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Feb. 16, 1987

Hon. Milton Mollen  
Presiding Justice, Second Department  
Hon. A. Franklin Mahoney  
Presiding Justice, Third Department  
Hon. Michael F. Dillon  
Presiding Justice, Fourth Department

Honorable Sirs:

1a. In August 1979, the Task Force of the Economic Development Council, commissioned by Presiding Justice Francis T. Murphy, after the expenditure of a substantial amount of monies, time, and effort, issued a report which stated that the Association of the Bar of the City of New York "was doing an admirable job and should continue its responsibilities for investigating and prosecuting complaints filed against lawyers" (N.Y. Law Journal, Feb. 15, 1980, p. 1, 3).

b. Presiding Justice Murphy, totally disregarded the report, which he himself commissioned, and over the vehement protest of the Bar Association's president, Merrell E. Clark, Jr., Esq. and the Association's entire executive committee, His Honor took full and complete charge, effective April 1, 1980.

2a. In addition to transferring disciplinary procedures to himself, from beginning to end, the entire twenty-eight (28) member panel, were now to be selected "unilaterally by the Presiding Justice ... rather than the City Bar president with the approval of the Presiding Justice". (NYLJ, supra., p. 3).

b. "The reason for the change (after 110 years), Justice Murphy said, was to conform to practices in the other departments in the state" (N.Y. Times, Feb. 15, 1980, p. 1).

3a. As Justice Murphy desired uniformity of disciplinary procedures throughout the state, First Department practices should be disclosed to Your Honors.

b. Furthermore, since disciplinary proceedings, as well as the outcome, are confidential, except where affirmative action is taken, there is no way that an attorney can determine whether he or his client is being made the subject of "invidious and selective discrimination", which would warrant the dismissal of the proceedings.

4a. In the citadel of Mr. Justice Murphy there is simply no acceptable excuse for "dipping into" escrow funds, even when temporary, and thereafter replaced. Disbarment, with very rare exceptions, is the inevitable penalty.

b. Those attorneys who have temporarily "dipped into" escrow funds have generally been unfortunate souls who have suddenly been confronted with unrelated personal and financial problems, and who at the moment, could not find any reasonable alternative.

c. Mr. Justice Murphy has gone on a "one man public crusade" in trying to ferret out more such unfortunate attorneys to disbar, since the victims of the very few attorneys that intentionally steal are almost invariably exposed when the victims recognize their loss.

d. From the media announcement of the proposal by Mr. Justice Murphy, the bar became an increasingly suspect profession (see "Did You Read The News' Editorial of Jan. 18, 1987?").

5a. Mr. Justice Murphy, and his now wholly appointed and controlled grievance committee lackeys, do not publish what really happens to all those found "dipping into" or "stealing" from escrow or trust assets.

b. My series of publications will reveal, on questions of legal and ethical morality, Mr. Justice Murphy represents "Hypocrisy Incarnate", and much worse!

c. My series of publications, while not attempting to excuse misconduct, will reveal that those disciplined in the Murphy forum, are actually the subject of unlawful disparate prosecution, and that the Grievance Committee does not divulge such exculpatory material, although legally mandated (Brady v. Maryland, 373 U.S. 83), and otherwise unobtainable.

6a. Mr. Justice Murphy and his Court will not tolerate the temporary "dipping into" of escrow funds, no matter how compelling the situation.

Nevertheless His Honor's "fat cat friends" engage in the outright and arrogant larceny of judicial trust assets, not only with impunity from His Honor's disciplinary committee, but with the overt and criminal aid of Mr. Justice Murphy and His Honor's Court, in addition thereto!

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b. Mr. Justice Murphy has concededly done an exemplary job of eradicating the "peddlers of narcotics" from Madison Square Park, which is across the street from His Honor's Courthouse.

On the other hand, His Honor and His Honor's Court, have exhibited great solicitude in aiding those who "peddle justice" (see "An Anatomy of Judicial Corruption - The New and Improved Writ of Habeas Corpus, The Writ of Corruption").

c. Mr. Justice Murphy engineered the "25th Street Massacre", following the judicial appointment scandal exposure by the New York Times, and caused the enactment of 22 NYCRR §660.24, purportedly to prevent repetition.

However, His Honor, His Honor's Court, and Administrator Xavier C. Riccobono treated such rule as nothing more than a public relations gimmick!

7a. Those who know and resist the outright larceny of judicial trust assets by the "criminal friends" of Administrator Riccobono and Mr. Justice Murphy are repeatedly convicted, sentenced, and incarcerated, without benefit of trial; orders are issued directing the Sheriff to "break-into" their homes, "seize all word processing equipment and soft-ware", and "inventory" their possessions; their bank accounts are restrained and levied upon, based on "phantom" judgments; and disciplinary proceedings are undertaken bottomed on "sham" charges.

b. Are these the actual practices of the judicial departments outside the First that Mr. Justice Murphy desires to conform with?

8a. Not only is Mr. Justice Murphy entitled to a public presentment of my charges, the production of my evidence, a right to cross-examine, and the full panoply of civilized rights, but I insist on same, notwithstanding that His Honor and His Court deny to me those very same rights both before and after they repeatedly incarcerate me.

b. I entertain little doubt that once there is a public presentment, every decent human being will repeat the imperious words of Oliver Cromwell, words which were repeated to Prime Minister Neville Chamberlain when Norway fell:

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

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9a. I say to Your Honors that whatever the outcome of this controversy, never again will any person be convicted, sentenced, and incarcerated, without being afforded his right to a trial or hearing!

b. I say to Your Honors that never again will orders be issued from the Courthouse where Peter Zenger was acquitted, or from any other courthouse in this State, directing the Sheriff to "break into" a persons premises, "seize his word processing equipment and software", and "inventory" his possessions!

c. Never again will the Sheriff restrain and levy upon a person's assets under "phantom" judgments!

d. Never again will knowingly sham and unconstitutional orders of conviction and incarceration be entered for the purpose of extortion!

e. Never again will anyone be able to avoid incarceration by the payment of hundreds of thousands of dollars, or any other sum of money, to the "friends" of Mr. Justice Murphy, Administrator Riccobono, or any other jurist!

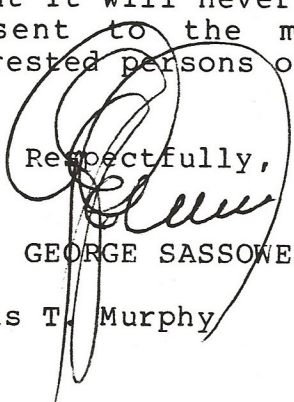
f. Never again will the "machinery of justice" be placed at the disposal of "criminals with law degrees" or any other persons or law firms by Mr. Justice Murphy, Mr. Justice Riccobono, or any other jurist!

g. Never again will helpless constitutional "persons", be deprived of all its basic constitutional rights and treated as merely a "judicial fortune cookie" in order to satisfy the insatiable appetites of the "friends" of Mr. Justice Murphy, Mr. Justice Riccobono, or any other person or group.

h. Never again will Mr. Justice Murphy, Mr. Justice Riccobono, or any other jurist, dragoon as their personal attorney, the very assistant attorney general who I, and/or members of the public gave confidential, purportedly constitutionally protected, information concerning judicial misconduct.

10. To insure that it will never happen again, copies of this letter will be sent to the media, all the bar associations, and other interested persons or organizations.

Respectfully,



GEORGE SASSOWER

cc: Presiding Justice Francis T. Murphy