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December 16, 1994

Judicial Council
c/o Charles R. Fulbruge III, Esq.
U.S. Circuit Court of Appeals   Certified Mail P 269 525 306
for the Fifth Circuit
600 Camp Street,
New Orleans, La. 70130

Re: 95-05-372-0005/0006

Dear Mr. Fulbruge,

1. I hereby petition the Judicial Council for review of the Order of Chief U.S. Circuit Court Judge HENRY A. POLITZ ["Politz"], dated November 21, 1994, and filed on November 22, 1994, under the above docket numbers.

2a. Petitioner's allegations as to the misconduct of the judiciary in general, as set forth by Chief Judge Politz and otherwise, are fully documented, uncontroverted and are of an egregious criminal racketeering magnitude.

b. Petitioner's allegations in the above 28 *U.S.C.* .... complaints, are also documented and uncontroverted, law, fact and conclusions, and are also of an egregious criminal magnitude.

c. The comments of Chief Judge Politz, such as petitioner's complaints are "patently frivolous", are clearly contrived in order to conceal the Chief Judge's involvement in criminal activities and, as he shall shortly become aware, are self-destructive.

3a. As a result of petitioner's communication to President WILLIAM J. CLINTON on June 1, 1993 regarding the criminal racketeering activities of Chief U.S. Circuit Court Judge JON O. NEWMAN ["Newman"] (Exhibit "A"), who was then on the "short list" to fill the vacancy on the Supreme Court of the United States, an additional component of evil was added to the criminal *modus operandi*.

b(1) Prior to June 1, 1993, openly and arrogantly displayed was federal defense representation, at federal cost and expense, of federal judges and officials who were not 28 *U.S.C.* §2679[d] "scope" certified, remained as defendants in their own names, without any United States substitution, thus defrauding the federal treasury.

(2) Obviously, no authorized official (28 *CFR* §15.3) was going to "scope" certify federal judges and officials who were involved in diverting monies payable "to the federal court" to private pockets, bribery, extorting millions of dollars to avoid incarceration under a criminal conviction, larceny of judicial trust assets, and similar activities.

c. After June 1, 1993, a more active criminal role was employed by corrupt judges, such as Chief Judge Politz, the U.S. attorney, such as U.S. Attorney PAUL COGGINS ["Coggins"], and others, since while defending the personal criminal interests of, *inter alia*, Chief Judge Newman, at federal cost and expense, such representation was concealed.

d. Additionally, prior to June 1, 1993, in <u>all</u> federal litigation, rogue state jurists and officials were being represented, at state cost and expense, the Eleventh Amendment subject matter jurisdictional bar notwithstanding.

e. After June 1, 1993, state defense representation, at state cost and expense, was being concealed by, *inter alia*, Chief Judge Politz, Chief Judge Sanders and U.S. Attorney Coggins.

4a. The function of Chief Judge Politz in this criminal racket is to fix and corrupt the entire Fifth Circuit, denying to petitioner any and all relief, even if constitutionally compelling and/or the benefit inures to the federal treasury.

b. Similarly, Chief Judge Politz is to provide effective immunity to KREINDLER & RELKIN, P.C. ["K&R"] and CITIBANK, N.A. ["Citibank"] or those who "pay-off" judges and officials.

c. Effective immunity is also to be provided by Chief Judge Politz in the Fifth Circuit to those who cooperate in this criminal racketeering adventure, including FIDELITY & DEPOSIT COMPANY OF MARYLAND ["F&D"], THE MEAD CORPORATION ["Lexis"], WEST PUBLISHING COMPANY ["West"/"Westlaw"], and their attorneys, even in the absence of any injunction, valid, void and/or transparently void.

5a. In addition to petitioner's 28 *U.S.C.* .... complaints, by reference, there is incorporated in this petition, *in haec verba*, the contents of petitioner's motion of even date (Exhibit "B").

b. Petitioner's statements in such motion, having a solid factual foundation, as revealed by petitioner's Local Rule 5.2 Statement, has <u>not</u> and will <u>not</u> be controverted.

c. Notwithstanding, the compelling relief contained in such motion, the corrupt mischief of Chief Judge Politz, will perform its task.

d. Although the time for appellees to have submitted their Brief has long expired, they have not and will not, knowing that Chief Judge Politz will provide them with immunity.

6a. The actions of Chief Judge Politz, including but not limited to that of November 21, 1994, in addition to being asinine, inane, and self-destructive, are manifestly retaliatory and unconstitutional.

b. Undoubtedly, the conduct of Chief Judge Politz was impliedly motivated by his arrogant and unfounded belief that petitioner has no recourse, except by this protest, and the Chief Judge expects the Judicial Council will slavishly confirm his action, whatever they might be.

7a. In petitioner's letter of November 7, 1994, to the Clerk of this Court, he stated:

> "My (28 *U.S.C.* ....) complaint does mention Chief Judge Politz, as you correctly noted, but no 28 *U.S.C.* .... complaint is being made against the Chief Judge at this time, partially because I have no desire in disclosing confidential information, or compromising confidential sources.
>
> Furthermore, I believe the situation as to Chief Judge Politz seems more appropriate for a 18 *U.S.C.* §3332 grand jury investigation."

b. The embargo by Chief Judge Politz, in addition to being retaliatory resulting from the exercise by petitioner of the First Amendment right to petition and a statutory mode to exercise that right, is bereft of due process.

8a. Filed documents, which include confessions and admissions, confirm that K&R and Citibank engineered the larceny of <u>all</u> the judicial trust assets of PUCCINI CLOTHES, LTD. ["Puccini"], leaving <u>nothing</u> for its nationwide creditors, including petitioner.

b. These filed documents also reveal that more than $1,000,000 was paid from Puccini's judicial trust assets by K&R-Citibank in order to bribe and corrupt judges and officials.

c. Furthermore, substantial monies, including those paid on behalf of petitioner, payable "to the federal court", were diverted to K&R-Citibank, and "more than $2,000,000" was extorted from HYMAN RAFFE ["Raffe"] in favor of the K&R-Citibank entourage, so that he could avoid incarceration under a criminal conviction.

d. Nevertheless, Circuit Court Judges King, Jolly and Barksdale, as well as Chief Judge Politz, have deprived the federal treasury of filing fees due, rather than temporarily divest K&R-Citibank of some modest sums, permitting them to credit such payments as against petitioner's contractually based, constitutionally protected, money judgment against Puccini.

e. This fraud on the federal purse by Article III jurists was and is being made without notice to Attorney General JANET RENO ["Reno"] and/or the U.S. Attorney who, as Article II officials, are the representatives of the United States, oath bound to protect "the interests of the United States" (28 *U.S.C.* §517), with undivided loyalty.

f. Thus, if members of this Court, including Chief Judge Politz, desired to defraud the federal treasury, it should have placed Attorney General Reno or one of her subordinates on notice (cf. *Schlumberger Industries v. National Surety*, 36 F.3d 1274 [4th Cir-1994]), as petitioner is presently doing with this protest, and his motion of even date.

g. The corruption of U.S. Attorney Coggins was made obvious when he did not support petitioner's motion to have recaptured in favor of the federal treasury the monies that were payable "to the federal court" but diverted to the pockets of K&R and Citibank.

9a. Petitioner's 28 *U.S.C.* .... complaints against Chief U.S. District Court Judge BAREFOOT SANDERS ["Sanders"] also incorporated herein, *in haec verba*, by reference needs no repetition.

b. The intentional "hijacking" and "destruction" of legal papers upon which the jurisdiction of this Court depends, without more, warrants a criminal indictment, incarceration and impeachment.

c. Such misconduct by Chief Judge Sanders would not have taken place had Chief Judge Politz not indicated his prior approval, or that the ratification of Chief Judge Politz was expected.

10. All parties and their attorneys in this action are aware of the corruption of Chief Judge Politz and Chief Judge Sanders, since otherwise K&R and Lexis would not have communicated with Chief Judge Sanders, ex parte, as confirmed by the District Court File, and the attorneys for F&D ["F&D"] would not have submitted, what they knew, were perjurious affidavits and sham, jurisdictionally infirm, opinions.

11a. In <u>every</u> federal decision involving Puccini or the ESTATE OF EUGENE PAUL KELLY ["Kelly Estate"] -- whose assets the judiciary also completely plundered for personal benefit, the state defendants were represented at state cost and expense, the subject matter jurisdictional infirmities of the Eleventh Amendment of the *United States Constitution, notwithstanding*.

b. In <u>every</u> decision, state and federal, involving Puccini or the Kelly Estate, the NY State Attorney General, the statutory fiduciary, and the other fiduciaries always opposed the interests of their judicial trusts, the sua sponte obligations of the court notwithstanding (<u>See</u> *Wood v Georgia*, 450 U.S. 261, 265 n. 5 [1981]).

c(1) In <u>every</u> decision, involving Puccini or the Kelly Estate, the federal judges and officials were represented at federal cost and expense, in their own names, without any United States substitution, because no authorized official (28 *CFR* §15.3), including the Attorney General of the United States, would issue a 28 U.S.C. §2679[d] "scope" certificate.

(2) No authorized official would "scope" certify judges and officials who were engaged in such activities as diverting monies payable "to the federal court" to their cronies, a class which includes Chief Judge Newman of the Second Circuit, who is directly responsible for the corruption of Chief Judge Politz, and Chief U.S. District Court Judge CHARLES L. BRIEANT ["Brieant"] who is directly responsible for the corruption of Chief Judge Sanders.

d. In all of the cases cited by Chief Judge Politz, on their face, the aforementioned subject matter jurisdictional infirmities exist.

e. Petitioner submits, there does <u>not</u> exist a single Article III jurist, a single U.S. magistrate-judge, or a single state attorney-general who does not know the subject matter jurisdictional bar of the Eleventh Amendment, an infirmity which exists in every case cited by Chief Judge Politz.

12a. Petitioner was convicted a number of times of non-summary criminal contempt by the New York-Second Circuit judiciary, with fines and/or terms of incarceration imposed thereon.

b. Each conviction, state and federal, was <u>without</u> a trial, <u>without</u> the opportunity for a trial, <u>without</u> any confrontation rights, <u>in absentia</u>, <u>without</u> due process, <u>without</u> the right of allocution, <u>without</u> any live testimony in support thereof, and <u>without</u> any constitutional or legal waiver, with fines and/or terms of incarceration imposed thereon, notwithstanding *Bloom v. Illinois* (391 U.S. 194 [1968]); *Klapprott v. U.S.* (335 U.S. 601 [1949]); and *Nye v. U.S.* (313 U.S. 33 [1941]).

c. When petitioner refused to submit or remain silent about the extant judicial corruption, these criminal convictions were unconstitutionally escalated, *ex post facto*, from "offenses" to "serious" crimes, and petitioner was disbarred.

d. Fifty (50) years ago, petitioner was "honored" by landing on Omaha Beach in Normandy, and by having fought in the "Battle of the Bulge". He also believes himself to have been "honored" by his several incarcerations and disbarment, and so has he expressly stated.

"Nuts" is petitioner's response to those who desire that he submit and remain silent concerning judicial corruption.

e. The disparaging reference by Chief Judge Politz to petitioner's disbarment, is a reflection of the Chief Judge and the judicial system, not petitioner, who stands fast.

13a. At no time or place has anyone, including U.S. District Court Judge WILLIAM C. CONNER ["Conner"] denied that on October 11, 1985, he rendered *Raffe v. Doe* (619 F. Supp. 891 [SDNY-1985]), in clear absence of all jurisdiction, and as a result of bribery, fraud and corruption.

b. The court-appointed receiver could not render the mandatory accounting, in view of the massive larceny that had taken place, so they "paid-off" the syndicate of Chief Judge Brieant and NY Appellate Division Presiding Justice FRANCIS T. MURPHY ["Murphy"], who caused to be issued transparently void injunctions, state and federal, which enjoined any action to compel K&R-Citibank to return their booty or to compel the receiver to account.

c. Not being a party to the action, although affected by said injunction, petitioner was not permitted to appeal same.

d. In addition to the aforementioned, on the face of *Raffe v. Doe (supra), inter alia*, an Eleventh Amendment subject matter jurisdictional infirmity appears.

14a. In *Sassower v. Abrams* (833 F.Supp. 253 [SDNY-1993]), an assistant U.S. attorney: (i) <u>personally</u> representing Chief Judge Brieant and other federal jurists; (ii) <u>without</u> any 28 *U.S.C.* §2679[d] "scope" certification; (iii) <u>without</u> diversity of citizenship; (iv) <u>without</u> any federal question involved; (v) on behalf of <u>all</u> defendants, including those being defended at state cost and expense, and infected with a Eleventh Amendment infirmity, <u>ex parte</u> dragooned the proceedings from the state court to the federal forum.

b. Clearly and unquestionably, there was a subject matter constitutional infirmity in such removal proceedings as everyone was aware.

c. As with *Raffe v. Doe* (supra), petitioner was not permitted to appeal *Sassower v. Abrams (supra)* either, without any articulated reason.

15. Since petitioner is required to obtain permission to gain access to the courts in the Second Circuit, invariably denied, the jurisdictionally infirm decision, remain extant, and serve as a vehicle for corrupt jurists such as Chief Judges Politz and Sanders.

16a. *The injunctive provisions contained in Sassower v. Abrams (supra)* reflects the criminal activities of Chief Judge Newman, as he disclosed them to President Clinton, which included the Kelly Estate and the conviction and incarceration of DENNIS F. VILELLA ["Vilella"], for crimes never committed by anyone.

b. However, the criminal activities of Chief Judge Newman which petitioner did <u>not</u> mention in his June 1, 1993 letter to President Clinton, e.g., HAROLD COHEN ["Cohen"], a litigant in this Court and Circuit, were not made part of such injunctive provision.

c. Thus, for Cohen and others not part of the *Sassower v. Abrams (supra)* injunction, they must also be denied relief by the corrupt activities of Chief Judge Politz and Chief Judge Sanders.

17. A 28 *U.S.C.* ...... prior publication injunction, as set forth by Chief Judge Politz, will simply cause petitioner to divert his efforts, including his evidence, to the public and other forums.

Most Respectfully,

GEORGE SASSOWER

cc: Attorney General Janet Reno