

In the
SUPREME COURT OF THE UNITED STATES
October Term, 1992
No.

-----x
In re: GEORGE SASSOWER,

 Petitioner,
-----x

x-----x
 PETITION FOR A WRIT OF MANDAMUS and PROHIBITION
 to the
 U.S. CIRCUIT COURT OF APPEALS FOR THE SECOND CIRCUIT
 and
 CHIEF U.S. CIRCUIT COURT JUDGE THOMAS J. MESKILL
x-----x
 x-----x
 MOTION FOR MANDATORY STAY [#1]
 x-----x

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

MOTION FOR MANDATORY STAY

Petitioner moves this Court compel the respondents, U.S. Circuit Court of Appeals for the Second Circuit and Chief U.S. Circuit Court Judge Thomas J. Meskill, to process and adjudicate petitioner's unopposed application for a Temporary Restraining Order and Preliminary Injunction served on September 21, 1992 and filed with respondent-tribunal on October 6, 1992 in Sassower v. Feltman, et ano. (CCA Docket No. 92-7907), a copy of which is annexed hereto (Exhibit "A"), as well as to process and adjudicate petitioner's unopposed motions for (1) a general bias recusal, (2) the disqualification of Chief U.S. District Court Judge Charles L. Briant, (3) summary reversal, and (4) a

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mandatory [affirmative] stay in compliance with Rule 23.3 of the Rules of this Court.

Furthermore, petitioner requests that in the event the respondents fail to adjudicate petitioner's Temporary Restraining Order and Preliminary Injunction, and other motions described herein, on or before May 11, 1993, then it is prayed that the requested relief be deemed granted in all respects.

1. No previous applications has been made to this Court for the relief hereto sought herein.

2. The immediate and direct benefactors for the injunctive relief requested herein will be all the legitimate creditors of PUCCINI CLOTHES, LTD. ["Puccini"], whose assets were made the subject of larceny by the judiciary and their cronies.

3a. Petitioner's proposed order (Exhibit "A"), with specificity, sets forth the identities some of the corrupt state judges and officials with some of their unlawful and/or criminal acts.

b. To repeat the charges set forth in petitioner's unopposed application for a Temporary Restraining Order and Preliminary Injunction would be supererogatory and needless, since the only relief requested by this motion is that respondents expeditiously adjudicate the matters filed by petitioner eons ago.

c. The failure and refusal of respondents to adjudicate is wilful and deliberate, as set forth in petitioner's petition.

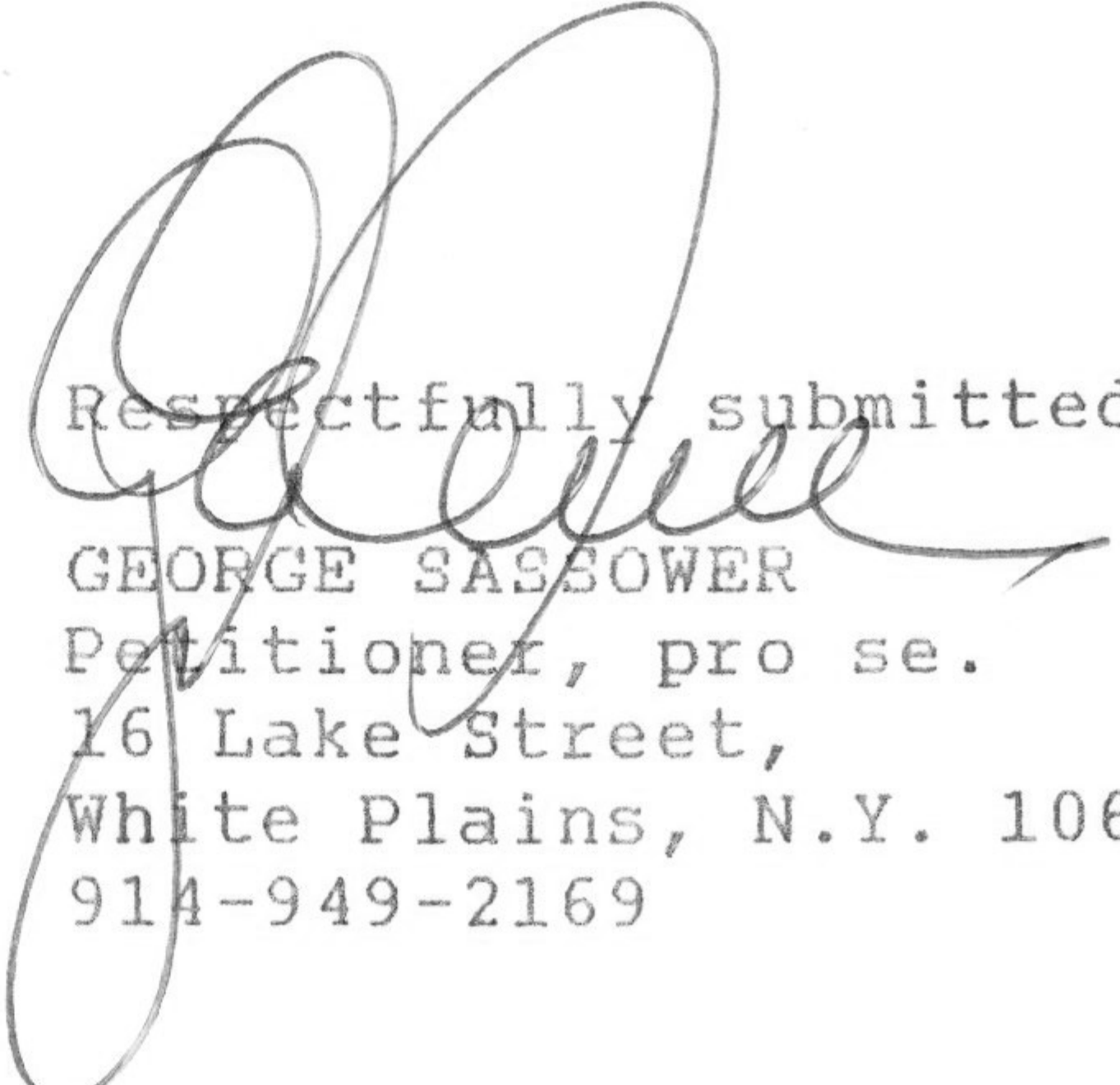
4a. In the District Court, the proceedings were dragooned by [then] Chief U.S. District Court Judge CHARLES L. BRIEANT ["Brieant"] to himself, who denied to petitioner his constitutional right to file such petition, and which petition included the following:

"In addition to [NYS Atty. Gen.] Abrams, [NY Justice] Gammerman and [US Dist. Court Judge William C.] Conner, the cadre of corrupt jurists in the corral of 'the felons with law degrees' include ... Chief U.S. District Court Judge CHARLES L. BRIEANT ["Brieant"] of the Southern District of New York ...".

b. More than \$2,000,000 has been paid, by check, to the "Brieant-Murphy syndicate" rendering the proceedings void (cf. Liljeberg v. Health Services, 486 U.S. 847 [1988]).

WHEREFORE, it is respectfully prayed that petitioner's motion be granted in all respects.

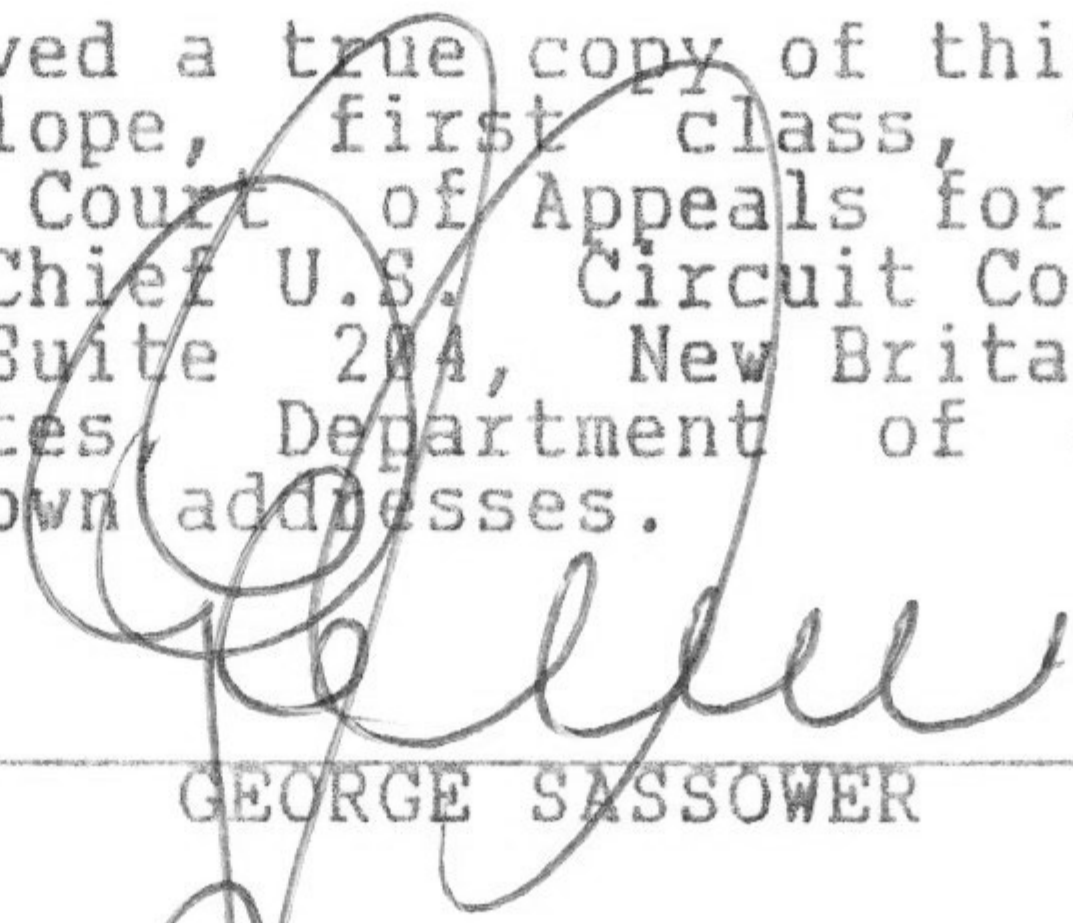
Dated: April 21, 1993

Respectfully submitted,

GEORGE SASSOWER
Petitioner, pro se.
16 Lake Street,
White Plains, N.Y. 10603
914-949-2169

CERTIFICATION OF SERVICE

On April 22, 1993, I served a true copy of this Notice and Exhibit by mailing same in a sealed envelope, first class, with proper postage thereon, addressed to U.S. Circuit Court of Appeals for the Second Circuit, Foley Square, New York, NY 10007; Chief U.S. Circuit Court Judge Thomas J. Meskill, Old Post Office Plaza Suite 204, New Britain, Conn. 06051; and Solicitor General of the United States, Department of Justice, Washington, D.C. 20530, that being their last known addresses.

Dated: April 22, 1993



GEORGE SASSOWER

U.S. CIRCUIT COURT OF APPEALS
FOR THE SECOND CIRCUIT

-----x
In the Matter of the Application of
 GEORGE SASSOWER,
 Petitioner,
 -against-
LEE FELTMAN and ROBERT ABRAMS,
 Respondent.

CCA2-Docket No.
92-7907

D.C. Docket No.
M-120 [CLB]

For an Order compelling the filing
of a verified accounting for the
judicial trust assets for PUCCINI
CLOTHES, LTD., and other relief.

Temporary Restraining
Order and Preliminary
Injunction

-----x
It appearing to the satisfaction of this Court
that PUCCINI CLOTHES, LTD. was involuntarily dissolved on June 4,
1980 by the New York Supreme Court, New York County, and albeit
its dissolved and helpless status it remained a "person" within
the meaning of Amendment V and XIV of the United States
Constitution, whose assets were held under "color of law" within
the meaning of 42 U.S.C. §1983; and it further appears that upon
such decree of involuntarily dissolution, N.Y. Attorney General
ROBERT ABRAMS became its statutory fiduciary, with extensive
discretionary powers (e.g. Gen. Bus. Law §1214[a]) and some
mandatory "duties", including the "duty" to make application to
the court to compel the court-appointed receiver to settle his
account, if not voluntarily rendered within 18 months (Gen. Bus.
Law §1216[a]); and it further appears that KREINDLER & RELKIN,
P.C. and CITIBANK, N.A. engineered the larceny of the judicial
trust assets of PUCCINI CLOTHES, LTD., and in exchange for
transferring the balance of the tangible judicial trust assets of
PUCCINI CLOTHES, LTD. to FELTMAN, KARESH & MAJOR, Esqs.,
thereafter FELTMAN, KARESH, MAJOR & FARBMAN, Esqs., the law firm

of LEE FELTMAN, Esq., the court-appointed receiver, LEE FELTMAN, Esq. and his law firm agreed to conceal such larceny and not make any attempt at the recovery of same in favor of the judicial trust; and it further appears that neither FELTMAN, KARESH & MAJOR, Esqs. nor FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. were ever appointed by any court or judge to act at the expense of PUCCINI CLOTHES, LTD., nor were they or RASHBA & POKART ever appointed under the mandatory procedures of 22 NYCRR §660.24, which prohibited the payment to those firms of any monies from the judicial trust assets of PUCCINI CLOTHES, LTD.; nor is there any credible evidence that either LEE FELTMAN, Esq., FELTMAN, KARESH & MAJOR, Esqs. or FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. ever rendered any services which benefitted or was intended to benefit PUCCINI CLOTHES, LTD.; and it further appears that neither Acting Supreme Court Judge DAVID B. SAXE nor Referee DONALD DIAMOND ever filed the mandatory statements required by, inter alia, Judiciary Law §35-a; and it further appears that Attorney General ROBERT ABRAMS knows and has known of, inter alia, the aforementioned criminal activities of, inter alia, KREINDLER & RELKIN, P.C., CITIBANK, N.A., LEE FELTMAN, Esq., FELTMAN, KARESH, & MAJOR, Esqs., FELTMAN, KARESH, MAJOR & FARBMAN, Esqs., but in accordance with an agreement and/or understanding with Presiding Justice FRANCIS T. MURPHY, Attorney General ROBERT ABRAMS abdicated all fiduciary responsibilities to his judicial trusts and to the STATE OF NEW YORK in the judicial bailiwick of Presiding Justice FRANCIS T. MURPHY, except as consented to by Presiding Justice FRANCIS T. MURPHY; and it

further appears that because of the resistance to the corrupt activities in the PUCCINI CLOTHES, LTD. matter, Attorney General ROBERT ABRAMS and his office were compelled to take an affirmative and active part in this criminal racketeering adventure including the imposition upon appellant, SAM POLUR, Esq. and HYMAN RAFFE with a barbaric "reign of judicial and official terror", criminal extortion, the diversion of monies due and payable to the federal, state and local governments to private pockets; the falsification of judicial documents; obstruction of justice; the corruption of other departments of state government; the fraudulent expenditure of sovereign monies for private purposes; and other criminal racketeering activities; and it further appears that included in the aforementioned "reign of judicial terror", Attorney General ROBERT ABRAMS cooperated in the repeated convictions of appellant, SAM POLUR, Esq. and HYMAN RAFFE for non-summary criminal contempt by the New York-Second Circuit judiciary, all manifestly unconstitutional, as they all were rendered without a trial, all without the opportunity of a trial, all without any confrontation rights, and all without any live testimony in support thereof, anything stated in Sassower v. Sheriff of Westchester County (824 F.2d 184 [2d Cir.-1987]) to the contrary having been contrived, concocted and fabricated; and it further appears that under the trialess non-summary criminal contempt conviction of appellant and HYMAN RAFFE by U.S. District Court Judge EUGENE H. NICKERSON (Raffe v. Citibank, 84 Civ. 0305 [EHN]) the monies payable "to the federal court", included those monies paid on behalf of appellant, were diverted to the private

pockets of KREINDLER & RELKIN, P.C.; and it further appears that under the trialess conviction of appellant for non-summary criminal contempt, with its term of incarceration imposed thereon, by Acting Supreme Court Justice DAVID B. SAXE caused potential draconian economic damage to HYMAN RAFFE; and it further appears that in one document, without any opportunity to exercise confrontation rights or other basic constitutional rights, Mr. Justice ALVIN F. KLEIN, convicted appellant, SAM POLUR, Esq. and HYMAN RAFFE and sentence each to be incarcerated for 30 days; and it further appears that appellant and SAM POLUR, Esq. were incarcerated for their full terms, less good time allowance, and during the compelled absence of appellant and SAM POLUR, Esq., the attorneys of record for HYMAN RAFFE, KREINDLER & RELKIN, P.C. and FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. negotiated with HYMAN RAFFE and compelled him to succumb, under the repeated assertions that they "controlled all judges" and with threats of incarceration if he refused; and it further appears in exchange for not being incarcerated under the conviction of Judge Klein, as was appellant and SAM POLUR, Esq., and for not having the trialess mirrored Report of Referee DONALD DIAMOND confirmed, and incarcerated thereunder, as was appellant, HYMAN RAFFE paid substantial monies to KREINDLER & RELKIN, P.C. and FELTMAN, KARESH, MAJOR & FARBMAN, Esqs., which he continues to pay to FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. under threats of incarceration if he refuses, he agreed to execute releases to, inter alia, Attorney General ROBERT ABRAMS, all federal judges in the Eastern and Southern District of New York, and the Justices

of the Supreme Court, New York County, and other manifestly unlawful consideration, including his consent to the settlement of a 'phantom', 'non-existent' "accounting" by LEE FELTMAN, Esq., which settlement was necessary for the discharge of LEE FELTMAN, Esq. and his bonding company, to wit., FIDELITY & DEPOSIT CO. OF MARYLAND; and it further appears that the consent of Attorney General ROBERT ABRAMS, as the statutory fiduciary, was necessary for the settlement of this 'sham', 'non-existent' "final accounting", which he gave; and it further appears that both before and after HYMAN RAFFE succumbed to execute releases, Attorney General ROBERT ABRAMS was representing himself and various judges and officials in the state and federal courts in their private capacities, at state cost and expense, knowingly defrauding the state treasury thereby; and it further appears that Attorney General ROBERT ABRAMS read and never protested as the following statement by Mr. JONATHAN FERZIGER of UNITED PRESS INTERNATIONAL, published in the Village Voice (June 6, 1989):

"By signing three extraordinary agreements in 1985, however, Raffe agreed to foot all legal costs incurred by Feltman's firm and Citibank's lawyers, Kreindler & Relkin, for defending against Sassower. In exchange, the court agreed to let him go free. The tab so far has come to more than \$2.5 million, paid to both the Feltman and Kreindler firms. Raffe continues to pay with checks from his A.R. Fuels Co. business. 'That's outrageous. It's unbelievable. It's disturbing. . . .' Said Attorney General Abrams when he saw copies of the checks. Abrams is the statutory watchdog over court-appointed receivers like Feltman." [emphasis supplied];

and it further appears that appellant having been able to abort the settlement of the 'non-existent', 'phantom', and 'sham' "final accounting" of LEE FELTMAN, Esq., Attorney General ROBERT

ABRAMS, along with, inter alia, Chief Judge Brieant, fixed and corrupted U.S. District Court Judge NICHOLAS H. POLITAN of New Jersey to charge appellant with a single count of non-summary criminal contempt, unlawfully hold him incarcerated for 2 months, without bail, at federal cost and expense, during which time there was engineered the "approval" of the 'non-existent', 'phantom' and 'sham' accounting of LEE FELTMAN, Esq. for PUCCINI CLOTHES, LTD. by Referee DONALD DIAMOND, with the discharge of LEE FELTMAN, Esq. and FIDELITY & DEPOSIT CO. OF MARYLAND; and it further appears that Referee DONALD DIAMOND does not have the authority to "approve" any "accounting", nor to grant discharges of a court-appointed receiver and/or his bonding company (CPLR §4317(b)); and it further appears that all fines, penalties and consideration received as a result of non-summary criminal contempt convictions is the property of the sovereign, federal, state, and local, including those sums extorted from HYMAN RAFFE to avoid incarceration under a criminal conviction, but those governments, aided and abetted by Attorney General ROBERT ABRAMS have received nothing; and it further appears that the entire cost and expense of the aforementioned privately motivated criminal racketeering adventure has been unlawfully imposed on federal, state, and local governments, but those governments, aided and abetted by Attorney General ROBERT ABRAMS have received nothing; and it further appears that Attorney General ROBERT ABRAMS does not have the authority to divert state and local sovereign monies to private parties or, aid and abet such diversion; and it further appears that Attorney General does not

have the authority to incur, burden and/or disburse state and local sovereign monies for privately motivated criminal adventures whose interests are adverse to the state and local sovereign; and it further appears that in appellant's initial filing in this matter he specifically named Chief Judge Brieant as an active and overt co-conspirator in this privately motivated criminal adventure; and it further appears that appellant, ante litem motam, has sued and is suing Chief Judge Brieant in his private capacity and in none of such litigation which is inextricably related to this matter is there any extant 28 U.S.C. §2679[d] "scope" certifications or favorable "scope" adjudications; and it further appears that, ante litem motam, appellant has claimed that Chief Judge Brieant's criminal activities has included defrauding the federal government by dragooning federal legal services, at federal cost and expense, without a "scope" certification which charge the U.S. Attorney's Office has, ante litem motam, been referred to the Federal Bureau of Investigation; and it further appears that Chief Judge Brieant had in 1987, extrajudicially, threatened appellant with incarceration in the event he insists upon an accounting for the judicial trust assets of PUCCINI CLOTHES, LTD.; and it further appears that notwithstanding the aforementioned Chief Judge Brieant dragooned this filing to himself; and due notice having been given to all named or affected by this application, with opportunity to controvert and oppose, it is

ORDERED, as a matter of ministerial compulsion, not involving any judicial discretion, LEE FELTMAN, Esq. shall

forthwith, upon receipt of this proposed Order, and in no event later than September 28, 1992, file with the Clerk of this Court, with a Certificate of Service upon all interested parties, including appellant, a "verified accounting" for the judicial trust assets of PUCCINI CLOTHES, LTD., accounting for all its assets as of June 4, 1980, and it is further

ORDERED, as a matter of ministerial compulsion, not involving any judicial discretion, RASHBA & POKART, appointed as investigatory accountants by the Supreme Court, New York County, and thus acted under "color of law" in the involuntary dissolution of PUCCINI CLOTHES, LTD., shall forthwith, upon receipt of this proposed Order, and no later than September 28, 1992, file with the Clerk of this Court, with a Certificate of Service upon all interested parties, including appellant, with a statement of (1) the disposition of the judicial trust assets of PUCCINI CLOTHES, LTD., as far as it is aware; and (2) its pre-appointment relationships with KREINDLER & RELKIN, P.C. and/or its clients in this matter, including all monies received from them or on their behalf, including the sources of such monies; and it is further

ORDERED, as a matter of ministerial compulsion, not involving any judicial discretion, Attorney General ROBERT ABRAMS shall forthwith, upon receipt of this proposed Order, and no later than September 28, 1992, make application to the Supreme Court, New York County, with proper service upon all interested parties, including the Clerk of this Court: (1) compelling LEE FELTMAN, Esq., to render an accounting for the judicial trust

assets of PUCCINI CLOTHES, LTD.; (2) nullifying and/or disaffirming the "approval" by Referee DONALD DIAMOND of the "accountings" of LEE FELTMAN, Esq. on behalf of PUCCINI CLOTHES, LTD. on the grounds of, inter alia, fraud, lack of jurisdiction over appellant, a judgment creditor, and lack of authority; (3) nullifying the discharge of LEE FELTMAN, Esq. and FIDELITY & DEPOSIT CO. OF MARYLAND, as unauthorized and a fraud; and (4) taking such other action as may be deemed necessary to effectuate the fiduciary obligations of the Attorney General, including compelling the filings of Judiciary Law §35-a Statements by Judge DAVID B. SAXE and Referee DONALD DIAMOND; and it is further

ORDERED, as a matter of ministerial compulsion, not involving any judicial discretion, LEE FELTMAN, Esq. and Attorney General ROBERT ABRAMS, at their own personal cost and expense, shall cause to be published, at least two (2) times, a legal notice in the New York Times and New York Law Journal, to the effect that the previously published legal notice concerning the settlement of a final accounting before Referee DONALD DIAMOND was a fraud, hoax, and is a nullity, and all monies paid or received under the settlement of an "accounting" from the judicial trust assets of PUCCINI CLOTHES, LTD., be, with interest, returned to PUCCINI CLOTHES, LTD., and it is further

ORDERED, as a matter of ministerial compulsion, not involving any judicial discretion that forthwith, upon receipt of this proposed Order and in no event later than September 28, 1992, KREINDLER & RELKIN, P.C. and CITIBANK, N.A., shall turn over to the Clerk of the United States District Court

for the Eastern District of New York all monies, with interest, received by them from HYMAN RAFFE, including that paid on behalf of appellant, which were payable "to the federal court" by virtue of the Order of June 7, 1985 in Raffe v. Citibank (84 Civ. 0305), with proof of such payment, including the amount, with notice of same served upon HYMAN RAFFE, appellant, and the Clerk of this Court, and it is further

ORDERED, as a matter of ministerial compulsion, not involving any judicial discretion, that forthwith, upon receipt of this proposed Order, and in no event later than September 28, 1992, KREINDLER & RELKIN, P.C., CITIBANK, N.A., LEE FELTMAN, Esq., FELTMAN, KARESH, MAJOR & FARBMAN, Esq., RASHBA & POKART, and all others receiving monies or other things of value from HYMAN RAFFE, in consideration, in whole or in part, for his not being incarcerated under a criminal conviction by Mr. Justice ALVIN F. KLEIN and/or a Report of Referee DONALD DIAMOND not being brought on for confirmation, with appropriate interest, be turned over to Hon. EDWARD V. REGAN, Comptroller for the State of New York, for appropriate disposition, with proof of such payments, including the amount, with notice of same upon HYMAN RAFFE, appellant, and the Clerk of this Court, and it is further

ORDERED, as a matter of ministerial compulsion, not involving any judicial discretion, that on or before September 28, 1992, Attorney General ROBERT ABRAMS shall serve upon Hon. EDWARD V. REGAN, Comptroller for the State of New York, a preliminary estimate of all cost and expenses caused to be incurred by the State of New York for his representation and the

representation of other individuals in their private capacities or where the interests of the State of New York did not comport with the representation of Attorney General ROBERT ABRAMS in the federal courts, and it is further

ORDERED, that Attorney General ROBERT ABRAMS is stayed from implementing any agreement and/or understandings with Presiding Justice FRANCIS T. MURPHY wherein he compromises his fiduciary obligations to judicial trusts or to the STATE OF NEW YORK with respect to such judicial estates however created within the judicial bailiwick of Presiding Justice FRANCIS T. MURPHY, and/or continues to pursue such perfidious practices, and it is further

ORDERED that a copy of this Order be served upon the PUBLIC INTEGRITY SECTION OF THE DEPARTMENT OF JUSTICE, for such action as it deems appropriate, and it is further

ORDERED that a copy of this Order be served on the Foreperson of the Grand Jury of the Southern and Eastern District of New York, with such other information as appellant desires to bring to the attention of those bodies, by delivering same to the U.S. Attorneys for those districts, and it is further

ORDERED, that the Clerk of the U.S. District Court for the Southern District of New York shall forthwith issue process for appellant's filings in this matter, and make a judicial assignment by the normal random selection process; and it is further

ORDERED, that all further proceedings in this matter be

determined by the Court and panel hereinafter assigned by another Circuit.

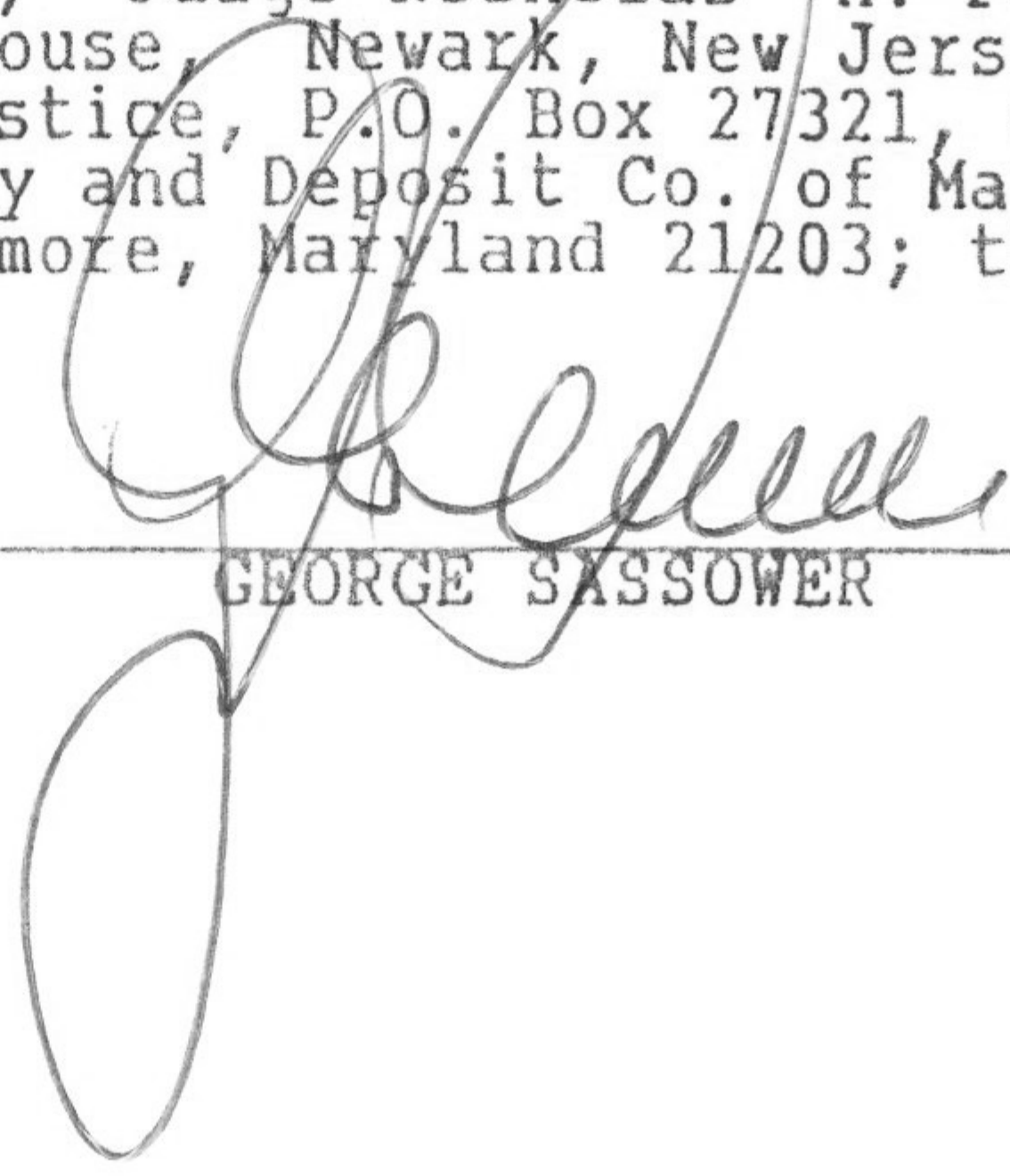
Dated: New York, New York
October , 1992
at o'clock m.

U.S. CIRCUIT COURT JUDGE
SECOND CIRCUIT

CERTIFICATION OF SERVICE

On September 21, 1992 I served a true copy of this Proposed Order Motion by mailing same in a sealed envelope, first class, with proper postage thereon, addressed to Chief U.S. District Court Charles L. Brieant, 101 East Post Road, White Plains, New York 10601; Attorney General Robert Abrams, The Capitol, Albany, New York 12224; Francis T. Murphy, c/o Appellate Division, First Department, 25th Street & Madison Avenue, New York, N.Y. 10010; Lee Feltman and Feltman, Karesh, Major & Farbman, Esqs., 152 West 57th Street, New York, New York 10019; Kreindler & Relkin, P.C., 350 Fifth Avenue, New York, N.Y. 10118; Citibank, N.A., 399 Park Avenue, New York, New York 10022; Rashba & Pokart, 469 Seventh Avenue, New York, New York; Judge David B. Saxe, 111 Center Street, New York, N.Y. 10013; Judge Alvin F. Klein and Referee Donald Diamond, 60 Center Street, New York, N.Y. 10007; Sam Polur, Esq., 80 West Kingsbridge Road, Bronx, New York 10468; Hyman Raffae, 2134 Mill Avenue, Brooklyn, N.Y. 11234; Judge Eugene H. Nickerson and U.S. Attorney Andrew J. Maloney, 225 Cadman Plaza East, Brooklyn, N.Y. 11201; U.S. Attorney Otto G. Obermaier, 1 St. Andrews Plaza, New York, N.Y. 10007; Hon. Edward V. Regan, The Capitol, Albany, New York 12224; Judge Nicholas H. Politan, District of New Jersey, U.S.P.O. and Courthouse, Newark, New Jersey 07101; and Public Integrity Section, Department of Justice, P.O. Box 27321, Central Station Washington, D.C. 20038; and Fidelity and Deposit Co. of Maryland, Charles and Lexington Streets, Box 1227, Baltimore, Maryland 21203; that being their last known addresses.

Dated: September 21, 1992



GEORGE SASSOWER