In the

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

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GEORGE SASSOWER,
Petitioner,
-against-
KREINDLER & RELKIN, P.C.; CITIBANK, N.A.; JEROME H. BARR; LEE FELTMAN; FELTMAN, KARESH & MAJOR; HOWARD M. BERGSON; ROBERT ABRAMS; EUGENE H. NICKERSON; THOMAS J. MESKILL; WILFRED FEINBERG; HELEN KAUFMAN, as executrix of the Estate of IRVING KAUFMAN; JAMES L. OAKES; CHARLES L. BRIEANT; FRANCIS T. MURPHY; XAVIER C. RICCOBONO; ANDREW J. MALONEY; WEST PUBLISHING COMPANY; MEAD DATA CENTRAL, INC.; and LAWYERS CO-OPERATIVE PUBLISHING COMPANY,
Respondents.

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PETITION FOR A WRIT OF CERTIORARI
to the
U.S. CIRCUIT COURT OF APPEALS FOR THE SECOND CIRCUIT

RULE 11 AFFIRMATION

Petitioner, as and for his Rule 11 Statement, made upon the penalty of perjury, states that following supports petitioner's assertion that the issues presented are:

> "of such imperative public importance as to justify as to justify deviation from normal appellate practice and to require immediate settlement in this Court"."

1a. The ongoing and expanding criminal racketeering activities of Chief U.S. Circuit Court Judge THOMAS J. MESKILL ["Meskill"], former Chief U.S. Circuit Court Judge JAMES L. OAKES ["Oakes"], former Chief U.S. District Court Judge CHARLES L.

BRIEANT ["Brieant"], and others high-echelon federal jurists, only a portion of which is set forth in petitioner's contemporaneous "Motion/Application", can no longer be suffered by this Court.

b(1) The "fixing" activities of Chief Circuit Court Judge Meskill, Circuit Court Judge Oakes, and District Court Judge Brieant have already enveloped the Third, Fourth, Sixth, Eighth, Ninth and District of Columbia Circuits, as well as the U.S. Department of Justice.

(2) Petitioner submits, no federal judge who has not been "compromised" and/or "corrupted" would tolerate money damage tort litigation:

(a) at state cost and expense, in manifest defiance of its jurisdictional Eleventh Amendment infirmity;

(b) where the statutory fiduciary simultaneously, in the same litigation, represents himself and those who are unlawfully stealing and/or plundering judicial trust assets for private and personal purposes; and

(c) where federal judges are represented in personal capacity actions by U.S. attorneys, at federal cost and expense, notwithstanding their refusal to execute 28 U.S.C. §2679[d] "scope" certificates because the conceded judicial activities, as a matter of law, are not within "the scope of their office", indeed in defiance of sovereign interests, e.g., diverting monies "to the federal court" to private pockets.

(3) The following admission of the 1992-1993 corruption of Chief U.S. Circuit Court Judge GILBERT S. MERRITT ["Merritt"] of the Sixth Circuit, in Sassower v. McFadden (SDNY 93-0342 [PKL]), would not have occurred had prior remedial action had been exercised by this Court or the U.S. Department of Justice:

> " 1. You know that in this action, in which you are a defendant, plaintiff makes claim against you in your personal, not official, capacity.
>
> 2. You have not paid, nor do you expect to pay, for your federal defense representation in this action.
>
> 3. You have not applied for and/or received a 28 U.S.C. §2679 `scope' certification, nor has there been any adjudication that you are entitled to `scope' status.
>
> 4. In your own name, without any United States substitution, you are being represented, in this action, by the U.S. Attorney for the Southern District of New York.
>
> 5. You know of no authority contained in 28 U.S.C. §547, or elsewhere, for the United States Attorney to lawfully represent you in this action at federal cost and expense.
>
> 6. You are not aware of any authoritative case, decision or precedent in the Sixth Circuit, excluding cases involving plaintiff, where a United States attorney represented tort defendants who had not been 28 U.S.C. §2679 `scope' certified or adjudicated.
>
> 7. You are not aware of any authoritative case, decision or precedent in any other circuit in the United States, excluding cases involving plaintiff, where a United States attorney represented tort defendants who had not been 28 U.S.C. §2679 `scope' certified or adjudicated.

8. A reasonable, if not irresistible compelled conclusion from the aforementioned is that you are defrauding the federal purse by such unauthorized federal representation, at federal cost and expense.

9. In your Sixth Circuit, including in your Court, with your knowledge, federal judges from the Second Circuit, are being represented by the U.S. Attorney D. MICHAEL CRITES ['Crites'], at federal cost and expense, in personal capacity actions, in their own names, for conduct contrary to legitimate federal interests.

10. A reasonable, if not irresistible compelled conclusion from the aforementioned is that in your Circuit and Court, federal judges from the Second Circuit, are defrauding the federal purse.

11. In your Circuit and in your Court, N.Y. State Attorney General ROBERT ABRAMS ['Abrams'] and/or members of his office are representing Abrams and state judges at state cost and expense.

12. In view of the prohibition contained in the Eleventh Amendment to the U.S. Constitution, you are not aware of any authoritative case, decision or precedent in the Sixth Federal Circuit, excluding cases involving plaintiff, where state judges, officials, and/or employees are being defended in money damage tort actions at state cost and expense.

13. In view of the prohibition contained in the Eleventh Amendment to the U.S. Constitution, you not aware of any authoritative case, decision or precedent in any other circuit in the United States, excluding cases involving plaintiff, where state judges, officials, and/or employees are being defended in money damage tort actions at state cost and expense.

14. You are aware that Abrams is the statutory fiduciary for all involuntarily dissolved corporations in the State of New York, including PUCCINI CLOTHES, LTD. ['Puccini'].

15. You are aware that those judges who made the judicial trust assets of Puccini the subject of larceny, are being jointly represented with Abrams by the same attorney(s).

16. You are unaware of any authoritative case, decision or precedent in the Sixth Circuit, excluding case in which plaintiff is involved, for permitting a joint representation of the statutory fiduciary with those who are transactionally involved in the larceny of such judicial trust assets.

17. You are unaware of any authoritative case, decision or precedent in any court in the United States, excluding cases in which plaintiff is involved, for permitting a joint representation of the statutory fiduciary with those who are transactionally involved in the larceny of such judicial trust assets.

18. You are aware that in your Circuit and in your Court, U.S. Attorney Crites, and the same Assistant U.S. Attorneys, are defending federal judges in civil tort litigation and simultaneously representing the federal government and opposing any federal grand jury inquiry in the related criminal activities of such judges.

19. You are unaware of any authoritative case, decision or precedent in any court in the United States, excluding cases in which plaintiff is involved, for permitting such simultaneous and conflicting civil and criminal representation by a United States attorney and/or his office.

20. You are aware that in your Circuit and Court, as well as elsewhere, the uncontroverted documentary evidence is that the judicial trust assets of Puccini were made the subject of larceny, that monies payable `to the federal court' were diverted to private pockets, that millions of dollars were extorted from a private person in order to avoid incarceration under a criminal conviction, all with judicial involvement in such and related criminal racketeering activities.

21. You are aware that the uncontroverted documentary evidence in your Circuit and Court, as well as elsewhere, is that the published decisions, such as Raffe v. Doe (619 F. Supp. 891 [SDNY-1985]), Sassower v. Sheriff (824 F.2d 184 [2d Cir.-1987]), and other decisions wherein plaintiff in involved, lack subject matter and/or personal jurisdiction, were rendered without any due process, were the result of fraud and corruption, and published by Lexis to an attempt to conceal the criminal racketeering conduct of jurists in New York and Second Circuit."

2a. At bar, Chief Judge Meskill and his Court physically refuse to accept petitioner's motions, e.g., 28 U.S.C. §1254[2] and/or Rule 23.3 stay, undermining the jurisdiction of this Court.

b. As petitioner's petition to this Court of April 21, 1993 reveals, even when petitioner's 28 U.S.C. §1254[2] and Rule 23.3. motions are accepted, they are not adjudicated (cf. Walker v. City of Birmingham, 388 U.S. 307, 318-319 [1967]).

3a. Impeachment proceedings were believed warranted for U.S. District Court Judge JAMES H. PECK ["Peck"], for a single and more defensible usurpation of judicial power, wherein Luke Lawless, Esq. was supposed to be "the last [judicial] victim" (Nye v. U.S., 313 U.S. 33, 45-46 [1941]).

b. At bar, the contempt power was intentionally transgressed in order to conceal the larceny of judicial trust assets and other criminal activities by federal and state jurists, not because of any judicial "short-fuse".

c. Apparently, nothing has changed since the conviction and incarceration of Chief U.S. Circuit Court Judge MARTIN T. MANTON "Manton" (United States v. Manton, 107 F.2d 834 [2nd Cir.-1938]) where, for "pay-offs" to the "syndicate of Chief U.S. District Court Judge Brieant and Presiding Justice FRANCIS T. MURPHY ["Murphy"]", one can obtain factually contrived and concocted decisions (see Art Metal v Abraham & Straus, 70 F.2d 641 [2nd Cir.-1934]; Art Metal v. Abraham & Straus, 107 F.2d 944 [2nd Cir.-1939]), which was the case in Sassower v. Sheriff (824 F.2d 184 [2d Cir.-1987]) and other decisions involving petitioner.

d(1) Presently, at this time, HYMAN RAFFE ["Raffe"], by check, continues to pay "extortion" monies to the "Brieant-Murphy syndicate", with the knowledge, implied consent and/or ratification of Chief Judge Meskill.

(2) By affidavit, dated December 22, 1992, Raffe stated that such payments, disguised as legal fees, "exceed Two Million Dollars" (Sassower v. Abrams [SDNY 92-8515]), a fact confirmed as recently as April 7, 1993, in writing, by Raffe's own attorney in the aforementioned action, and by responsible media representatives.

e(1) Relevant, is the editorialized comment by the New York Times (June 5, 1939 - "Justice for Sale") upon the return of a guilty verdict in U.S. v. Manton (supra):

> "The methods Judge Manton was charged with using some almost incredibly brazen. His prosecutor, while not excusing the litigants who made payments to him pointed out that many of them were themselves the victims of blackmail. They were told they would have to pay or, if they did not, collections would be made from the other side. 'Blackmail was emanating from the Federal court house.'"

(2) In writings, copies of which are possessed by petitioner, Raffe agreed to pay "extortion" payments or else be incarcerated under trialess criminal procedures.

f. Thus, in addition to the Judge Nickerson trialess conviction, petitioner has been repeatedly convicted and incarcerated under mirrored trialess scenarios, but petitioner nevertheless refuses to succumb, "pay-off", or be silent.

4a. In New York, an "at will" attorney may not be discharged by his firm, with impunity, for filing a disciplinary complaint (Wieder v. Skala, 80 N.Y.2d 628, 593 N.Y.S.2d 752, 609 N.E.2d 105 [1992]).

b. However for making a disciplinary complaint against a judge or his cronies, under the pretext of non-summary criminal contempt that same attorney can be convicted and incarcerated without a trial, and disbarred or suspended when such unconstitutional conviction is elevated, ex post facto, to a "serious" crime (Grievance Comm. v. G. Sassower, 125 A.D.2d 52, 512 N.Y.S.2d 203 [2d Dept.-1986]; Matter of Polur, 173 A.D.2d 82, 579 N.Y.S.2d 3 [1st Dept.-1992]).

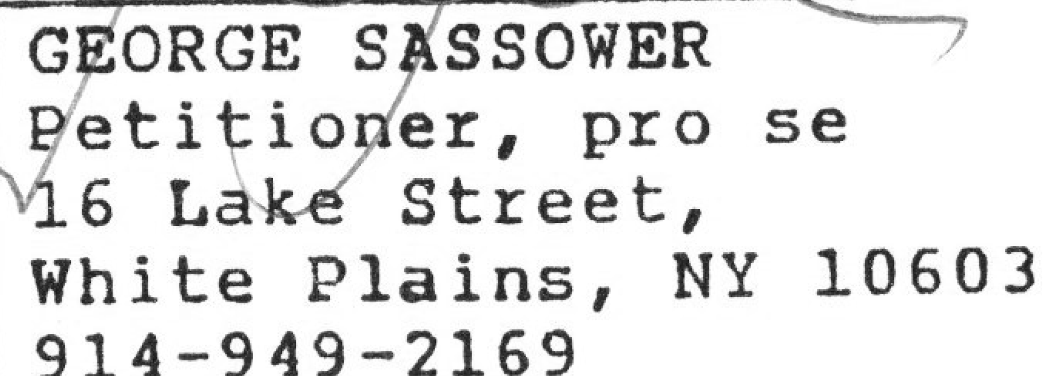
c. As admitted by former Chief Judge Oakes:

> " 17. There pends in the Circuit Court a number of disciplinary complaints against K&R ["Kreindler & Relkin, P.C."], FKM&F ["Feltman, Karesh, Major & Farbman, Esqs."], members of their firms and co-conspirators, all mandating disciplinary action. However you have <u>wilfully</u> refused to process these complaints." [emphasis supplied]

d. It is "open season" against ethical and honest attorneys who refuse to pay or tolerate "pay-offs" to the judiciary and/or their cronies, while the "bag-men" for the judiciary continue to ply their trade with impunity, as admitted by former Chief Circuit Court Judge Oakes.

WHEREFORE, it is respectfully prayed that this, before judgment, motion be accepted for judicial consideration by this Court, for which a petition for certiorari will shortly follow.

Dated: April 28, 1993



GEORGE SASSOWER
Petitioner, pro se
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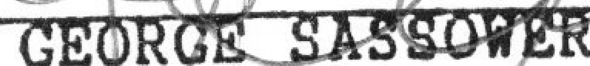
914-949-2169

CERTIFICATION OF SERVICE

On May 1, 1993, I served a true copy of this Rule 11 Statement 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; N.Y.S. Attorney General Robert Abrams, The Capitol, Albany, New York 12224; Kreindler & Relkin, P.C., 350 Fifth Avenue, New York, New York 10118; and Solicitor General of the United States, Department of Justice, Washington, D.C. 20530, that being their last known addresses.

Dated: May 1, 1993



GEORGE SASSOWER