GEORGE SASSOWER
16 LAKE STREET
WHITE PLAINS, N.Y. 10603

914-949-2169

January 9, 1991

Judicial Conference of the United States
c/o Administrative Office of the U.S. Courts
811 Vermont Avenue, N.W.
Washington, D.C. 20544

Att: Ms. Jean Coates

Dear Coates,

1a. Pursuant to telephone conversation this morning, I would appreciate an expeditious formal response from your office with respect to the problems set forth herein, so that I can properly fashion my petition to the United States Supreme Court and, if necessary, commence an appropriate proceeding in the District Court.

b. The issues which I desire the Judicial Conference of the United States to review and adjudicate are: (1) the legality of Rule 19A of the Local Rules of the Second Circuit; (2) the legality of retaliatory action taken by the Second Circuit by reason of the filing of 28 U.S.C. §372[c] complaints; (3) the legality of "threatening" retaliatory action by reason of filing of 28 U.S.C. §372[c] complaints; and (4) the meaning to be ascribed to "directly related to the merits of a decision or procedural ruling".

c. The facts hereinafter set forth are documented and uncontroverted, confirmed by responsible members of the media, and probably constitute the most extensive scandal in American judicial history.

d. Although the alleged judicial corruption originates in the Second Circuit, such misconduct has extended itself to the Third, Fourth, Sixth, Ninth and District of Columbia Circuits.

2a. The issues revolve around the judicial trust assets of PUCCINI CLOTHES, LTD., which was involuntarily dissolved on June 4, 1980.

b. In every American jurisdiction, a court-appointed receiver must account for his stewardship before he can be discharged. In New York such accounting must be filed "at least once a year" (22 NYCRR §202.522[e]).

c. However, in the more than ten (10) years that have elapsed not a single accounting has been filed.

d. All of Puccini's judicial trust assets were made the subject of larceny and unlawful plundering, leaving nothing for the legitimate stockholders or creditors, and the undersigned personally has such interests, including a contractually based money judgment.

e. Clearly involved in such criminal activities are high-echelon members of the state and federal judiciary, as partially demonstrated herein.

f. In view of the serious charges alleged, something more than a summary statement is required herein, the essential elements having been independently confirmed.

3a. On June 7, 1985 my client, HYMAN RAFFE, a major stockholder and creditor of Puccini, and the undersigned were convicted for non-summary criminal contempt, without a trial, without the opportunity of a trial, and without any live testimony in support thereof, by U.S. District Judge EUGENE H. NICKERSON of the Eastern District of New York, and herculian fines were imposed on both of us payable "to the [`federal'] court", Klapprott v. U.S. (335 U.S. 601 [1949]) and Nye v. U.S. (313 U.S. 33 [1941]) notwithstanding.

b. Such manifestly unconstitutional convictions were affirmed by the Second Circuit, by a panel composed of [then] Chief Circuit Judge WILFRED FEINBERG, Circuit Judge IRVING R. KAUFMAN and Circuit Judge THOMAS J. MESKILL.

c. Three (3) weeks after such trialess conviction by Judge Nickerson, I was convicted two (2) more times by state tribunals for non-summary criminal contempt, under a trialess, without live testimony, scenarios, resulting in fines and terms of incarcerations, which I served Bloom v. Illinois (391 U.S. 194 [1968]), notwithstanding. These manifestly unconstitutional convictions were also affirmed by a state appellate tribunal.

d. When the undersigned refused to remain silent about the larceny and plundering of Puccini's judicial trust assets, and the judicial involvement therein, these trialess convictions, which at best are only "offense sui generis" (Cheff v. Schnackenberg, 384 U.S. 373 [1966]), were escalated into "serious" crimes (see Blanton v. City of No. Las Vegas, 489 U.S. , 109 S.Ct. 1289 [1989]), and the undersigned was disbarred by the state "forthwith".

e. I thereupon, in one document, which was permitted at the time, filed a §372[c] complaint against Judges Nickerson, Feinberg, Kaufman and Meskill and, inter alia, asserted the impeachment of Judge James H. Peck (Nye v. U.S., (supra at 45-46), required that the aforementioned should likewise be made the subject of impeachment proceedings.

f. Acting Chief Judge JAMES L. OAKES, dismissed the complaint, and almost immediately thereafter I was, without a hearing, disbarred by the Circuit Court.

4a. Immediately before the Judge Nickerson trialess conviction, N.Y. State Referee DONALD DIAMOND, without a trial, without an opportunity for a trial and without any live testimony in support thereof, found the undersigned guilty of 63 counts of non-summary criminal contempt and recommended fines and incarceration.

b. In a mirrored Report, under the same trialess scenario, Raffe was found guilty of 71 counts, and herculian fines and 71 months of incarceration were recommended.

c. After my 28 U.S.C. §2254 writ of habeas corpus was sustained (Sassower v. Sheriff, 651 F. Supp. 128 [SDNY-1986]), I was released from incarcerated and such count was dropped from the disbarment proceeding.

d. The court-appointed receiver appealed, and while the appeal was pending in the Circuit Court, I obtained possession of various documents which revealed that for unlawful considerations, Raffe was not incarcerated under the mirrored Report of Referee Diamond.

e. Such unlawful considerations by Raffe, in lieu of incarceration, included:

(1) Payment of "millions of dollars" by Raffe to the cronies of the judiciary. Included in such payments made by Raffe to the cronies of the judiciary were the monies payable "to the federal court" under the Judge Nickerson Order.

(2) Future payments by Raffe were correlated to the activities of the undersigned, in an effort to compel the undersigned to succumb and remain silent.

(3) Raffe was compelled to agree to execute releases to, inter alia, the federal judges of the Eastern and Southern District of New York.

(4) Raffe was compelled to effectively satisfy his interests in Puccini and agree to the "approval" of a "final accounting" by the court-appointed receiver by Referee Diamond--an accounting which did not exist, it was "phantom".

(5) As long as Raffe obeys the wishes of the law firm of the court-appointed receiver, he will not be incarcerated, and so the written agreement provides.

f(1) As aforementioned, such information came into the possession of the undersigned while the appeal was pending, sub judice, and also the information that Raffe was being compelled to underwrite such contempt proceedings against the undersigned, although such proceedings did not inure to his legitimate interests (cf. Wood v. Georgia, 450 U.S. 261 [1981]).

(2) The "phantom" nature of the "final accounting" to be approved by Referee Diamond, was demonstrated by a documented presentation, and this also was brought to the attention of the Circuit Court.

(3) For exposing such judicial frauds, the undersigned was fined $250 (Sassower v. Sheriff, 824 F.2d 184, 191 col. 2 [2d Cir.-1987]), although the Court failed to set forth the reasons for same, except that it was "frivolous".

g(1) Most of the essential statements in the opinion authored by Circuit Judge GEORGE C. PRATT, are false, concocted, fabricated, contrived, far more egregious than the concocted statements made by former Chief U.S. Circuit Judge MARTIN T. MANTON (Art Metal v Abraham & Straus, 70 F.2d 641 [2nd Cir.-1934]), which led to Chief Judge Manton's conviction and incarceration.

(2) For example, there is not a scintilla of evidence in the Judge Pratt diatribe, supporting the statements:

> "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].

(3) The quoted statements in the opinion of U.S. Magistrate NINA GERSHON (619 F. Supp. at p. 131) is to the contrary, as is the Record, which includes the admission of the law firm of the court-appointed receiver.

h. My recent §372[c] complaint against Judge Pratt was dismissed by Acting Chief Judge Meskill, with a "threat" to invoke Rule 19A.

5a. Chief U.S. Circuit Judge JAMES L. OAKES, was also made the subject of my §372[c] complaint, the undersigned asserting that the Chief Judge was under the minimum administrative obligation to communicate with the U.S. Attorney in order to recapture the monies diverted to private pockets, which were payable under the Judge Nickerson order "to the federal court".

b. Acting Chief Judge Meskill dismissed my §372[c] complaint against Chief Judge Oakes, which was affirmed three (3) weeks ago by the Judicial Council for the Second Circuit, which is one of the appeals which I would like to bring before the Judicial Conference of the United States, as authorized by 28 U.S.C. §372[c](10).

c(1) The view taken by the Second Circuit is that if the judge complained of receives a bribe or is otherwise corrupted, such matter is not the basis for a §372[c] complaint because it is "directly related to the merits of a decision or procedural ruling". In short, according to the Second Circuit §372[c] immunity mirrors Dennis v. Sparks (449 U.S. 24 [1980]) civil damage immunity.

(2) In short, the view of the Second Circuit is that the actions of the felon Chief Judge Manton, who took bribe monies, in exchange for rendering his favorable decisions (e.g. Art Metal v. Abraham & Straus, supra), would be beyond the reach of a §372[c] complaint, labelled "frivolous" and the complainant made the subject of sanctions.

d(1) By administrative actions, Chief U.S. District Court Judge CHARLES L. BRIEANT of the Southern District of New York, is inextricably involved in this racketeering adventure involving larceny of judicial trust assets and extortion.

(2) Judge Brieant's administrative action has also been given §372[c] immunity, although he would not have civil damage immunity (Forester v. White, 484 U.S. 219 [1988]).

e(1) The remedy, according the Second Circuit, is through a lawsuit.

(2) However, as noted by the Judge Meskill decisions, the undersigned has been:

> "enjoined from filing further lawsuits without leave of court in the United States Court of Appeals for the Second Circuit and in two district courts in this circuit."

(3) Thus, the undersigned is without remedy, except for the media, public interest groups and Congress.

6a. One further point, which I believe cannot be over-emphasized.

b. Raffe under pains of incarceration was compelled to pay the monies due on his own behalf and on behalf of the undersigned to the cronies of the judiciary, instead of "to the federal court".

c. I cannot visualize <u>any</u> congressperson, <u>any</u> media representative, or <u>any</u> American taxpayer who would not be outraged on learning that monies payable "to the federal court" went instead into the private pockets of those who engineered the larceny of Puccini's trust assets.

d. To the question as to whether the Judicial Council of the United States is aware of the diversion of monies payable "to the federal court" to private pockets, the answer will hereinafter be in the affirmative.

7a. You may consider this letter as an appeal to the Judicial Council of the United States.

b. Any further information or documentation is available upon request.

Most Respectfully,

GEORGE SASSOWER