

UNITED STATES COURT OF APPEALS
SECOND CIRCUIT
UNITED STATES COURTHOUSE
FOLEY SQUARE
NEW YORK 10007

ELAINE B. GOLDSMITH
Clerk

(212) 791-0103

October 23, 1990

George Sassower
16 Lake Street
White Plains, New York 10603

Re: Judicial Conduct Complaint
No. 90-8556

Dear Mr. Sassower:

Enclosed please find a copy of the order dismissing your judicial conduct complaint. Pursuant to Rule 5 of the Rules of the Judicial Council of the Second Circuit Governing Complaints Against Judicial Officers Under 28 U.S.C. § 372(c) you have the right to petition the judicial council for review of this decision. A petition for review must be received in the clerk's office within 30 days of the date of this letter to be considered timely. Please note, it is not necessary to enclose copies of the original complaints.

Sincerely,

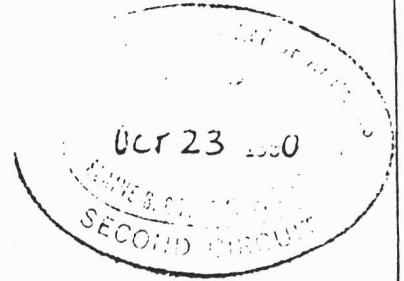
Elaine B. Goldsmith, Clerk
By



Tina Eve Brier
Chief Deputy Clerk

Enclosure

JUDICIAL COUNCIL OF THE
SECOND CIRCUIT



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In re

CHARGE OF JUDICIAL MISCONDUCT

90-8556

-----X

THOMAS J. MESKILL, Acting Chief Judge:

On October 10, 1990, complainant filed a complaint with the Clerk's Office pursuant to 28 U.S.C. § 372(c) and Rule 2 of the Rules of the Judicial Council of the Second Circuit Governing Complaints Against Judicial Officers (the Local Rules), charging a circuit court judge of this circuit with misconduct.

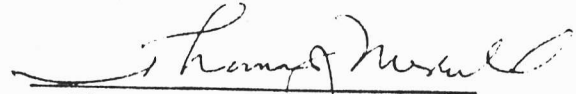
Complainant is a disbarred attorney and frequent litigant who, with other plaintiffs, was held in civil and criminal contempt by a district judge and directed to pay a fine to the Court, by order entered June 7, 1985. The district court order was affirmed on appeal. In March 1987, complainant filed a complaint, pursuant to 28 U.S.C. § 372(c) and former Local Rule § 0.24, charging the district court judge and the three circuit court judges of this circuit who decided the appeal with judicial misconduct. That complaint was dismissed by order of the circuit court judge who is the subject of the instant complaint (hereafter, the judge).

Complainant accuses the judge of engaging in extra judicial conduct "revolving about the continuing judicial

corruption, extortion, diversion of monies from the government to private pockets and other criminal racketeering activities." Complainant asserts that a co-plaintiff found in contempt in the above described litigation has been paying the fines imposed by the district court to a defendant in the lawsuit rather than to the federal court, and that the judge "has obviously not done anything to recapture such monies on behalf of the federal government, or give obedience to his official, ethical and societal responsibilities in this respect." Complainant asserts that the judge "in March and April of 1987, [the dates between which complainant's prior judicial misconduct complaint was pending] had actual knowledge of the essential elements of the extortion being exacted" and accuses the judge of "be[ing] more than a participant by sufferance, but an essential and indispensable element" of criminal activity. Complainant asserts that the judge "and members of his court have transactionally involved themselves in egregious criminal activities."

Complainant's view that the judge has an administrative duty to supervise compliance with a district judge's order and that failure to do so somehow translates into criminal activity by this circuit court judge is unsupported. This complaint is hereby dismissed as frivolous, pursuant to 28 U.S.C. § 372(c)(3)(A)(iii) and Rule 4(c)(3) of the Local Rules.

The Clerk is directed to transmit copies of this order to the complainant and to the judge who is the subject of the complaint.



Thomas J. Meskill
Acting Chief Judge

Dated: New York, NY
October 23, 1990