

3/1/91

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

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GEORGE SASSOWER,
Petitioner,
-against-
FIDELITY AND DEPOSIT COMPANY OF
MARYLAND; et. el.,
Respondents.

Docket No.
90-
(Petition Feb. 28, 1991)

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x-----x
PETITION FOR A WRIT OF CERTIORARI
TO THE CIRCUIT COURT OF APPEALS FOR THE FOURTH CIRCUIT
x-----x
x-----x
Motion
x-----x

1. This affirmation is made in support of motion to mandamus the CIRCUIT COURT OF APPEALS FOR THE FOURTH CIRCUIT [hereinafter the "respondent"]: (1) to enjoin respondent from giving any respect to any order or decision of the New York-Second Circuit judicial forums without affording petitioner an opportunity to show such orders and decisions are constitutionally and jurisdictionally infirm and void; and (2) to expeditiously take such action as will vindicate petitioner's constitutionally protected rights to his extensive contractual assets (U.S. Constitution, Article 1, §10[1], Amendment V).

2a. The existing corruption in the New York-Second Circuit judicial forums are set forth in petitioner's petition to this Court dated February 28, 1991, and repetition will serve no significant purpose.

b. In an attempt to compel petitioner's silence he has been made the subject of a "reign of judicial terror", which

included repeated incarcerations, without benefit or opportunity for a trial and without any live testimony in support thereof.

c. In many, but not all, decisions of the New York-Second Circuit judiciary, an attempt was made to conceal the constitutional and jurisdictional infirmities by contrived, concocted, fabricated, devised and invented facts.

d. When everything failed, including the seizure of petitioner's property, his word, processing discs, his legal papers and his bank deposited assets, all without even a frivolous pretense to validity, petitioner was simply denied access to the courts to the New York-Second Circuit bailiwick, including for coram nobis or Rule 60(b)[4][6] relief.

3a. Manifestly clear is the fact that the judiciary and their cronies, state and federal, made all of the judicial trust assets of PUCCINI CLOTHES, LTD. ["Puccini"] the subject of massive larceny, leaving nothing for the legitimate creditors and stockholders, including petitioner.

b. The judiciary, state and federal, then went into the business of diverting monies payable to the federal government to the private pockets of their cronies and also criminally extorting monies in their favor.

c. Thus under the trialess conviction of U.S. District Judge EUGENE H. NICKERSON ["Nickerson"] of the Eastern District of New York, the fine monies were payable "to the [federal] court", but were instead diverted to the private pockets of the judicial cronies.

d. Millions of dollars have been "extorted" from HYMAN RAFFE ["Raffe"] in consideration for not being incarcerated under a trialess conviction and a trialess Report.

As long as Raffe pays such extortion monies, according to the written agreement, he will not be incarcerated, including paying multiple attorneys in the Fourth Circuit when none of them advance his legitimate interests (Wood v Georgia, 450 U.S. 261, 265 n. 5 [1981]).

Raffe has paid "millions of dollars" to the judicial "indulgence peddlers" for not being incarcerated, according to confirmed media reports.

4a. Included in this "judicial reign of terror" against petitioner in an attempt to silence him, was the unconstitutional "freezing" of petitioner's assets, including his contractually based judgment against Puccini.

b. Those contractual assets are set forth in detail in petitioner's Amended Complaint in the above action, against which no defense has ever been alleged in opposition to petitioner's motion for summary judgment.

5a. The precise legal reasoning behind an expeditious appellate adjudication where "double jeopardy" is involved (Abney v. U.S., 431 U.S. 651 [1977]), compels immediate relief on petitioner's contractual claims and judgment.

b. Petitioner, despite his extensive assets, contractual and otherwise, in judgment form or otherwise, petitioner has, for years, been living on a quasi-poverty level.

c. Petitioner, is relegated to a "back to the wall" status (Sniadach v. Family, 395 U.S. 337 [1969]) and converting his assets into a spendable form cannot and should not be delayed (cf. Ex parte Fahey, 332 U.S. 258 [1947]).

d. Reducing petitioner's contractually based assets is not dependent on whether petitioner be "saint or sinner", "black or white", or whether he exercises his First Amendment rights and societal obligations by exposing corruption in the judicial branch of government or not.

6. Additionally, delaying petitioner's constitutionally protected remedies, compels him to repeatedly make in forma pauperis applications, subjects him to a 28 U.S.C. §1915 analysis and does not permit him to make a proper presentation.

7. As was stated by this Court in Louisiana v. New Orleans (102 U.S. 203, 206-207 [1880]):

"The obligation of a contract, in the constitutional sense, is the means provided by law by which it can be enforced, -- by which the parties can be obliged to perform it. Whatever legislation lessens the efficacy of these means impairs the obligation. If it tend to postpone or retard the enforcement of the contract, the obligation of the latter is to that extent weakened. The Latin proverb, qui cito dat bis dat, -- he who gives quickly gives twice, -- has its counterpart in a maxim equally sound, -- qui serius solvit, minus solvit, -- he who pays too late, pays less. Any authorization of the postponement of payment, or of means by which such postponement may be effected, is in conflict with the constitutional inhibition." [emphasis supplied]

8. 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]
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16 Lake Street,
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(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
General, 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.,
729 East Pratt Street, Baltimore, Maryland 21202, that being
their last known addresses.

Dated: March 1, 1991

GEORGE SASSOWER [GS-0512]
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