

**STATE OF NEW YORK
SUPREME COURT, APPELLATE DIVISION
ATTORNEY GRIEVANCE COMMITTEE
THIRD JUDICIAL DEPARTMENT**

COMPLAINT FORM

October 25, 2024

COMPLAINANT INFORMATION:

Name: Elena Ruth Sassower,
Director/Center for Judicial Accountability, Inc. (CJA)

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White Plains, New York 10603

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ATTORNEY COMPLAINED OF:

Name: Assistant Attorney General John Francis Moore, IV
(registration #2948628 – admitted in Third Department/January 26, 1999)

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Albany New York 12224-0341

Telephone number: (518-776-2293)
E-Mail: john.moore@ag.ny.gov

CONTACT WITH OTHER AGENCIES

Have you contacted any other agency, such as a Bar Association, another Grievance Committee, Attorney General’s Office, or any other State Agency concerning this matter? If yes, state the name of the agency and what action was taken.

Yes. Simultaneously with the filing of this complaint against Assistant Attorney General Moore and a companion complaint against his subordinate, Assistant Attorney General Noah Engelhart, a corresponding complaint is being filed with the First Department, Attorney Grievance Committee against Attorney General Letitia James.

COURT ACTION TAKEN BY YOU AGAINST THE ATTORNEY

Have you taken any civil or criminal action against the attorney? If so, please name the court and provide the index number. What is the status of the matter and/or what action was taken by the Court?

No civil or criminal action has been taken against AAG Moore other than requesting sanctions and disciplinary and criminal referrals of him in the lawsuit in which he corrupted the judicial process by litigation fraud, both directly and in a supervisory capacity – *CJA v. New York State Commission on Legislative, Judicial and Executive Compensation, et al.* ([Albany Co. #902654-24](#)), in which AG James is a named respondent/defendant, sued for corruption. The assigned judge, Rensselaer County Court Judge Jennifer Sober, took no action, other than to reward this litigation fraud by three fraudulent August 14, 2024 judicial decisions/orders/judgments.

The “status of the matter” is that CJA made a September 12, 2024 motion for renewal, reargument, and vacatur upon transfer to federal court ([NYSCEF #83](#)), currently *sub judice*. Its Exhibit A is CJA’s “legal autopsy”/analysis of the August 14, 2024 decisions/orders/judgments ([NYSCEF #85](#)), chronicling Judge Sober’s cover-up and adoption of AAG Englehart’s frauds. On September 16, 2024, the Albany County Supreme Court Clerk’s Office uploaded a notice that the case had been administratively reassigned ([NYSCEF #90](#)).

CJA additionally filed a September 12, 2024 notice of appeal to the Appellate Division, Third Department from Judge Sober’s August 14, 2024 decisions/orders/judgments ([NYSCEF #89](#)) – and, on October 21, 2024, filed a notice of appeal to the Court of Appeals ([NYSCEF #95](#)) for a direct appeal of right pursuant to [Article VI, §3\(b\)\(2\) of the New York State Constitution](#).

ALLEGATIONS

Explain your complaint against the attorney in as much detail as possible...Please provide a digital copy of all relevant documents...written communications (letters and e-mails) to and from the attorney, and the names of any witnesses and their contact information (address, telephone number, and email).”

AAG Moore is the supervisor of AAG Englehart, whose litigation fraud in *CJA v. New York State Commission on Legislative, Judicial and Executive Compensation, et al.* ([Albany Co. #902654-24](#)) is fully documented by each of CJA’s responsive submissions therein.

AAG Moore popped in following CJA’s filing of its April 3, 2024 motion ([NYSCEF #49](#)) whose first three branches of relief were for an order:

- “1. pursuant to 22 NYCRR §130-1.1 et seq., imposing costs and maximum sanctions upon Respondent Attorney General Letitia James, her ‘of counsel’ Assistant Attorney General Noah Engelhart, **other culpable AG staff**, and co-respondents for their opposition to petitioners’ March 19, 2024 order to show cause, combined with their March 26, 2024 cross-motion to dismiss petitioners’ March 18, 2024 verified petition – such being not merely ‘frivolous’, but ‘fraud on the court’;
2. pursuant to Judiciary Law §487(1), making such determination as would afford petitioners treble damages in a civil action against Respondent Attorney General James, *et al.* based on their March 26, 2024 opposition/dismissal cross-motion, and, additionally, for Assistant Attorney General Engelhart’s fraud at the March 21, 2024 oral argument in opposition to petitioners’ order to show cause for a TRO;
3. pursuant to 22 NYCRR §100.3D(2), referring Respondent Attorney General James, *et al.* to:
 - (a) appropriate disciplinary authorities for their knowing and deliberate violations of New York’s Rules of Professional Conduct for Attorneys and, specifically, Rule 3.1 ‘Non-Meritorious Claims and Contentions’; Rule 3.3 ‘Conduct Before A Tribunal’; Rule 8.4 ‘Misconduct’; Rule 5.1 ‘Responsibilities of Law Firms, Partners, Managers and Supervisory Lawyers’; and Rule 5.2 ‘Responsibilities of a Subordinate Lawyer’;
 - (b) appropriate criminal authorities for their Judiciary Law §487 ‘misdemeanor’, and for their knowing and deliberate violations of penal laws, including Penal Law §496

‘corrupting the government’; Penal Law §195 ‘official misconduct’; Penal Law §175.35 ‘offering a false instrument for filing in the first degree’; Penal Law §195.20 ‘defrauding the government’; Penal Law §190.65: ‘scheme to defraud in the first degree’; Penal Law §155.42 ‘grand larceny in the first degree’; Penal Law §105.15 ‘conspiracy in the second degree’; Penal Law §20 ‘criminal liability for conduct of another’”.

On April 19, 2024, he filed a notice of appearance and opposition ([NYSCEF #60](#)), whose fraudulence, from beginning to end, CJA chronicled by an April 25, 2024 reply affirmation ([NYSCEF #61](#)), whose ¶3 stated:

“The ‘opposition’, bearing the name of Assistant Attorney General John Moore, ‘of counsel’, and signed by him, which does not state that it is a ‘memorandum of law’, although giving that appearance and so-described by its [NYSCEF listing](#), reinforces petitioners’ entitlement to ALL the relief their April 3rd notice of motion seeks ([NYSCEF #49](#)). Indeed, as AAG Moore’s April 19th memorandum of law is an additional flagrant act of ‘frivolous conduct’ as defined by [NYCRR §130-1.1\(c\)](#)^{fn2} – indeed is far more serious than that, being yet further ‘fraud on the court’ – it warrants an additional maximum \$10,000 sanctions award, now specifically against him, pursuant to NYCRR 130-1.1(b),^{fn3} the basis for which is here demonstrated.”

The particulars as to how Judge Sober disposed of this motion and all CJA’s other submissions documenting Respondent AG James’ litigation fraud by her “of counsel” AAG Engelhart and his supervisor AAG Moore are summarized by CJA’s “legal autopsy”/analysis of her fraudulent August 14, 2024

“fn2 AAG Moore’s April 19th opposition memorandum of law recites (at p. 2), the definition of ‘frivolous conduct’:

‘Conduct is frivolous if it is ‘completely without merit in law,’ ‘undertaken primarily to delay or prolong the resolution of the litigation,’ or “asserts material factual statements that are false. 22 NYCRR 130-1.1(c).”

“fn3 Petitioners’ April 3rd moving memorandum of law (at p. 3) quotes 22 NYCRR §130-1.1(b), as follows:

‘Where the award or sanction is against an attorney, it may be against the attorney personally or upon a partnership, firm,... government agency...with which the attorney is associated and that has appeared as attorney of record. The award or sanctions may be imposed upon any attorney appearing in the action or upon a partnership, firm...with which the attorney is associated.’ (underlining added).”

decisions/orders/judgments ([NYSCEF #85](#)), whose accuracy AAG Englehart did not contest, other than in one respect, exposed as fraud by CJA's October 2, 2024 reply affirmation ([NYSCEF #93](#), p. 10).

To preserve live hyperlinks, signature on the next page.

ELENA RUTH SASSOWER

The foregoing, with substantiating hyperlinks,
is affirmed as true under penalties of perjury, pursuant to CPLR §2106.

October 25, 2024
White Plains, New York

A handwritten signature in black ink, reading "Elena Ruth Sassower". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

ELENA RUTH SASSOWER