under trialess convictions.

q. Raffe succumbed, stipulated to discontinue his appeals, and notwithstanding the Rule 11 costs and injunction imposed on petitioner, the Circuit Court refused to allow petitioner to prosecute the appeal on his own behalf.

r. Clearly a 1985 injunction could not immunize post-1985 conduct by K&R and FKM&F, as set forth in the complaint before Judge Haight.

s. The day after the Administrator Brieant ukase, again without any pretense of due process or authority, Administrator Brieant invaded the bailiwick of Bankruptcy Judge Schwartzberg, an Article I jurist, and directed that in the bankruptcy proceeding before His Honor 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."

t. This Administrator Brieant direction, and other "fixing" operations by Administrator Brieant, Judge Conner and others, were clearly intended as "marching orders" to Judge Schwartzberg, bankruptcy trustee JEFFREY L. SAPIR, Esq. ["Sapir"], and U.S. Trustee HAROLD JONES ["Jones"], that they should execute false federal documents and papers, which they did, asserting, inter alia, that petition's estate contained "no assets", and terminate petitioner's case, also without any pretense at due process.

u. This Administrator Brieant edict, and other "fixing" operations by Administrator Brieant, Judge Conner, and their co-conspirators, were also intended, and perceived by Judge Schwartzberg, as a direction not to entertain those motions which petitioner 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 [Bankruptcy Rule 9024].

v. In or about August of 1989, under a conspiratorial arrangement made by and between Administrator Brieant and Judge Politan of New Jersey, without even a pretense of due process or lawful authority, by oral edict, not made in petitioner's presence or knowing, Administrator Brieant ordered that petitioner be physically excluded, as he thereafter learned, from the entire Federal Building and Courthouse in White Plains, and each and every part thereof, "unless his [petitioner's] physical presence is actually required", as Administrator Brieant, six (6) months later, wrote to Congresswoman NITA M. LOWEY ["Lowey"].

w. Permission for petitioner's physically admittance to the Federal Building and Courthouse in White Plains when "actually required" must be obtained from either Administrator Brieant or Judge Politan.

13. Application for a stay to the Circuit Court of Appeals was not granted (Exhibit "A").

14. The aforementioned is stated to be true under penalty of perjury.

WHEREFORE, it is respectfully prayed that the within motion be granted in all respects.

Dated: November 25, 1990

_____

GEORGE SASSOWER

UNITED STATES COURT OF APPEALS
SECOND CIRCUIT
UNITED STATES COURTHOUSE
FOLEY SQUARE
NEW YORK 10007

ELAINE B. GOLDSMITH
CLERK

Date: Oct. 16, 1990

Mr. George Sassower
16 lake Street
White Plains, New York 10603

Re: In Re George Sassower
Docket No. 90-3049

We cannot accept the enclosed motion ~~or opposition~~ papers for filing for the following reason (s):

( ) No T-1080 Notice of Motion Form
( ) No signature on original
( ) Three copies must be submitted with original
( ) Papers must be on 8 ½ x 11" paper
( ) Proof of Service must be included
( ) Moving party is not counsel of record
( ) No affidavit in support of motion is attached
( ) Motion must comply with Local Rule 4(b) (d)
( ) Moving papers exceed 10 pages-leave of the court is required
( ) No memorandum of law is attached
( ) Papers are out-of-time leave of the court to file is required
( ) Response may not be accepted because motion has been decided
( ) Relief request must be sought in the district court in first instra
( ) Suggestion for in banc cannot be filed-see Local Rule 27(i)
( ) Notice of Appeal to the United States Supreme Court must be filed with the United States Supreme Court and Not with the Court of Appea
( ) Petition for Writ of Certiorari can only be filed in the U.S. Supren Court and Not with the U.S. Court of Appeals.
(X) Other- The Mandate in this case for a petition for a writ of mandamus has already been isssued to the district court and no further entertainment of this case will be heard in this court. In order for this case to be entertained further you must either file a motion to recall and not a motion to stay...

Very truly yours,
ELAINE B. GOLDSMITH, Clerk

By: [signature]

Enclosure (s)

Exh. 6 "A"