In The SUPREME COURT OF THE UNITED STATES October Term, 1990

GEORGE SASSOWER, Docket No. Petitioner, 90--against-(Petition Feb. 28, 1991) FIDELITY AND DEPOSIT COMPANY OF MARYLAND; et. el., Action #1 Respondents. GEORGE SASSOWER, Docket No. Petitioner, 90--against-(Petition Feb. 13, 1991) WHITEFORD, TAYLOR & PRESTON; et. el., Action #2 Respondents. PETITION FOR A WRIT OF CERTIORARI TO THE CIRCUIT COURT OF APPEALS FOR THE FOURTH CIRCUIT x-----x Motion X----X

- 1a. This affirmation is made in support of a writ of mandamus, as part of the within proceedings, directing:
- (a) District Attorney DENIS DILLON ["Dillon"] of Nassau County, New York to return to petitioner all petitioner's property, including his "data [hard] discs", unlawfully held by Dillon, and needed by petitioner for proper judicial presentations;
- (b) N.Y. State Referee DONALD DIAMOND ["Diamond"] to grant petitioner access to all public records privately held by him, which public records are essential to petitioner for the proper judicial presentations;

- (c) Chief U.S. District Judge CHARLES L. BRIEANT ["Brieant"] to nullify his sua sponte, without due process, ukase, which physically excludes petitioner from access to the Federal Building and Courthouse at White Plains, New York which house many of the public papers and documents needed by petitioner in order to make proper judicial presentations.
- b. This motion also requests consolidation of Action#1 and Action #2, at least for the purpose of this motion.
- 2a. Petitioner's property is wrongfully being withheld from him and/or he is not permitted access to public facilities in order to frustrate his ability to properly protect his legal rights or make proper judicial presentations (cf. <u>Bounds v. Smith</u>, 430 U.S. 817, 826 [1977]).
- b. Absent a grant of the relief requested renders all proceedings void and actionable as an extrinsic fraud (<u>U.S. v.</u> <u>Throckmorton</u>, 98 U.S. 61, 65-66 [1878]).
- 3a. Notwithstanding the lack of opposition, the District Judge, a specifically named corrupted jurist in Action #2, failed to afford petitioner injunctive relief.
- b. The "marching orders" given to the District Judge was, inter alia, not to render any decisions on any injunctive motions which might permit petitioner to take an immediate appeal.

- c. Consequently, petitioner was compelled to make application at the Circuit Court (cf. Walker v. City of Birmingham, 388 U.S. 307 [1967]), which was denied (Exhibit "A").
- 4a. All petitioner's motions for a stay, Rule 23 or otherwise, no matter how compelling, go unmentioned in the respondent's decisions, as exemplified by his affirmation of September 19, 1990, which reads as follows:

"This affirmation is made in support of an affirmative stay compelling ... which application shall also serve as compliance with Rule 23 of the Rules of the United States Supreme Court."

- b. Thus, in effect, the Circuit Court has interfered with petitioner's right to make properly proceed in this Court on his petitions.
- 5. In haec verba, the body of petitioner's unopposed application to the Circuit Court were as follows:

#### "D.A. DENIS DILLON:

- 3a. After the Sheriff of Westchester County, the county in which petitioner resides, refused to give obedience to the orders of Referee Diamond to 'break into' petitioner's home, 'seize [his] word processing equipment and soft ware', and 'inventory' his possessions, 'the criminals with law degrees' obtained the cooperation of Dillon in this barbaric adventure.
- b. The property seized by Dillon is necessary for petitioner to 'fully' present his cases (U.S. v Throckmorton, 98 U.S. 61, 65-66 [1878]).
- c. In every legal respect the Dillon seizure was unlawful, however the unlawfulness need not be addressed in this Court at this time for two (2) reasons:
- (1) The relief requested against respondent is not a favorable decision, but to mandamus the making

of any decision, so that petitioner can appeal same, if so advised.

(2) A federal and a state jurist have already ordered and directed a return to petitioner of all his property, or copies of same, but Dillon has failed and refused to 'fully' comply with such Order and judicial direction.

## Referee DONALD DIAMOND:

- 4a. In the non-public courtroom of Referee Diamond, where petitioner is specifically excluded, albeit contrary to well-settled constitutional and statutory law (N.Y. Judiciary Law §4), Referee Diamond privately keeps public papers which must be filed in the County Clerk's Office.
- b. Even when petitioner somehow obtains copies of these privately held papers, he cannot annex copies of same to his papers, since it may reveal the method that petitioner obtained his copies.
- c. Here again, access would aid petitioner to 'fully' present his cases in the District Court and in this Court.

## Administrator BRIEANT:

- 5a. Petitioner filed an action in the U.S. District Court of the Southern District of New York, and the named defendants included FELTMAN, KARESH, MAJOR & FARBMAN ['FKM&F'] and KREINDLER & RELKIN, P.C. ['K&R'] -- 'the criminals with law degrees' -- which was assigned to U.S. District Judge CHARLES S. HAIGHT, JR. ['Haight'].
- b. Before any determinations were rendered on petitioners motions, Judge Haight, sua sponte, issued a clearly suspect Order staying all judicial proceedings by petitioner.
- c. Petitioner's investigation revealed that, once again, U.S. District Judge WILLIAM C. CONNER ['Conner'] had 'fixed' a judicial proceeding on behalf of his criminal patrons, after his services had been solicited by them for that purpose.
- d. This time, however, the 'Conner fix' was by a written memorandum, and petitioner did not have to conceal confidential sources to prove his assertions.

- e. Armed with a copy of the 'Conner fixing memorandum', petitioner amended his complaint, as 'of course', adding Judge Conner as a <u>Dennis v. Sparks</u> (449 U.S. 24 [1980]) co-defendant.
- f. Chief Judge Brieant, without notice, without any opportunity to object or controvert, and without even the action being assigned to him for adjudication, issued an administrative edict dismissing petitioner's action which was still before Judge Haight, without prejudice, and further stated:

"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 ...."

- g. The following day, Administrator Brieant, again without notice, without any opportunity to object or controvert, issued a similar edict to Bankruptcy Judge HOWARD SCHWARTZBERG [`Schwartzberg'].
- h. In accordance with the manifest intent of such Brieant edict, without notice, without opportunity to oppose or controvert, or any other element necessary for due process, Judge Schwartzberg and trustee executed papers falsely asserting that petitioner's estate was without assets, and the bankruptcy proceeding was closed.
- i. Access to the court, and more, is the price paid in the Second Circuit-New York judicial bailiwick for catching corrupt and corrupted judges in action (cf. <u>U.S. Constitution</u>, Amendment I; <u>Code of Professional Responsibility</u>, DR §1-103).
- j. After some media publications on the matter, Administrator Brieant struck for a third time, again without notice, without any opportunity to oppose, without a hearing, without any anything, issued a further edict which barred petitioner's physical access to the entire Federal Building in White Plains.
- k. In such Federal Building are papers and documents necessary for petitioner to 'fully' present his cases in the District Court and also in this Court."

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

> WHEREFORE, it is respectfully prayed that

affirmant's motion be granted in all respects.

Dated: March 1, 1991

GEORGE SASSOWER [GS-0521]

Petitioner, pro se.

16 Lake Street, White Plains, N.Y. 10603

914-949-2169

### CERTIFICATION OF SERVICE

On March 1, 1991, I served a true copy of this Motion/ Affirmation by mailing same in a sealed postage paid envelope, first class, addressed to Hon. Kenneth W. Starr, U.S. Solicitor 10th & Constitution Ave., Washington, D.C. 20530; Circuit Court of Appeals for the Fourth Circuit and Chief Judge Sam J. Ervin, III, 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; Ass't. N.Y.S. Atty. Gen. Carolyn Cairns Olson, 120 Broadway, New York, New York 10271; Semmes, Bowen and Semmes Esqs., 250 West Pratt Street, Baltimore, Maryland 21201; and Eccleston & Wolfe, Esqs., East Pratt Street, Baltimore, Maryland 21202, that being their last known addresses.

Dated: March 1, 1991

GEORGE SASSOWER [GS-0512]

Petitioner, Pro se. 16 Lake Street,

White Plains, N.Y. 10603

(914) 949-2169

# UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT

	No. 90-8117(L)	
In Re: GEORGE SASSOWER,		Petitioner.
	No. 90-8118	
In Re: GEORGE SASSOWER,		
		Petitioner.
	No. 90-8119	
In Re: GEORGE SASSOWER,		
		Petitioner
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	ORDER	

Petitioner has filed motions to consolidate his writs of mandamus with his underlying case and to stay the district court's order. The writs of mandamus previously filed in this Court that petitioner seeks to consolidate with his underlying case were decided by this Court on October 26, 1990.

The Court denies petitioner's motions to consolidate and stay.

Entered at the direction of Judge Russell with the concurrence of Judge Phillips and Senior Judge Butzner.

For the Court

ADM IL GIEACEN

CLERK