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January 9, 1989

Commission on Judicial Conduct
801 Second Avenue,
17th Floor
New York, New York 10017

Re: Presiding Justice Francis T. Murphy

Gentlemen:

Enclosed please find a copy of my extensively, public distributed, letter of December 18, 1988, which I believe should supplement the inquiry requested by Chief Judge Sol Wachtler, as reported in New York Newsday.

Very truly yours,


GEORGE SASSOWER

cc: Chief Judge Sol Wachtler

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"You have sat too long for any
good you have been doing. Depart, I
say, let us be done with you. In the
name of God, go!" (Oliver Cromwell)

The Criminal Racketeering Adventures of
Presiding Justice FRANCIS T. MURPHY
and
Chief Judge CHARLES L. BRIEANT

Newsday, on Nov. 25 and Dec. 1, 1988, reported that the son of Chief Judge Charles L. Brieant was the executive assistant to Presiding Justice Francis T. Murphy, and that the son of Francis T. Murphy was the law clerk of Chief Judge Charles L. Brieant.

In reporting on the "patronage mill" in "Murphy's personal fiefdom", including the Murphy-Brieant "disguised nepotism", Newsday only touched the tip of a polluted iceberg.

Murphy and Brieant arrogantly lied to the public when they "denied that there was any connection between the two hirings", which even if true, mandates immediate removal proceedings, without even reference to their joint, highly egregious, criminal activities.

In 1977, when the New York Times reported on "disguised nepotism" in the Murphy bailiwick, Murphy demanded and received the resignations of all the jurists involved.

Mr. Justice Morris E. Spector alone, did battle on the subject, and the Court of Appeals, in affirming the disciplinary punishment imposed, stated (Spector v. State Commission on Judicial Conduct, 47 N.Y.2d 462, 466, 418 N.Y.S.2d 565, 566 [1979]):

"First, nepotism is to be condemned, and disguised nepotism imports an additional component of evil because, implicitly conceding that evident nepotism would be unacceptable, the actor seeks to conceal what he is really accomplishing. ... [E]ven if it cannot be said that there is proof of the fact of disguised nepotism, an appearance of such impropriety is no less to be condemned than is the impropriety itself."

Thus, faced with such authoritative pronouncement by the high court of this state, a proceeding triggered by Murphy himself in response to the N.Y. Times' disclosures -- they simply must go!

Additionally, the Murphy-Brieant racketeering activities compels grand jury inquiry and criminal prosecution!

A fundamental and indispensable principal of American law is that no man, however exalted his position, is above the criminal law.

Puccini Clothes, Ltd. ["Puccini"] -- "the Judicial Fortune Cookie"-- was involuntarily dissolved on June 4, 1980 by a court within the Murphy-Brieant jurisdictional bailiwick.

Puccini's judicial trust assets were made the subject of massive larceny and plundering by the Murphy-Brieant cohorts.

To assure that jurists and their cronies do not improperly divert judicial trust assets, the law is clear, direct, and unambiguous, in demanding that there must be a publicly filed accounting "at least once a year" (22 NYCRR §202.52[e]). However, in the more than eight and one-half years since Puccini was involuntarily dissolved there has not been a single accounting filed by the "Murphy-Brieant associates" -- not one!

To further assure that jurists do not make lavish unwarranted awards to their appointees, every award above \$200 must be reported to the Office of Court Administration, which report must be available for public inspection (Judiciary Law §35-a). Where the award is \$2,500 or more the jurist's report "shall be accompanied by an by an explanation, in writing, of the reasons therefor" (22 NYCRR §36.4).

Here again, no such reports were filed, although one of the "Murphy-Brieant cronies" received approximately \$1,000,000 from Puccini for not doing anything to benefit this judicial trust -- not a single thing!

Indeed, even if such firm did any work which inured to the benefit of the judicial trust, which they did not, Murphy's own rule (22 NYCRR §660.24(f)), precluded any award because they were not appointed in accordance with the procedures provided therein. Judicial nepotism and favoritism had ended, announced Murphy on the front page of the New York Times (July 7, 1977)!

There are other provisions of the law to insure that judicial trust assets are not made the subject of judicial larceny and plundering, but none of this legal mandates have been obeyed in this orchestrated "Murphy-Brieant criminal racketeering adventure" -- not a single one!

By outright larceny and plundering, the Murphy-Brieant judicial vultures took everything, leaving not a single cent for the legitimate creditors and stockholders -- not one cent -- they took it all!

Having completely denuded Puccini's trust assets, with the overt and active cooperation and assistance of Murphy, Brieant, and their thrall, they employed their judicial offices and authority to criminally extort, in various depraved forms.

One of several extortion scenarios has produced millions of additional dollars in cash and other consideration personally from Puccini's major stockholder and creditor.

The "Murphy-Brieant indulgence peddlers", aided and abetted by other corrupt jurists, obtained triales sham convictions -- albeit a constitutional impossibility -- then in exchange for not being incarcerated, ransom was extorted, on a continuing basis, payable to their private pockets.

Think of it! -- Sham, triales, manifestly unconstitutional, criminal convictions are rendered -- and then -- by the payment of vast sums of monies, payable to the Murphy-Brieant "racketeers", the person is not incarcerated.

In the words of this one major stockholder and creditor, in this "Beirut on the Hudson" depraved drama, "they are bleeding me to death"!

Murphy and Brieant will continue to bleed him, and impose their terror on others, until you, the media, publish the truth about "justice" in the "Murphy-Brieant bailliwick" -- where corruption, nepotism, and even egregious criminal conduct, are the "coins of the judicial realm".

Start by demanding that the much overdue accounting for Puccini be "filed" and made available for your inspection -- as mandated by law!

Demand that the Office of Court Administration compel those receiving monies from Puccini file their §35-a statements, and produce them for your -- inspection -- as mandated by law!

Demand that Murphy, Brieant, and their criminal confederates be made subject to "the rule of law" by a grand jury inquiry, not one by the Commission on Judicial Conduct which they control!

"Thieves for their robbery have authority when judges steal themselves" (Shakespeare's, Measure for Measure, Act. 2, Scene 2).

December 18, 1988


GEORGE SASSOWER