

Docket No. 93-8535
Chief U.S. Circuit Court Judge JON O. NEWMAN
28 U.S.C. §372[c] Complaint

This is a 28 U.S.C. §372[c] complaint which charges Chief U.S. Circuit Court Judge JON O. NEWMAN ["Newman"] of the Second Circuit, with attempting to deceive and corrupt Chief U.S. Circuit Court Judge STEVEN G. BREYER ["Breyer"] and his, inter alia, First Judicial Circuit courts, directly and/or through his judicial cronies, who include KREINDLER & RELKIN, P.C. ["K&R"], FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. ["FKM&F"] - - "the criminals with law degrees" -- and their co-conspirators.

1. I challenge Chief Judge Newman to produce for Chief Judge Breyer and/or his Court, the "final judgment" and/or a "final order" for PUCCINI CLOTHES, LTD. ["Puccini"] -- "the judicial fortune cookie" -- the essential document for a plea of res judicata -- issued by a jurist having subject matter jurisdiction to issue such judgment and/or order, with personal jurisdiction, which terminates the Puccini receivership, and which discharges the court-appointed receiver and his surety. Chief Judge Newman will not, for these essential documents do not exist!

2. I challenge Chief Judge Newman to produce a copy of the "final accounting" for Puccini's judicial trust assets, tendered by the court-appointed receiver for settlement, as described by legal notices published in the New York Times and New York Law Journal. Chief Judge Newman will not, for such "final accounting" does not exist!

3. I challenge Chief Judge Newman to produce one single filed accounting for Puccini's judicial assets, which reveals its assets as of June 4, 1980, the date Puccini was involuntarily dissolved. Chief Judge Newman will not, for although an accounting must be filed by a court-appointed receiver, "at least once a year" (22 NYCRR §202.52[e]), none were filed since Puccini was involuntarily dissolved more than thirteen (13) years ago!

4. I challenge Chief Judge Newman to produce a single application by Attorney General ROBERT ABRAMS ["Abrams"], the statutory fiduciary, to compel the filing of an accounting although, as a statutory "duty", permitting no discretion whatsoever, he must make such application after the expiration of 18 months (NY Bus. Corp. Law §1216[a]). Chief Judge Newman will not produce one such application, for none were made!

5. Will you, Chief Judge Newman, justify and/or explain to Chief Judge Breyer, his Court, the media, and the taxpaying public, your conduct and that of your court, regarding the monies payable "to the [U.S. District Court, Eastern District of New York] court" which were diverted to the pockets of the judicial cronies!

6. Will you, Chief Judge Newman, explain to Chief Judge Breyer, his Court, the media, and taxpaying public, the "extortion" of more than \$2,000,000 from HYMAN RAFFE ["Raffe"] in favor of the judicial cronies, in order to avoid incarceration under a criminal conviction!

7. Is it not true, Chief Judge Newman, that the court-appointed receiver, unable to render an accounting for Puccini's judicial trust assets corrupted, inter alia, U.S. District Court Judge WILLIAM C. CONNER ["Conner"] to issue an injunction in order to prevent any application compelling, inter alia, the filing of such an "accounting", which is my statutory right (NY Business Corporation Law §1216(a)), and preventing restitution and/or recovery to Puccini and its legitimate creditors the assets that had been made the subject of larceny?

8. Is it not correct, Chief Judge Newman, that no one, at any time or place, has controverted the underlying facts and ultimate conclusion that the corrupted Judge Conner, did not have the jurisdictional power to issue such injunction, and that it was a transparent nullity?

9. Is it not true, Chief Judge Newman, that on October 11, 1985, when Judge Conner issued Raffe v. Doe (619 F. Supp. 891 [SDNY-1985]), he did have personal jurisdiction over me or my contractually based, constitutionally protected, interests?

10. Is it not true, Chief Judge Newman, that although I filed a timely notice of appeal and paid the fee due, your court inexplicably did not permit me to appeal the Raffe v. Doe (supra) injunctive order?

11. Is it not correct, Chief Judge Newman, that although numerous attempts were made, and even with the invocation of the collateral bar rule, the judicial cronies have failed to obtain a single conviction against me for violating the Judge Conner injunction?

12. Is it not true, Chief Judge Newman, that although I attempted to file a proceeding barring any further non-criminal contempt proceedings against me, bottomed on "double jeopardy", and to declare Raffe v. Doe (supra), a nullity as against me, and for an application for a preliminary injunction which was not opposed by anyone, Chief U.S. District Court Judge THOMAS P. GRIESA ["Griesa"], denied my permission to file (Sassower v. U.S. Attorney, 93 M 120), violative of the constitutional mandate contained in Article III, regarding access to the federal courts for "all" cases or controversies involving federal issues?

13. Is not true, Chief Judge Newman, that although such application has been unopposed in the Second Circuit Court, it has been lying fallow in your Court for three (3) months (Sassower v. U.S. Attorney, 2nd Cir. Docket No. 93-6222)?

14. Is it not true, Chief Judge Newman, that you, a defendant in the U.S. District Court of Massachusetts (Sassower v. Fidelity, 93-11335Y), have not controverted my application or my 56.1 Statement, to declare Raffe v. Doe (supra) void?

15. Is it not true, Chief Judge Newman, that you have not controverted my application at the U.S. Circuit Court of Appeals, for the First Circuit (Matter of Sassower, 93-8052) to have nullified and/or not legally recognized Raffe v. Doe (supra)?

16. Are you, Chief Judge Newman, aware of any legal authority which gave Judge Conner the power to enjoin me from recovering on my contractual based claims, including my money judgment against Puccini, or those who made its assets the subject of larceny?

17. In view of the XI Amendment, can you legally justify the activities of Attorney General Abrams, defending money damage tort claims, against himself and others, in the federal courts, at state cost and expense?

18. In view of the statutory fiduciary obligations of Attorney General Abrams towards Puccini, its stockholders and creditors (NY Bus. Corp. Law §1214[a]), can you, Chief Judge Newman, justify the Attorney General's representation of state jurists and officials who are involved in the larceny of Puccini's judicial trust assets?

19. Can you justify, Chief Judge Newman, your representation, and other federal judges in your circuit, in personal capacity money damage tort actions, by various U.S. attorneys, at federal cost and expense, although no 28 U.S.C. §2679[a] "scope" certificates were issued or "scope" adjudications made?

20. Can you, Chief Judge Newman, support the jurisdiction of the federal district court in removing Sassower v. Abrams (SDNY-92-08515[PKL]) from the state to the federal court, where a well-pleaded complaint relied on state law, where this complainant expressly disclaimed any relief against the federal government, where no 28 U.S.C. §2679[d] scope certificates were issued, where complete diversity did not exist, and there was no showing of a federal defense?

21. Can you, Chief Judge Newman, support the jurisdiction of the federal district court in removing a similar action, from the state to the federal court, wherein you were a named defendant?

22. Is it not a fact, Chief Judge Newman, that you know of no authority, statutory or otherwise, permitting federal representation, at federal cost and expense, in a money damage tort action, without a 28 U.S.C. §2679[d] "scope" certificate or adjudication?

23. Is it not a fact, Chief Judge Newman, that you and members of your circuit have been defrauding the federal treasury by being represented, at federal cost and expense, without any "scope" certificate being issued or a "scope" adjudication made?

24. Is it not a fact, Chief Judge Newman, that you have not reported, nor intend to report, the value of such federal legal services, as "taxable income", or paid, or intend to pay, the taxes due thereon (see 26 U.S.C. §120[c]).

25. Is it not a fact, Chief Judge Newman, as far as you know, Suffolk County Surrogate ERNEST L. SIGNORELLI ["Signorelli"] and his appointee, Public Administrator ANTHONY MASTROIANNI ["Mastroianni"] employed the assets of the ESTATE OF EUGENE PAUL KELLY ["Kelly Estate"] to pay personal obligations, otherwise unlawfully dissipated all its assets, and consequently none of the beneficiaries received anything.

26. Is it not a fact, Chief Judge Newman, that Surrogate Signorelli, for his larcenous activities, has been defended, in money damage tort actions, in the federal courts by Attorney General Abrams, notwithstanding, inter alia, Amendment XI?

27. Is it not a fact, Chief Judge Newman, that the Kelly Estate was settled at the Appellate Division at a time when CHARLES Z. ABUZA, Esq. ["Abuza"], the representatives of most of the beneficiaries was dead, and by not serving me, an essential party to such proceedings?

28. Is it not a fact, Chief Judge Newman, that neither you nor anyone else has ever disputed the fact that no woman could be struck, by a tire iron, on her head, about 20 times, violently, by a strong assailant, with all his might, where the concealed hospital X-Ray and CAT scan reveal negative results (see annexed exhibit, containing all the uncorroborated testimony of the alleged victim, and the concealed hospital X-Ray and CAT scan Reports)?

29. Is it not a fact, Chief Judge Newman, that DENNIS F. VILELLA ["Vilella"] has been kept incarcerated for the past six (6) years in order to induce and/or compel my silence?

30. Is it not a fact, Chief Judge Newman, I and others, were repeatedly convicted of non-summary criminal contempt, these convictions having been rendered 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, with fines and/or terms of incarceration imposed thereon?

31. Is it not a fact, Chief Judge Newman, that neither you nor any judicial officer you know, has expressly asserted that such trialess convictions, state and federal, were lawful?

32. Is it not a fact, Chief Judge Newman, I was disbarred by, inter alia, the Second Circuit Court, in which you were are a panel member, based on the aforementioned trialess convictions?

33. Is it not a fact, Chief Judge Newman, that your Court fabricated, concocted, contrived and devised, inter alia, the following statements in Sassower v. Sheriff (824 F.2d 184 [2nd Cir.-1987]):

"Sassower refused to appear at a hearing before the court appointed referee" [p. 185] ... "Sassower was notified by the attorney for the receiver that he was required to appear before the referee for proceedings on the criminal contempt motion and cross-motions." [p. 187]. ... "[Sassower] failed to appear." [p. 187]... "the opportunity for a hearing that was afforded was appropriate under the circumstances" [p. 189]... "Sassower was ... given a reasonable opportunity to be heard" [p. 189] ... "Sassower ... waived that right [to a hearing] by failing to appear" [p. 190] ... "he [Sassower] has repeatedly refused to appear before Referee Diamond" [p. 190] ... "explicitly warned him [Sassower] of the consequences of his failure to appear before the referee" [p. 190]."

34. Is it not a fact, Chief Judge Newman, that you, nor anyone else, has ever been able to articulate a single instance wherein I undertook a frivolous legal procedure?

Dated: October 22, 1993

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