

In The
SUPREME COURT OF THE UNITED STATES
October Term, 1990
No. 90-

-----x
In re:

GEORGE SASSOWER,
Petitioner,
-----x

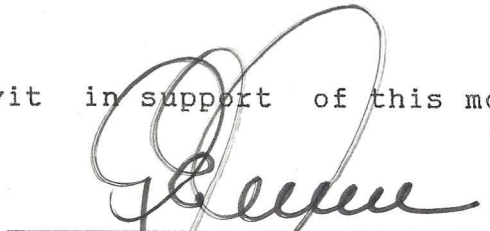
x-----x
PETITION FOR A WRIT OF MANDAMUS AND PROHIBITION
TO THE CIRCUIT COURT OF APPEALS FOR THE
NINTH CIRCUIT

x-----x
MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS

The Petitioner, GEORGE SASSOWER, asks leave to file the attached petition for a writ of mandamus and prohibition without prepayment of costs and to proceed in forma pauperis.

Petitioner is consistently afforded in forma pauperis relief in the Third, Fourth, Eighth, Ninth and District of Columbia Circuits, while the Second Circuit, which is unconstitutionally "freezing" petitioner's assets, generally denies such relief.

Petitioner's affidavit in support of this motion is attached hereto.



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

CERTIFICATION OF SERVICE

On December 15, 1990, I served a true copy of this Notice of Motion and Affidavit by mailing same in a sealed envelope, first class, with proper postage thereon, addressed to Circuit Court of Appeals for the Ninth Circuit and Stafford, Frey, Cooper & Stewart, Esqs. at their last known addresses.



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PETITION FOR A WRIT OF MANDAMUS AND PROHIBITION
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IN FORMA PAUPERIS AFFIDAVIT
x-----x

I, GEORGE SASSOWER, in support of my motion to proceed, on this Petition for a Writ of Prohibition and Mandamus, without being required to prepay fees, costs or give security therefor, state that because of poverty I am unable to pay the costs of said proceeding or to give security therefor; that I am entitled to redress; and that the issues which I desire to present are set forth in my accompanying Petition for a Writ of Prohibition and Mandamus.

I further swear that the responses which I have made to the questions and instructions below relating to my ability to pay the cost or prosecuting the appeal are true.

I further contend that because the judiciary has unconstitutionally frozen my assets, the courts are estopped from denying in forma pauperis relief.

In forma pauperis relief was granted by the District Court of the District of Washington in petitioner's appeal to the Circuit Court of Appeals, Ninth Circuit in the underlying proceeding.

1Q. Are you presently employed?

A. I am not presently employed and have not been employed by another in the past forty (40) years.

2Q. Have you received within the past twelve months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, or other source?

A. No. The date of my last income was from self-employment and was in or about October of 1988. The gross amount from such self-employment at that time averaged about \$500 per month and this was my average income during that preceding year. Except for social security payments of \$350.00 per month, I am not receiving any other income.

3Q. Do you own any cash or checking or savings accounts?

A. The amount of cash that I have on hand and in my checking account is about \$30.00, which was borrowed. I have no savings accounts. The above amount is supposed to last me until January 1991 when I receive my next social security check. As against such minimal liquid assets I have substantial liabilities, all legitimately and reasonably incurred.

Furthermore on October 26, 1990, I filed a petition in bankruptcy in the Southern District of New York (Docket # 90-B-13505 [BRL]).

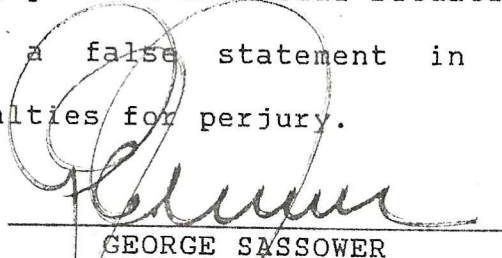
4Q. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing).

A. None, except for monies due me pursuant to a judgment and various claims, liquid and unliquidated, which I am unable to collect because I am denied access to the courts and for other unconstitutional reasons.

5Q. List the persons who are dependent upon you for support and state your relationship to those persons.

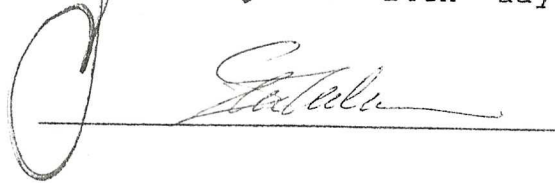
A. My youngest daughter, Lizbeth A. Sassower, but I am not supporting her because of my present financial situation.

I understand that a false statement in this affirmation will subject me to penalties for perjury.



GEORGE SASSOWER

SUBSCRIBED AND SWORN TO before me this 14th day of December, 1990.



STEVEN COHEN
Notary Public, State of New York
No. 24-0693238
Qualified in Westchester County
Commission Expires June 30, 1991