

8/28/85

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : SECOND JUDICIAL DEPT.

-----X
In the Matter of GEORGE SASSOWER, an
attorney and counselor-at-law,

GRIEVANCE COMMITTEE FOR THE SECOND AND
ELEVENTH JUDICIAL DISTRICTS,

Petitioner,

GEORGE SASSOWER,

Respondent.

-----X
STATE OF NEW YORK)
CITY OF NEW YORK) ss.:
COUNTY OF KINGS)

GEORGE SASSOWER, Esq., first being duly
sworn, deposes, and says:

This supplemental affidavit is submitted
with respect to the proceedings made returnable July 26,
1985.

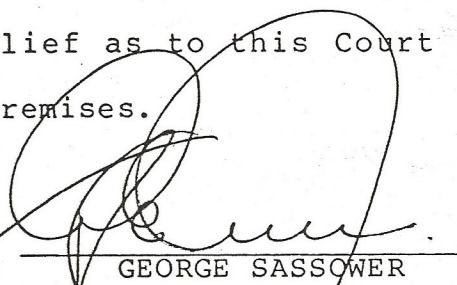
1. There is now a sufficient amount of evidence in the possession of your deponent for him to claim that these sham and void orders of criminal conviction were purposely executed and enforced in an invidious and selective manner contrary to Amendment XIV of the Constitution of the United States and Article 1, §11 of the New York State Constitution (People v. Utica Daw's Drug, 16 A.D.2d 12, 17, 225 N.Y.S.2d 128, 132-133 [4th Dept.]), for which deponent is entitled to a hearing.

2a. It is also evident that petitioner and its attorney have not disclosed either to deponent or the Court exculpatory material, which would vindicate your deponent (Brady v. Maryland, 373 U.S. 83), including the results of its own inquiry and research revealing that said orders of non-summary criminal contempt are jurisdictionally null and void.

b. In fact these criminal proceedings would never have been instituted had control thereof been in the hands of a responsible public prosecutor, operating under recognized ethical and legal standards (Polo Fashions v. Stock Buyers, 760 F.2d 698 [6th Cir.]). They are for these reasons also, null and void.

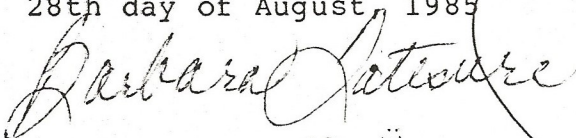
3. The information received by your deponent that these proceedings were brought by petitioner as a result of improper outside intervention and that petitioner and its counsel are aware of the constitutional invalidity of said orders of non-summary criminal contempt. These matters must and should be revealed to deponent.

WHEREFORE, it is respectfully prayed that deponent's cross-motion be granted, and/or the petitioner's proceeding dismissed, with such other, further, and/or different relief as to this Court may seem just and proper in the premises.



GEORGE SASSOWER

Sworn to before me this
28th day of August, 1985



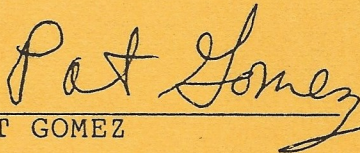
BARBARA FATESURE
Notary Public State of New York
No. 24-4760746
Qualified in Kings County
Commission Expires March 30, 1986

STATE OF NEW YORK)
CITY OF NEW YORK)ss.:
COUNTY OF KINGS)

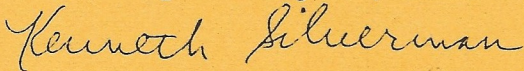
PAT GOMEZ, first being duly sworn, deposes,
and says:

I am over the age of 21, reside at 739 East
88th Street, Brooklyn, New York, 11236 and not a party
to this action.

That on the 28th day of August, 1985, I served
three copies of the within Affidavit by depositing same
in a Post Office Box in the State of New York, addressed
to Robert H. Straus, Esq., at their last known
address.


PAT GOMEZ

Sworn to before me this
26th day of August, 1985



KENNETH SILVERMAN
Notary Public, State of New York
No. 24-4608988
Qualified in Kings County
Commission Expires March 30, 1987