

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

-----X  
GEORGE SASSOWER,  
    Petitioner,  
    -against-  
PUCCINI CLOTHES, LTD.; FRANCIS T.  
MURPHY; JAMES L. OAKES; CHARLES L.  
BRIEANT; LEE FELTMAN; FELTMAN,  
KARESH, MAJOR & FARBMAN; KREINDLER  
& RELKIN, P.C.; CITIBANK, N.A.;  
EUGENE DANN and ROBERT SORRENTINO,  
    Respondents.  
-----X

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

1.           Where petitioner holds a contractually based, constitutionally protected, money judgment, and other contractually based interests in PUCCINI CLOTHES, LTD. ["Puccini"] -- "the judicial fortune cookie" -- must the state and/or federal courts permit him access in order to liquidate those assets?

2a.           Where the judicial trust assets of Puccini were made the subject of larceny by the syndicate of N.Y. State Presiding Justice FRANCIS T. MURPHY ["Murphy"] and Chief U.S. District Court Judge CHARLES L. BRIEANT ["Brieant"], leaving nothing for any of its legitimate creditors, including petitioner, was Chief Judge Brieant, a transactional participant, disqualified from administrative functions related to Puccini, e.g. selecting the jurist assigned to the matter?

b. Where random judicial selection is the modus operandi in the U.S. District Court for the Southern District of New York, should that system have been employed for petitioner's filings?

3. Is the Order of U.S. District Court Judge WILLIAM C. CONNER ["Conner"] in Raffe v. Doe (619 F. Supp. 891 [SDNY 1985]), a transparent nullity, and/or otherwise null and void for lack of jurisdiction, fraud and corruption?

4. Are the courts, federal and state, estopped from making any in forma pauperis analysis of petitioner's filings, as long as petitioner is denied access to the courts in order to liquidate his substantial assets, contractual and otherwise?

THE PARTIES and/or ATTORNEYS

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

KREINDLER & RELKIN, P.C.  
Respondent  
350 Fifth Avenue,  
New York, NY 10118  
(212) 279-5100

ROBERT ABRAMS  
Respondent  
120 Broadway  
New York, NY 10271  
(212) 341-2000

CHARLES L. BRIEANT  
Respondent  
101 East Post Road  
White Plains, NY  
(914) 683-9567

FELTMAN, KARESH, M&F  
Respondent  
152 West 57th Street,  
New York, NY 10019  
(212) 371-8630

FRANCIS T. MURPHY  
Respondent  
27 Madison Ave.  
New York, NY 10010  
(212) 685-1000

OPINION BELOW

Opinion - Judge Thomas P. Griesa (6/18/92) A1  
Application for Leave to Appeal Denied by CCA (5/13/93) A6

EXHIBIT

Petitioner's Judgment against Puccini (4/29/82) A7

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. Article III of the U.S. Constitution provides:

" ... §2[1] The judicial power shall extend in all cases, in law and equity, arising under this Constitution, the Laws of the United States ...." [emphasis supplied]

3. Amendment I of the U.S. Constitution provides:

"Congress shall make no law ... abridging the freedom of speech ... or the right of the people ... to petition the Government for a redress of grievances."

4. Amendment V of the U.S. Constitution provides:

"No person shall ... nor be deprived of ... liberty, or property, without due process of law ... ."

TABLE OF AUTHORITIES

Antoine v. Byers & Anderson U.S. , 61 USLW 4562 [1993]	4
Board of Education v. Dowell 498 U.S. , 111 S.Ct. 630 [1991]	3
Cable v. Alumina 717 F. Supp. 1021, 1027 [SDNY-1988]	3
Providence Journal, In re 820 F.2d 1342, 1354 [1st Cir.-1987]	3
Raffe v. Doe 619 F. Supp. 891 [SDNY-1985]	ii, 2, 3

JURISDICTION OF THE SUPREME COURT

28 U.S.C. §1254[1]

STATEMENT OF THE CASE

1a. Petitioner, has substantial assets of a contractual nature, creditor and equitable stockholder, in PUCCINI CLOTHES, LTD. ["Puccini"].

b. Included in petitioner's contractually based creditor's interests in Puccini is a money judgment, which with interest, is in the approximate sum of \$60,000.

2a. Puccini was involuntarily dissolved on June 4, 1980, by the N.Y. Supreme Court, New York County, with all its judicial trust assets becoming custodia legis, under color of law.

b. Puccini's judicial trust assets were made the subject of larceny by the syndicate of N.Y. State Presiding Justice FRANCIS T. MURPHY ["Murphy"] and Chief U.S. District Court Judge CHARLES L. BRIEANT ["Brieant"], leaving nothing for any legitimate creditor, including petitioner.

3a. The allegations of the complaint read, inter alia, as follows:

" 4a. All of Puccini's assets were unlawfully conveyed, without any lawful consideration, to defendants LEE FELTMAN ['Feltman'], FELTMAN, KARESH, MAJOR & FARBMAN ['FKM&F'], KREINDLER & RELKIN, P.C. ['K&R'], CITIBANK, N.A. ['Citibank'], and their co-conspirators, leaving nothing for the legitimate creditors, including plaintiff.

b. For consideration given and/or promised, the defendants, FRANCIS T. MURPHY ['Murphy']; JAMES L. OAKES ['Oakes'] and CHARLES L. BRIEANT ['Brieant'] --- hereinafter 'MOB' -- all of whom are

sued herein in their personal, individual capacities, were enlisted to improperly employ their influence with federal and state jurists in order to defeat, prejudice and impair plaintiff's constitutionally protected contractual rights, a course which MOB pursued with vengeance under 'color of law'.

5. In August of 1988, the Sheriff of the City of New York levied on the stock interest of Dann and Sorrentino in Puccini, but through the influence of the MOB entourage, the said Sheriff failed to execute on such levy.

6. By reason of the aforementioned, plaintiff demands a personal judgment against Murphy, Oakes, Brieant, Feltman, FKM&F, K&R, Citibank, Dann and Sorrentino in the sum of \$27,912.42 together with interest from April 29, 1982; the liquidation of plaintiff's other contractually based assets to sums certain, and judgment against all the defendants herein for such amount, except for Dann and Sorrentino; together with the costs and disbursements of this action."

4. As all participants, including the defendants in this action, are aware U.S. District Court Judge WILLIAM C. CONNER ["Conner"] did not have subject matter jurisdiction or personal jurisdiction over petitioner, or his interests, when he issued the Order of October 11, 1985 in Raffe v. Doe (619 F. Supp. 891 [SDNY 1985]).

a. Petitioner relationship with Raffe v. Doe (supra), was only as the attorney for Raffe's attorney, nothing more.

b. Petitioner was Raffe's attorney from August 29, 1984 until approximately July 15, 1985, when Raffe discharged petitioner in all actions and proceedings, as judicially filed documents signed by Raffe confirm.

c. After July 15, 1985, as Judge Conner actually knew, insofar as petitioner and his interests were concerned, he acted in clear absence of all jurisdiction.

d. From August 29, 1984 until July 15, 1985, Judge Conner stonewalled all proceedings in Raffe v. Doe (supra), and actively cooperated in a "judicial reign of terror" against petitioner, which included three conviction for non-summary criminal contempt, with fines and terms of incarceration imposed thereon, all without a trial, without the opportunity for a trial, without any confrontation rights, in absentia, without due process, without the right of allocution, without any live testimony in support thereof, and without any constitutional or legal waiver.

e. Assuming, arguendo, Judge Conner had personal jurisdiction over petitioner, a court-appointed receiver must account for his stewardship, an obligation which cannot be excused, waived or enjoined by any judge or court, nor can any court or judge "impair" private contractual rights, without due process of law.

f. Nor could any court or judge enjoin the recovery of assets made the subject of larceny from a judicial trust.

g. In short, as impliedly found a number of times, the Order of Judge Conner was a transparent nullity (In re Providence Journal, 820 F.2d 1342, 1354 [1st Cir.-1987]).

h. Furthermore, a 1985 injunction, even if valid, is not necessary effective, seven years later (Board of Education v. Dowell, 498 U.S. , 111 S.Ct. 630 [1991]; Cable v. Alumina, 717 F. Supp. 1021, 1027 [SDNY-1988-Conner]).

5. There is nothing in petitioner's complaint, or evidence which triggered "judicial immunity", which was the obligation of the judicial defendants to allege and show (Antoine v. Byers & Anderson, U.S. , 61 USLW 4562 [1993]).

6. Where a federal issue is involved, petitioner's right to file, not previously adjudicated, is absolute (Article III, §2[1], U.S. Constitution) is absolute.

REASONS FOR THE ISSUANCE OF THIS WRIT

As this and other related proceedings reveals the unbridled constitutional right to file a petition and/or complaint in the federal courts, and obtain an adjudication, is now being limited so as to exclude those who expose judicial corruption.

Either this Court remedy the extant corruption in the Second Circuit, or the media will.

Dated: June 28, 1993

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

CERTIFICATION OF SERVICE

On June 29, 1993 I served a true copy of this Petition by mailing same in a sealed envelope, first class, with proper postage thereon, addressed to Kreindler & Relkin, P.C., 350 Fifth Avenue, New York, NY 10118; NY State Atty. Gen. Robert Abrams, 120 Broadway, New York, NY 10271; Charles L. Brieant, 101 East Post Road, White Plains, NY 10601; Feltman, Karesh, Major & Farbman, Esqs., 152 West 57th Street, New York, NY 10019, and Francis T. Murphy, c/o Appellate Division, 27 Madison Avenue, New York, NY 10010, that being their last known addresses.

Dated: June 29, 1993

GEORGE SASSOWER

JUDGE GRINSA

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

92 CIV. 4484

GEORGE SASSOWER,

Plaintiff,

-against-

PUCCINI CLOTHES, LTD.; FRANCIS T.  
MURPHY; JAMES L. OAKES; CHARLES L.  
BRIEANT; LEE FELTMAN; FELTMAN,  
KARESH, MAJOR and FARBMAN; KREINDLER  
and RELKIN, P.C.; CITIBANK, N.A.;  
EUGENE DANN; ROBERT SORRENTINO,

Defendants.

ORDER OF DISMISSAL

Plaintiff brings this action pro se<sup>1</sup> alleging that "fall of

<sup>1</sup> We note that the plaintiff is no stranger to this Court. According to court records he has brought the following actions:

Sassower v. City of New Rochelle, No. 77 Civ. 5728 (LBS)  
(S.D.N.Y. Dec. 13, 1991);

Talcott Nat v. North St. Assoc., No. 77 Civ. 5859 (LBS)  
(S.D.N.Y. Oct. 12, 1979);

Sassower v. Grzmalski, No. 78 Civ. 4989 (GLG)  
(S.D.N.Y. March 26, 1984);

Sassower v. Appellate Division, No. 82 Civ. 4970 (MJL)  
(S.D.N.Y. March 8, 1983);

Sassower v. Police Department, No. 84 Civ. 6666 (MJL)  
(S.D.N.Y. Nov. 27, 1985);

Raffe v. Riccobono, No. 85 Civ. 3927 (WCC)  
(S.D.N.Y. Oct. 22, 1985);

Raffe v. Relkin, No. 85 Civ. 4158 (WCC)  
(S.D.N.Y. Oct. 22, 1985);

Raffe v. State of New York, No. 86 Civ. 8277 (MGC)  
(S.D.N.Y. Jan. 30, 1987);

United States v. Sapir, No. 87 Civ. 7135 (CSH)  
(S.D.N.Y. Dec. 22, 1987);

(continued...)

AI

JUN 19 1992  
CLERK OF COURT



Puccini's assets were unlawfully conveyed, without any lawful consideration \* \* \*, leaving nothing for the legitimate creditors, including plaintiff." He seeks monetary damages of \$27,917.42 with interest, other unspecified monetary damages and injunctive relief. We grant plaintiff's request to proceed in forma pauperis, but dismiss the complaint for the following reason. By order dated October 11, 1985, plaintiff was permanently enjoined by the Honorable William C. Conner from filing or serving, or attempting to intervene on or initiate any action or proceeding in any federal court or tribunal against:

- (a) Lee Feltman, individually or as Receiver for Puccini Clothes, Ltd., or
- (b) Feltman, Karesh & Major, or
- (c) Citibank, N.A. and Jerome H. Barr, individually or as executors of the Estate of Milton Kaufman, or
- (d) Kreindler & Relkin, P.C., or
- (e) Arutt, Nachamie, Benjamin, Lipkin & Kirschner, P.C., or
- (f) any representative, member, employee, associate, or affiliate of any of the above parties,

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<sup>1</sup>(...continued)

In re George Sassower, No. 87 Civ. 9194 (GLG)  
(S.D.N.Y. Jan. 19, 1988);

Sassower v. Feltman, No. 87 Civ. 9193 (GLG)  
(S.D.N.Y. Jan. 20, 1988);

Sassower v. Nicholas, No. 89 Civ. 4339 (CLB)  
(S.D.N.Y. June 21, 1989);

Raffe v. State of New York, No. 85 Civ. 5112 (MJL)  
(S.D.N.Y. July 30, 1985).

the subject matter of which arises out of or relates to:

(1) the actions or conduct of Puccini Clothes, Ltd., or its shareholders, officers, directors, or employees, or

(2) the judicial dissolution or the receivership of Puccini Clothes, Ltd., or

(3) the conduct of the Receiver for Puccini Clothes, Ltd., or the representation of the Receiver by Feltman, Karesh & Major, or

(4) the litigations related to or arising out of any of the matters set forth in subparagraphs (1) through (3) herein, including, but not limited to any litigation arising out of or relating to the right of the Estate of Milton Kaufman to enforce any aspect of the guarantees executed by Hyman Raffe, or

(5) the acts of any litigant or the attorneys for any litigant in connection with any of the foregoing;

Raffe v. Doe, 619 F. Supp. 891, 898 (S.D.N.Y. 1985). See also United States of America for the benefit of George Sassower v. Sapir, No. 87 Civ. 7135 (CSH) (S.D.N.Y. Dec. 10, 1987) (wherein the Clerk of this Court was ordered not to accept for filing any paper or proceeding or motion or new case of any kind presented by Mr. George Sassower without obtaining leave from a judge or magistrate of this Court);<sup>2</sup> Sassower v. The Sheriff of Westchester County, 824 F.2d 184, 185-86 (2d Cir. 1987); Polur v. Hyman Raffe, 727 F. Supp. 810, 812 (S.D.N.Y. 1989). Therefore, plaintiff's claims against defendants Puccini Clothes, Ltd.; Lee Feltman; Feltman, Karesh, Major and Farbman; Kreindler and Relkin, P.C.; Citibank,

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<sup>2</sup> We note that plaintiff includes a document entitled "Request For Leave to File (under protest)."

N.A.; Eugene Dann and Robert Sorrentino must be dismissed.

The claims against defendants Murphy, Oakes and Briant must also be dismissed. Judges have absolute immunity from liability for damages for their judicial acts performed in their judicial capacities. Stump v. Sparkman, 435 U.S. 349, 356 (1978); Pierson v. Ray, 386 U.S. 547, 553-55 (1967); Oliva v. Heller, 839 F.2d 37 (2d Cir. 1988); see also Forrester v. White, 484 U.S. 219, 108 S. Ct. 538, 543-44 (1988). As the alleged wrongdoing of these defendants were acts performed in their judicial capacity, plaintiff's claims against defendants are foreclosed by absolute immunity—and are subject to dismissal because they "lack[] an arguable basis either in law or in fact." Neitzke v. Williams, 490 U.S. 319, 325 (1989) (claim against immune defendant dismissable under 28 U.S.C. § 1915(d)).

Accordingly, the complaint, filed in forma pauperis under 28 U.S.C. § 1915(a), is dismissed pursuant to the injunction of this Court in Raffe v. Doe, 619 F. Supp. 891, 898 (S.D.N.Y. 1985) and because it "lacks an arguable basis either in law or in fact." Neitzke, 490 U.S. at 325 (1989); 28 U.S.C. § 1915(d). We certify pursuant to 28 U.S.C. § 1915(a) that any appeal from this order would not be taken in good faith. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED

JUN 18 1992

Dated: New York, New York

*Thomas P. Griesa*

THOMAS P. GRIESA  
Acting Chief Judge

COPY

FOR THE SECOND CIRCUIT

92-6194  
92-

Docket Number

NOTICE OF MOTION

state type of motion

for leave to appeal

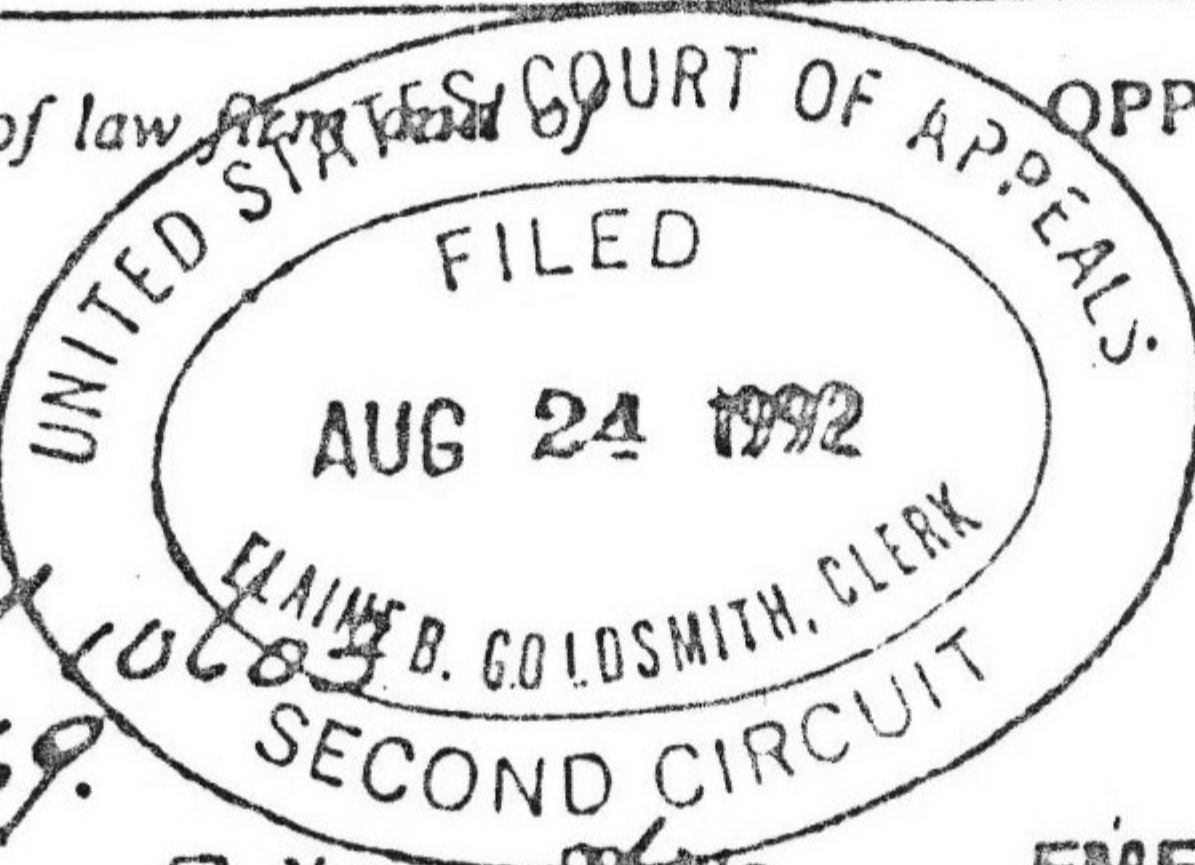
George SASSOWER

Puccini Clothes Ltd et al.

Use short title

MOTION BY: (Name, address and tel. no. of law firm and attorney in charge of case) **OPPOSING COUNSEL:** (Name, address and tel. no. of law firm and of attorney in charge of case)

George SASSOWER  
16 LAKE STREET  
White Plains, N.Y. 10603  
917-249-2169



None

Has consent of opposing counsel:

- A. been sought?  Yes  No
- B. been obtained?  Yes  No
- Has service been effected?  Yes  No
- Is oral argument desired?  Yes  No

(Substantive motions only)

Requested return date:  
(See Second Circuit Rule 27(b))

- Has argument date of appeal been set:
  - A. by scheduling order?  Yes  No
  - B. by firm date of argument notice?  Yes  No
  - C. If Yes, enter date: \_\_\_\_\_

Judge or agency whose order is being appealed:

Judge Thomas P. GRISEA / SDNY 92-CV-4484

Brief statement of the relief requested:

leave to appeal

Complete Page 2 of This Form

By: (Signature of attorney)

*[Handwritten signature]*

Appearing for: (Name of party)

8-19-92

Date

- Appellant or Petitioner:
  - Plaintiff  Defendant
- Appellee or Respondent:
  - Plaintiff  Defendant

Signed name must be printed beneath

George SASSOWER

ORDER

Indy leave this space blank

IT IS HEREBY ORDERED that the motion be and it hereby is

granted denied

A TRUE COPY  
ELAINE B. GOLDSMITH, Clerk

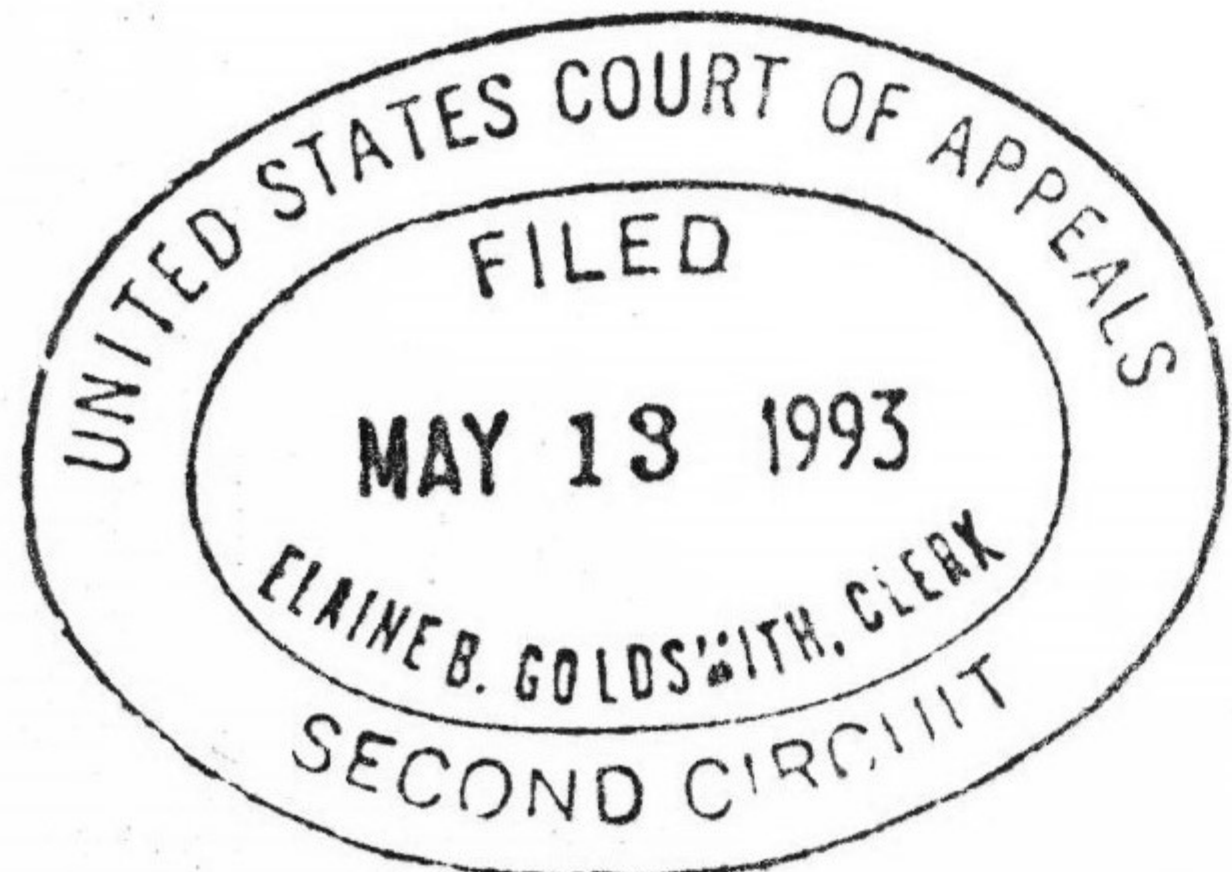
By: *[Signature]*  
Carolyn Clark Campbell  
Chief Deputy Clerk

AND THE APPEAL IS DISMISSED.

By order of and

FOR THE COURT,  
ELAINE B. GOLDSMITH, Clerk

By: *[Signature]*  
Carolyn Clark Campbell  
Chief Deputy Clerk



5/13/93

At

No 14471

TRANSCRIPT OF JUDGMENT

JUDGMENT DEBTOR		JUDGMENT CREDITOR		ATTORNEY FOR JUDGMENT CREDITOR:
Surname	Given Name	Trade or Profession	Last Known Address	Name and Address
Puccini	Clothes Lth.		410 Lee E. Heman Esq. SS E. Sand St. N.Y., N.Y.	George Sasser Esq. 283 Soundview Av. White Plains, N.Y. 10606
Dann	Eugene		10 St. Channel Drive Herkert N.Y.	
Sorrentino	Robert		21 Sue Court North Babylon N.Y.	
JUDGMENT DOCKETED		JUDGMENT RENDERED		AMOUNT OF JUDGMENT
Date	Court	Court		
4/29/52	Sup.	Sup.		27,912.42
	County	County		
	N.Y.	N.Y.		
	Index No.	Index No.		
	21208175	21208175		
	Date	Date		
	4/29/52	4/29/52		
	Hr. & Min.	Hr. & Min.		
	1115	1115		
EXECUTION		SATISFIED		REMARKS: DATE AND MANNER OF CHANGE OF STATUS OF JUDGMENT
When Issued	When Satisfied	How and to What Extent		
<p>STATE OF NEW YORK }  COUNTY OF NEW YORK } ss  I, NORMAN GOODMAN, Clerk of the County of New York, hereby certify that the above is a correct transcript from the Docket of Judgments in my office.</p> <p>IN TESTIMONY WHEREOF, I have hereunto set my name and affixed my official seal this 4 day of May 1952</p> <p><i>Norman Goodman</i>  COUNTY CLERK NEW YORK COUNTY</p>				

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