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

GEORGE SASSOWER,

Petitioner,

-against-

THOMPSON, HINE and FLORY; D. MICHAEL CRITES; DALE ANN GOLDBERG; MICHAEL R. MERZ; JAMES L. OAKES; CHARLES L. BRIEANT; FRANCIS T. MURPHY; ROBERT ABRAMS; DAVID B. ROBERTS; KREINDLER & RELKIN, P.C.; CITIBANK, N.A.; and FELTMAN, KARESH, MAJOR & FARBMAN, Respondents.

PETITION FOR A WRIT OF CERTIORARI TO THE CIRCUIT COURT OF APPEALS FOR THE SIXTH CIRCUIT

X-----X X-----X MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS X----X

Petitioner, GEORGE SASSOWER, asks leave to file the attached petition for a writ of certiorari without prepayment of costs and to proceed in forma pauperis.

Petitioner's affirmation in support of this motion

is attached hereto.

Dated: August 30, 1993

GEORGE SASSOWER Petitioner, pro se 16 Lake Street

White Plains, N.Y. 10603

(914) 949-2169

In the SUPREME COURT OF THE UNITED STATES October Term, 1992

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THOMPSON, HINE and FLORY; D. MICHAEL CRITES; DALE ANN GOLDBERG; MICHAEL R. MERZ; JAMES L. OAKES; CHARLES L. BRIEANT; FRANCIS T. MURPHY; ROBERT ABRAMS; DAVID B. ROBERTS; KREINDLER & RELKIN, P.C.; CITIBANK, N.A.; and FELTMAN, KARESH, MAJOR & FARBMAN,

Respondents.

Petitioner, under penalty of perjury, in support of his motion to proceed, on this Petition for a Writ of Mandamus, without being required to prepay fees, costs or give security therefor, state that because of his involuntary poverty affirmant is unable to pay the costs of said proceeding or to give security therefor; that petitioner is entitled to redress; and that the issues which affirmant desires to present are set forth in affirmant's accompanying Petition for a Writ of Certiorari.

Affirmant further affirms under penalty of perjury that the responses which affirmant has made to the questions and instructions below relating to his ability to pay the cost or prosecuting the appeal are true.

Affirmant further contends that because the judiciary has unconstitutionally frozen his assets, the courts are estopped from denying in forma pauperis relief.

In forma pauperis relief was granted by the courts below.

- 1Q. Are you presently employed?
- A. Affirmant is not presently employed. Affirmant has always been self-employed and his last income from such self-employment was about October of 1989 and was approximately \$500 that month.
- 2Q. Have you received within the past twelve months any income from a business, profession or other form of self-employment, or in the form of rent payments, interest, dividends, or other source?
- A. Affirmant receives \$393 per month Social Security benefits; \$74 per month food stamps; and about \$20 per month miscellaneous income.
- 30. Do you own any cash or checking or savings accounts?
- A. The amount of cash that affirmant has on hand is about \$35, and a nil amount in his checking account, and \$2 in food stamps.
- 4Q. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing).

A. None, except for monies due affirmant pursuant to a judgment and various claims, liquid and unliquidated, which affirmant has been unable to collect because affirmant is denied access to the courts and for other unconstitutional reasons.

5Q. List the persons who are dependent upon you for support and state your relationship to those persons.

A. Affirmant's youngest daughter, Lizbeth A. Sassower, but affirmant is not supporting her because of affirmant's present financial situation.

Affirmant understands that a false statement in this affirmation will subject affirmant to the penalties for perjury.

Dated: August 30, 1993

GEORGE SASSOWER

CERTIFICATION OF SERVICE

On August 31, 1993 I served a true copy of this Notice of Motion and Affirmation by mailing same in a sealed envelope, first class, with proper postage thereon, addressed to Solicitor General of the United States, Department of Justice, Washington, D.C. 20530; U.S. Attorney Edmund Sargus, Att: AUSA Pamela Millard Stanek, Federal Building, 200 West Second Street, Dayton, Ohio 45402; Thompson, Hine and Flory, Esqs., 2000 Courthouse Plaza N.E., P.O. Box 8801, Dayton, Ohio 45401-8801; NYS Atty. Gen. Robert Abrams, AAG Carolyn C. Olson, 120 Broadway, New York, MY 10271; Feltman, Karesh, Major & Farbman, Esqs., 152 West 57th Street, New York, NY 10019; and Kreindler & Relkin, P.C., 350 Fifth Avenue, New York, NY 10118, that being their last known addresses.

GEORGE SASSOVER

Dated: August 31, 1993

7