

**ORIGINAL**

**RECEIVED**  
APR 27 1993  
OFFICE OF THE CLERK  
SUPREME COURT, U.S.

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  
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

PETITION

x-----x

Petitioner, as and for his petition for a Writ of Mandamus, directed to the U.S. Circuit Court of Appeals for the Second Circuit and Chief U.S. Circuit Court Judge Thomas J. Meskill [hereinafter "respondent(s)"] seeks to compel respondents to expeditiously process and adjudicate petitioner's appeals and motions, including those which directly affect the jurisdiction of this Court, e.g., motions seeking 28 U.S.C. §1254[2] certifications and Rule 23.3 stays.

This proceeding, and the relief sought, is essential to this Court's appellate jurisdiction, which respondents are intentionally attempting to obstruct. The relief cannot be obtained in any other form or from any other court.



## PRELIMINARY STATEMENT

1. The conceded and admitted facts, judicially and otherwise, as partially demonstrated in this petition, his motions, and related proceedings, is that members of the federal judiciary, centered about the Second Circuit, including its Chief Circuit Court Judge and other appellate jurists, are involved in the larceny of judicial trust assets, diverting monies payable "to the ['federal'] court" to private pockets, extortion, dragooning federal services, at federal cost and expense, to serve personal interests, evading the revenue laws, obstruction of justice, and other egregious criminal racketeering activities.

2a. In an attempt to advance and conceal such criminal activities, the respondents are intentionally and deliberately obstructing petitioner's access to this Court.

b(1) In all three (3) actions, involved in this proceeding, appeals were taken to the Circuit Court from the denial by the District Court of leave to commence contractually based, constitutionally protected, actions.

(2) Thus, although petitioner is a person of substantial wealth, he is constrained to receive public [food stamp] and judicial [28 U.S.C. §1915] financial assistance.

c. In all three (3) actions, [former] Chief U.S. District Court Judge CHARLES L. BRIEANT ["Brieant"] dragooned to himself the disposition of petitioner's filings, although he was transactionally and financially involved in said actions (cf. Liljeberg v. Health Services, 486 U.S. 847 [1988]).



d. Over the past seven (7) years there has been paid to the syndicate of Chief Judge Brieant and NY State Appellate Division Presiding Justice FRANCIS T. MURPHY ["Murphy"] sums of monies, by check, which exceeds \$2,000,000.

e. Such payments to the "Brieant-Murphy syndicate" is presently ongoing and continuing.

3a. By not processing and/or adjudicating petitioner's appeals, by not processing and/or adjudicating petitioner's unopposed injunction motions, by not processing and/or adjudicating petitioner's motions which seek a 28 U.S.C. 1254[2] certifications or Rule 23.3 stays, the respondents are obstructing petitioner's right to access to this Court.

b. The respondents are certainly aware of the almost impossible burden placed upon a petitioner who seeks certiorari before judgment (Rule 11), and the additional burden faced by a petitioner who seeks a stay from this Court, without a determination made by the Circuit Court (Rule 23.3).

#### QUESTIONS PRESENTED

1. Where petitioner has a contractually based, constitutionally protected, money judgment against Puccini, in addition to equitable stock and other creditor interests in that involuntary dissolved corporation, should this Court mandamus the respondents to process and adjudicate his July 1992 appeal, which denied him leave to commence an action to liquidate such assets, and his August 1992 "general bias", "28 U.S.C. §1254[2] certification", and "Rule 23.3 stay" motions (Sassower v. Puccini, CCA Docket No. 92-6194/6236)?



COMMENT: The conduct, as an examination of all petitioner's proceedings will conclusively reveal, nisi prius and appellate, is that respondents' dilatory tactics are intentional, deliberate and unlawfully motivated (cf. Walker v. City of Birmingham, 388 U.S. 307, 318-319 [1967]).

2a. Where federal constitutional principles and state statute (NYS Bus. Corp. Law §1216(a)) afford petitioner, whose interests include a substantial contractually based money judgment, the absolute right to petition to compel a court-appointed receiver to account for his stewardship; and where in the almost thirteen (13) years since Puccini was involuntarily dissolved, no accounting has ever been rendered; and it is conceded and admitted that members of the judiciary, including Chief Judge Brieant, and its cronies, converted such judicial trust assets to their own use and benefit, should this Court mandamus the respondents to process and expeditiously determine petitioner's appeal from an Order of Chief Judge Brieant, which denied petitioner the right to petition the court to compel an accounting, which appeal lies unadjudicated and fallow before the respondents' tribunal for more than nine months (Sassower v. Feltman, CCA Docket No. 92-7907)?

COMMENT: Chief Judge Brieant and his criminal entourage, have defrauded not only petitioner, but all Puccini's creditors, from New York to California (cf. Hazel-Atlas v. Hartford, 322 U.S. 238 [1944]).



b. Where petitioner unopposed motion for a temporary restraining order and preliminary injunction, filed on September 21, 1992, intentionally lies unadjudicated and fallow at respondents' tribunal, as does petitioner's "general bias recusal" and his "Rule 23.3 stay" applications, should this Court mandate the respondents to expeditiously process and adjudicate petitioner's injunction and other applications?

COMMENT: Petitioner's unopposed injunction application filed at the respondent's tribunal seven months ago, with its irresistibly compelling relief, is annexed to petitioner's motion to this Court, simultaneously submitted.

3a. Where the conceded, admitted and documentary evidence is that A.R. FUELS, INC. ["AR"] and HYMAN RAFFE ["Raffe"] have been "paying-off" the "Brieant-Murphy syndicate" "millions of dollars", should a writ of mandamus be entered by this Court to compel respondents to issue the necessary orders which would enable petitioner to liquidate his contractually based, constitutionally protected assets, liquid and otherwise, against AR and Raffe, and his "28 U.S.C. §1254[2] certification" and "Rule 23.3 stay" motions?



COMMENT: Since July of 1992, when petitioner filed his notice of appeal from the denial by Chief Judge Brieant of petitioner's application to liquidate his contractual based assets against AR and Raffe, petitioner's appeal and all his motions and applications, lie unadjudicated and fallow, including those which request a "general bias recusal", a "28 U.S.C. §1254[2] certification" and a "Rule 23.3 stay" (Sassower v. A.R. and Raffe, CCA 92-7911/9047).

b. Where petitioner unopposed application for a preliminary injunction, filed at respondent's tribunal on September 21, 1992, lies unadjudicated and fallow, should this Court mandate the respondent to expeditiously process and adjudicate such injunction and other applications?

COMMENT: Petitioner's unopposed application for a preliminary injunction, filed at the respondent's tribunal seven months ago, with its irresistibly compelling relief, is annexed to petitioner's motion to this Court, simultaneously submitted.

#### OPINIONS BELOW

There are no opinions in the Circuit Court of Appeals for the Second Circuit, either on petitioner injunction applications, his general bias applications, his applications for 28 U.S.C. §1254[2] certifications, or for a Rule 23.3 stays.



### JURISDICTION

The jurisdiction of this Court exists by virtue of Article III of the U.S. Constitution, and the power of this Court to mandamus respondents to vindicate this Court's jurisdiction (28 U.S.C. §1651[a], Rule 20, Rules of the Supreme Court of the United States).

At bar, to vindicate this Court's jurisdiction, the Circuit Court must promptly adjudicate petitioner's motions which seek 28 U.S.C. §1254[2] certifications; the Circuit Court must promptly adjudicate petitioner's motions which seek Rule 23.3 stay applications; and must permit petitioner the right to liquidate his substantial assets, contractual and otherwise, so that he can pay the fees due this Court for his filings and printing expenses.

### CONSTITUTIONAL AND STATUTORY PROVISIONS

1. Article 1, §10[1] of the U.S. Constitution provides:

"No state shall ... make ... any ... law, impairing the obligation of contracts ... ."

2, Amendment V of the U.S. Constitution provides:

"No person shall ... be deprived of ... property, without due process of law ...".



3. N.Y. Business Corp. Law §1216[a] provides:

"Within one year after qualifying, the receiver shall apply to the court for a final settlement of his accounts . . . . If the receiver has not so applied for a settlement of his accounts . . . the attorney-general or any creditor or shareholder may apply for an order that the receiver show cause why an accounting and distribution should not be had, and after the expiration of eighteen months from the time the receiver qualified, it shall be the duty of the attorney-general to apply for such an order on notice to the receiver." [emphasis supplied]

STATEMENT OF THE CASE

This petition for an extraordinary writ seeks only to mandamus the Circuit Court to issue process petitioner's appeals and issue orders on petitioner's applications and motions so that he can proceed in this Court without the additional burden imposed by Rule 11 and Rule 23.3 of the Rules of this Court.

EXISTENCE OF JURISDICTION BELOW

The appeals to the Circuit Court were timely filed (FRApp.P., Rule 4) from final determination of the district court (28 U.S.C. §1291).

REASONS FOR THE ISSUANCE OF THIS WRIT

1. This unique attempt by the respondents to obstruct and impair the constitutional and statutory jurisdiction of this Court, for base and criminal reasons, should not be tolerated.

2a. Petitioner is constitutionally entitled to the right to liquidate his contractually based assets, which are in the form of a money judgment, and in the form of liquidated, and unliquidated claims.




b. Petitioner, a person of substantial wealth, is also entitled not to be embarrassed by having to resort to food stamp financial assistance, or being burdened by having his judicial papers made the subject of a 28 U.S.C. §1915 analysis.

3. The public, in addition to petitioner, should not be deprived of their legitimate creditor claims, because jurists, federal and state, are involved in the larceny of judicial trust assets.

4. The public is entitled to be assured that the judiciary will make an honest effort to police itself, and that the media will not become the forum of first resort.

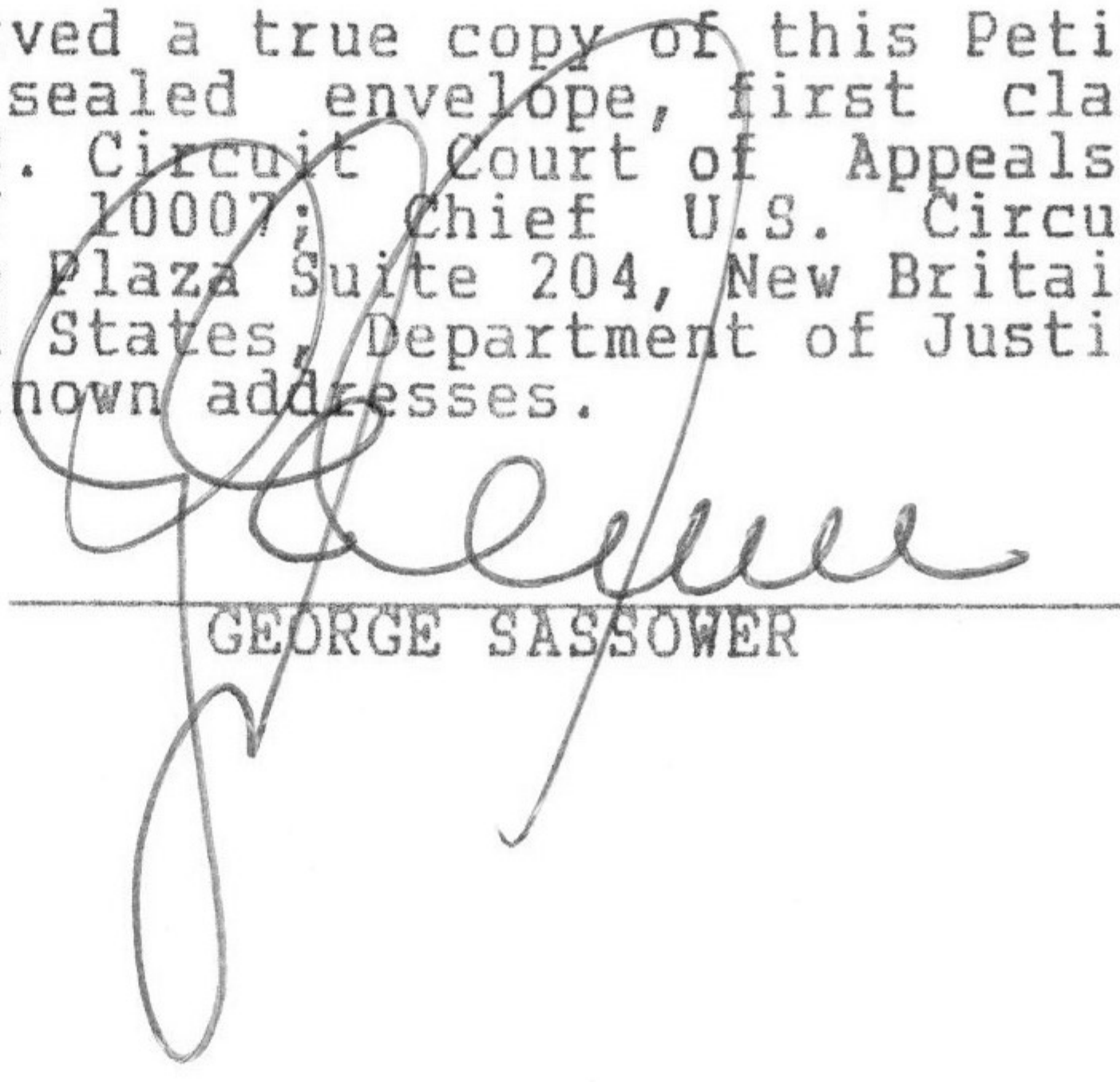
Dated: April 21, 1993

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 Petition for a Writ of Mandamus 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, Folly 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