

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

-----X
GEORGE SASSOWER,
Plaintiff,

DOCKET
NO.

-against-

PETER M. CARLSON; WEST PUBLISHING COMPANY; MEAD DATA
CENTRAL, INC.; LAWYERS CO-OPERATIVE PUBLISHING CO.;
NEW YORK LAW JOURNAL COMPANY; PRICE COMMUNICATIONS
CORP.; NEW JERSEY LAW JOURNAL; KREINDLER & RELKIN,
P.C.; CITIBANK, N.A.; JEROME H. BARR; LEE FELTMAN;
FELTMAN, KARESH, MAJOR & FARBMAN; CLAPP & EISENBERG,
P.C.; A. LEON HIGGINBOTHAM, JR., WILLIAM D. HUTCHINSON,
ROBERT D. COWEN, COLLINS J. SEITZ, SALLY MRVOS, and
PAUL DOUGLAS SISK, individually and on behalf of THE
CIRCUIT COURT OF APPEALS FOR THE THIRD CIRCUIT;
WILFRED FEINBERG, JAMES L. OAKS, and GEORGE C. PRATT,
individually and on behalf of the SECOND CIRCUIT COURT
OF APPEALS; NICHOLAS H. POLITAN; DANIEL J. MOORE;
CHARLES L. BRIEANT; WILLIAM C. CONNER; EUGENE H.
NICKERSON; ALLYNE ROSS; SAMUEL A. ALITO, JR.; SUSAN
C. CASSELL; MICHAEL V. GILBERTI; R. DAVID WALK, JR.;
ROBERT ABRAMS; FRANCIS T. MURPHY; XAVIER C. RICCOBONO;
DONALD DIAMOND and DENIS DILLON,
Defendants.

JURY
TRIAL
DEMANDED

-----X
"THE AMERICAN GULAG"

Plaintiff, as and for his Verified Complaint,
respectfully sets forth and alleges:

1a. THE BOTTOM LINE -- To conceal the massive larceny
and plundering of judicial trust assets, extortion, and other
criminal activities by the "racketeering defendants", plaintiff
was involuntarily incarcerated in a federal psychiatric
facility, in order to adversely affect the credibility of his
charges, although there was not a scintilla of evidence to
support any alleged assertion of mental deficiency or disorder.

b. Such unlawful incarceration at "an American Gulag", without more, is now, according to a pre-arranged scenario, being intentionally publicly propagated, under "color of law".

c. As part of this pre-arranged scheme, the "racketeering defendants" are simultaneously suppressing plaintiff's excellent state of mental health, as confirmed by the psychiatrists and psychologists at the FEDERAL MEDICAL CENTER AT ROCHESTER, MINNESOTA ["FMC"], where plaintiff, at great governmental expense, was involuntarily confined.

d. THE LITMUS TEST -- Compelling an "accounting" for the judicial trust assets of PUCCINI CLOTHES, LTD. -- "The Judicial Fortune Cookie" -- will confirm the unanimous opinion of the psychiatrists and psychologists at FMC, and elsewhere, of plaintiff's excellent state of health, and that he is not hallucinating about his allegations of judicial and official corruption, of a criminal magnitude.

e. Puccini was involuntarily dissolved more than ten (10) years ago. Although an accounting, by law, must be filed "at least once a year", not a single accounting has been filed.

THE PLAINTIFF

2a. Plaintiff, a private person, is a native-born American citizen, a battle-starred veteran of World War II, whose entire life, except for military service, has been as a domiciliary of and resident in the United States.

b. Plaintiff is constitutionally entitled to, but cannot receive, any semblance of a fair and impartial judicial adjudication in any court, state or federal, of the United States, including in this Court, unless equitable relief is afforded herein, his legal right of privacy given recognition, in addition to being awarded common law, civil rights, racketeering and constitutional money damages.

JURISDICTIONAL PREDICATE

3a. The jurisdiction of this Court is invoked pursuant to the provisions of 28 U.S.C §§1331, 1343, this being a suit in law and equity which is authorized by law, 42 U.S.C. §1983 et seq., brought to redress the deprivation under color of state law, statute, ordinance, regulation, custom or usage of rights, privileges, and immunities of the United States or by Act of Congress providing for equal protection of citizens and residents, Amendment XIV of the Constitution of the United States, and pendent, non-federal jurisdiction. The rights here sought to be redressed are rights guaranteed by the due process, privileges and immunities, and equal protection clauses of the XIV Amendment to the Constitution of the United States, and the matter in controversy exceeds the sum of \$10,000, as hereinafter more fully appears herein.

b. The jurisdiction of this Court is also invoked directly under the Constitution of the United States for the violation of plaintiff's rights guaranteed therein.

c. The jurisdiction of this Court in further invoked pursuant to the Racketeer Influenced and Corrupt Organizations Act ["RICO"] -- 18 U.S.C. §§1961, 1964[a][c] -- and is brought by plaintiff in connection with schemes devised, conducted and/or participated in by the "racketeering defendants", through a pattern of racketeering activity, all to the detriment of plaintiff and others allegedly associated with him.

PERSONAL JURISDICTION AND VENUE

4a. Personal jurisdiction over the claims for relief is under 18 U.S.C. §1964[a][b], 28 U.S.C. §§1331, 1343, and directly under the Constitution of the United States which, inter alia, permits access to the courts to every person for the vindication of personal and property rights.

b(1) PETER M. CARLSON ["Carlson"] was and is the Warden of FMC -- "The American Gulag" -- which is within the venue of this judicial district.

(2) WEST PUBLISHING COMPANY ["West"] is, on information and belief, a Minnesota corporation, whose principal place of business is in Saint Paul, Minnesota, a venue within this judicial district.

(3) The "racketeering defendants" caused or cooperated in the involuntary incarceration of plaintiff at FMC, and thereby consented to the venue of this Court as appropriate.

(4) The ends of justice require that other parties residing in other districts be brought before this Court, particularly since many racketeering defendants, as part of this racketeering scheme, have barred plaintiff from access to the courts in their venues for relief, all such local injunctions without notice, without a hearing and/or without legal cause.

THE PATTERN OF UNLAWFUL RACKETEERING ACTIVITIES

5a(1) The "racketeering defendants" employ the courts, state and federal, and other agencies and forums, including the legal media, in order to engage in a continuous and ongoing pattern of "criminal racketeering activities".

(2) The "racketeering defendants", steal, plunder, and otherwise unlawfully siphon assets from helpless judicial trusts and estates, and/or aid and abet same, including those in which plaintiff has legal interests, and engage in other racketeering activities, causing racketeering, constitutional, civil rights, and personal injuries to him, his business, his property, all in flagrant violation of federal and state law.

(3) The courts, state and federal, nisi prius and appellate, in which the defendants are associated, are "enterprises", but not the only enterprises for such racketeering activity, and the defendants' activities substantially affect interstate and foreign commerce.

b(1) The end purpose of most of these racketeering defendants, state and federal, by their conspiratorial, concerted and coordinated actions, is to steal and unlawfully plunder helpless estates and trusts, which are "persons" within the meaning of Amendment V and XIV of the U.S. Constitution, or to cooperate in such criminal and unlawful racketeering adventures, for their own private gain and/or to benefit the insatiable monetary appetites of their cronies, social and political.

(2) Insofar as plaintiff is directly involved, the purposes of the racketeering defendants was to: (1) compel plaintiff to abandon his vested, constitutionally protected, property interests, and his professional and societal obligations; (2) conceal the massive larceny and unlawful plundering of the judicial trust assets of Puccini -- "The Judicial Fortune Cookie" -- ; (3) conceal the modus operandi for such criminal racketeering adventures.

(3) Since the "racketeering defendants" with their "reign of terror", failed to compel plaintiff's submission, they have and are attempting to undermine his public credibility as to their criminal racketeering adventures, including their "reign of judicial terror".

(4) The Puccini matter described herein, is only one of a pattern of continuing and ongoing criminal racketeering adventures, centralized in the courts, and involving, inter alia, members of the judiciary and their cronies.

c. The modus operandi for the unlawful plundering of judicial estates and trusts are: (1) compensating or over-compensating "estate chasers" for needless or self-defeating activities; (2) over-compensating, directly and/or indirectly, judicial appointees; and/or (3) by outright larceny by jurists and/or their appointees.

d(1) To compel cooperation by even the most honest attorneys, the judiciary has a panoply of retaliatory devices, including the professional disciplinary process; adverse and denigrating publications, under the guise of the decision-making process; barring access to the courts, and unjustifiable adverse decisions.

(2) As against plaintiff, the ultimate usurpation of judicial power is exercised, including: (1) repeated triales, manifestly unconstitutional criminal convictions with incarcerations and/or other sanctions; (2) seizure of his bank deposited assets under "phantom" judgments; (3) repeated orders directing the Sheriff to "break into" plaintiff's premises in order to "seize all his word-processing equipment and soft-ware" and "inventory" his possession; (4) the actual seizure of his computer data discs, personal and professional papers, including those of his clients; (5) freezing plaintiff's ability to collect his debts and judgments, contractually based and otherwise; (6) denying, without a hearing, access to particular courts; (7) unlawful incarceration at a psychiatric facility; (8) without any notice or hearing, barring plaintiff's physical admittance to

federal facilities, including the courts; (9) causing a steady stream of false and libelous material to be published in the professional media, in order to deprive plaintiff a fair trial in every court of the United States, state and federal, and his right of privacy; (10) disbarment; and (11) other in terrorem activities.

(3) Since plaintiff has steadfastly refused to succumb to these barbaric tactics, the "racketeering defendant" have punished or threatened to punish third parties, such as (1) members of his family; (2) HYMAN RAFFE ["Raffe"]; (3) DENNIS F. VILELLA ["Vilella"]; and (4) others in the attempt to compel plaintiff to succumb.

To the extent that the racketeering defendants have imposed a "reign of terror" upon third parties, they have deprived plaintiff of his constitutional and legal right of free association.

e(1) As a result of such criminal, unlawful and unethical activities, these criminal racketeering adventurers are, as an ongoing matter, causing plaintiff racketeering, constitutional, civil rights, and other injuries, and depriving plaintiffs of his rights, privileges and immunities guaranteed by the Constitution and laws of the United States.

(2) As a further result of such criminal, unlawful and unethical activities, these criminal racketeering adventurers are, as an ongoing matter, also causing racketeering injuries to the governments of the United States, state and local governments.

(3) In short, as will be demonstrated, members of the judiciary and governmental officials, state and federal, not only steal from helpless judicial trusts and estates, for their own private interests, but also steal from the governments that they purport to represent and pay their salaries.

6. As heretofore stated, this action is directed to only one aspect of such "criminal racketeering activity" for which relief is being requested.

THE DEFENDANTS

"THE RACKETEERING DEFENDANTS"

7a. Some of "racketeering defendants" involved, directly and/or indirectly, in the larceny and unlawfully plundering of Puccini's judicial trust assets, extortion and/or other criminal activities, none of whom are psychiatrists or psychologists, or otherwise qualified legally competent to render a professional opinion on the subject are: JEROME H. BARR, Esq. ["Barr"]; LEE FELTMAN, Esq. ["Feltman"]; FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. ["FKM&F"]; Chief Judge A. LEON HIGGINBOTHAM, JR. ["Higginbotham"], of the Third U.S. Circuit Court of Appeals; Circuit Judge WILLIAM D. HUTCHINSON ["Hutchinson"], of the Third U.S. Circuit Court of Appeals; Circuit Judge ROBERT D. COWEN ["Cowen"], of the Third U.S. Circuit Court of Appeals; Circuit Judge COLLINS J. SEITZ ["Seitz"], of the Third U.S. Circuit Court of Appeals; SALLY MRVOS, Esq. ["Mrvos"], Chief Clerk of the Third U.S. Circuit Court of Appeals; PAUL DOUGLAS SISK, Esq. ["Sisk"], Chief Staff

Counsel of the Third U.S. Circuit Court of Appeals; Circuit Judge WILFRED FEINBERG ["Feinberg"], of the Second U.S. Circuit Court of Appeals; Chief Judge JAMES L. OAKS ["Oaks"], of the Second U.S. Circuit Court of Appeals; Circuit Judge GEORGE C. PRATT ["Pratt"], of the Second U.S. Circuit Court of Appeals; U.S. District Judge NICHOLAS H. POLITAN ["Politan"], of the District of New Jersey; Bankruptcy Judge DANIEL J. MOORE ["Moore"], of the District of New Jersey; Chief Judge CHARLES L. BRIEANT ["Brieant"], of the Southern District of New York; U.S. District Judge WILLIAM C. CONNER ["Conner"], of the Southern District of New York; U.S. District Judge EUGENE H. NICKERSON ["Nickerson"], of the Eastern District of New York; U.S. Magistrate ALLYNE ROSS ["Ross"], of the Eastern District of New York; U.S. Attorney SAMUEL A. ALITO, JR. ["Alito"], of the District of New Jersey; Assistant U.S. Attorney, SUSAN C. CASSELL ["Cassell"], of the District of New Jersey; Assistant U.S. Attorney, MICHAEL V. GILBERTI ["Gilberti"], of the District of New Jersey; Assistant U.S. Attorney, R. DAVID WALK, JR. ["Walk"], of the District of New Jersey; Attorney General, ROBERT ABRAMS ["Abrams"], of the State of New York; Presiding Justice, FRANCIS T. MURPHY ["Murphy"], of the Appellate Division of the State of New York, First Judicial Department; Administrative Judge, XAVIER C. RICCOBONO ["Riccobono"], of the Supreme Court of the State of New York, County of New York; Referee DONALD DIAMOND ["Diamond"], of the Supreme Court of the State of New York, County of New York, and District Attorney DENIS DILLON ["Dillon"] of Nassau County.

b. Likewise, none of the senior members of the following "racketeering defendants" involved, directly and/or indirectly, in the larceny and unlawfully plundering of Puccini's judicial trust assets, extortion and/or other criminal activities, are psychiatrists or psychologists, or otherwise qualified to render a professional opinion on the subject are: KREINDLER & RELKIN, P.C. ["K&R"]; CITIBANK, N.A. ["Citibank"]; and CLAPP & EISENBERG, P.C. ["C&E"].

c. None of the aforementioned have ever seen plaintiff perform or act in an irrational manner.

d. Indeed, despite the knowledge of each psychiatrist and psychologist at FMC that a "reasonable cause" Order by Judge Politan existed, and therefore a presumption of psychiatric or psychological disability or infirmity, plaintiff received superlative marks at FMC by highly trained specialists in those professional fields.

e. Notwithstanding such superlative marks given plaintiff at FMC and elsewhere by competent professionals, it is the denigrating contrary assertions that is being propagated in the legal media by the "racketeering defendants", none of whom have professional qualifications in the field.

8a. Carlson, is not a racketeering defendant, except by sufferance, in knowing that some persons, including plaintiff, are or were involuntarily incarcerated at FMC under psychiatric pretext, and, on information and belief, remaining silent on the subject.

b. Psychiatric facilities are for the ill, not the whistle-blowers, who have no desire to involve themselves in criminal activities.

9a. The defendants, West, MEAD DATA CENTRAL, INC. ["Lexis"], LAWYERS CO-OPERATIVE PUBLISHING CO. ["LCP"] and NEW JERSEY LAW JOURNAL ["NJLJ"] are legal publishers, but non-racketeering defendants.

b. NEW YORK LAW JOURNAL COMPANY ["NYLJ"] and PRICE COMMUNICATION CORP. ["Price"] are legal publishers. They are also "racketeering defendants", but not in this particular action.

CORRUPTION IN THE SECOND CIRCUIT

10a. Paradigmatic of the judicial corruption in the Second Circuit, employing the legal media to advance its criminal racketeering criminal adventure, is the denigrating, libelous and scurrilous opinion of Circuit Judge Pratt in Sassower v. Sheriff (824 F.2d 184 [2nd Cir.-1987]), which reversed Sassower v. Sheriff (651 F. Supp. 128 [SDNY-1986]).

b. On its face, known to everyone having any familiarity with "the law", the Judge Pratt determination is null, void, and of no legal affect.

c. Every jurist, lawyer, and almost every American knows that absent a plea of guilty, no American court or judge, can adjudge any person guilty of any federally protected crime, including the crime of non-summary criminal contempt, without a trial, or opportunity of a trial and without "live" testimony in support of same (Nye v. U.S., 313 U.S. 33 [1941], Bloom v. Illinois, 391 U.S. 194 [1968]).

d. Admitted in the Judge Pratt authored opinion, plaintiff entered a plea of, inter alia, "not guilty", there is no finding that plaintiff waived his right to a hearing, and even if he did, there was no 'live' testimony to support such conviction -- which is the "death knell" to any claim to validity.

e. Additionally, on the face of the opinion of Judge Pratt, other constitutional and legal reasons exist which compel the conclusion that the conviction was a constitutional and jurisdictional nullity.

f. However, the inflammatory and prejudicial nature of such published opinion has been decisive, even where clearly not relevant in other litigation.

11. The egregious and criminal nature of Circuit Judge Pratt's opinion are the fabricated and contrived statements contained therein, as well as the extortion racket sought to be advanced by such decision.

a. Thus, for example, there is nothing -- absolutely nothing -- in the Record on Appeal to support the published libelous assertions by Judge Pratt that:

"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]."

b. The Record on Appeal is wholly and completely to the contrary.

c. Circuit Judge Pratt, while noting the other non-summary criminal convictions against plaintiff, failed to note that they were all trialess, and without any live testimony in support thereof, and consequently void and considered barbaric in all civilized societies.

d. Included in such prior trialess conviction was that of Judge Nickerson, who found petitioner and HYMAN RAFFE ["Raffe"] guilty, and imposed substantial fines payable "to the [federal] court".

e. These fines were not paid "to the federal court", but went into the private pockets of K&R and its clients, or those who engineered the larceny of Puccini's judicial trust assets.

12a. Judge Pratt, also did not disclose that Raffe had been convicted under a mirrored trialess report by Referee Diamond of substantially the same counts as plaintiff, and some additional counts as well.

b. However, Raffe agreed to effectively surrender all his interests in Puccini, consent to a "phantom" accounting for such judicial trust, execute releases to, inter alia, the K&R-FKM&F criminal entourage, including the "Federal Judges in the Southern and Eastern District of New York"; the "Justice of the Supreme Court, New York County", and in addition pay millions of dollars to K&R and FKM&F, and thereby avoid incarceration.

c. As long as Raffe keeps paying such "extortion" monies to K&R and FKM&F -- "the criminals with law degrees" -- he will not be incarcerated, according to the written agreement.

d. In Raffe's words "they are bleeding me to death".

e. The aforementioned are the "coins of the judicial realm" in the courts of the State of New York and the Second Circuit Court of Appeals, controlled by the "racketeering defendants" from that bailiwick, who also control, under "color of law", what is and is not published in the legal media.

CORRUPTION IN THE THIRD CIRCUIT

13a. Consequently, the Third Circuit, if it chose to cooperate in this Second Circuit criminal racketeering adventure, which they knowingly did, had to aid and abet the larceny and plundering of Puccini judicial trust assets, co-operate in the continuation of the Raffae extortion payments and somehow conceal the manifest judicial misconduct in the State and Federal courts of New York.

b. In the Third Circuit, K&R, its clients, Feltman, and FKM&F were all represented by C&E -- otherwise known as the firm of "Corruption and Extortion" -- openly compensated by monies criminally extorted from Raffae, although their activities were contrary to his legitimate interests.

14a. There was an attempt through a "fixing" operation by C&E of Bankruptcy Judge Moore to have plaintiff examined psychiatrically, although there was absolutely no basis for same.

b. After some limited publication, the effort fizzled, as did prior attempts in New York by "the criminals with law degrees".

15a. District Attorney Dillon, operating under jurisdictionally defective Informations, seized plaintiff's privileged and confidential papers and other property, including his 'data discs', for a period covering several of the most recent years, effectively paralyzing plaintiff.

b. A corrupted Judge Politan issued a very broad injunctive ukase, dated May 9, 1988, which prevented the filing of any papers by plaintiff in New Jersey, where exclusive jurisdiction then existed, without permission.

c. Judge Politan always withheld permission for such filing, which included plaintiff's attempts to recover his property and to file a Notice of Appeal from said injunctive ukase.

d. An appeal by plaintiff from such Politan Injunctive Ukase existed as a matter of right, was recently admitted by the Third Circuit Court of Appeals (U.S.A. v. Sassower, Docket No. 89-5810, 5/19/90).

e. When Judge Politan assumed the authority of a Circuit Court Panel and denied to plaintiff the right to file such Notice of Appeal, the Circuit Court itself became suspect, since obviously Judge Politan would not have attempted to act so clearly out of orbit unless given a carte blanche.

f. Such suspect situation increased when the Circuit Court (per Circuit Court Judge Seitz) refused to mandamus Judge Politan and cause such Notice of Appeal to be filed.

g. Included in plaintiff's presentment to the Third Circuit Court in his mandamus proceeding was clear notice that extortion payments were being made by Raffé, contrary to his legitimate interests, for legal and corrupting activities in the Third Circuit.

16a. Between a clearly corrupted Judge Politan, and a clearly suspect Third Circuit Court, plaintiff concluded that it would be improvident to challenge the transparently invalid Politan ukase, particularly with Dillon unlawfully in possession of some of plaintiff's necessary discs and papers.

b. Approximately eight (8) months after the issuance of the Politan ukase, when plaintiff learned that Raffe was resisting making the extortion payments for activities before Judge Moore, he moved before Chief U.S. District Judge JOHN F. GERRY ["Gerry"] to whom the bankruptcy proceeding had been assigned, in order to give notice to Chief Judge Gerry of the criminal state of judicial affairs in that New Jersey forum so that they could be aborted.

c. For a confluence of reasons, the making of such motion was not within the parameters of the Judge Politan ukase, and the motion could not be considered, as a matter of law, an act of contempt.

16a. However, as plaintiff thereafter learned, C&E, "the criminals with law degrees", and Judge Politan seized upon such motion as a pretext to have plaintiff incarcerated in a psychiatric institution for its collateral value.

b. Included in this depraved and unconstitutional scheme was Cassell, a civil attorney in the Alito Office, who represented the Second Circuit federal judiciary and officials in the litigation in the Third Circuit.

17a. Plaintiff was admitted to the bar in 1949, had practiced actively and continuously, and was considered by both bench and bar as being well versed in many areas of the law, including "the law of contempt".

b. Plaintiff probably knew more about the "law of contempt" than all his adversaries, including Judge Politan, combined. Plaintiff's submitted papers and the implied admission of Judge Politan, thereafter rendered, so reflect.

c. However, without any support whatsoever, not even a scintilla, upon motion of Gilberti, Judge Politan signed a sham §4241[a][b] "reasonable cause" Order, which questioned petitioner's competency to understand the charges lodged against him.

d. There was never any doubt in anyone's mind that plaintiff understood the simple non-summary criminal contempt Information and was competent to try the issues.

18a. Had there been any question of plaintiff's competency, the simplest, least expensive, and constitutional method of determining that question would have been through an out-patient procedure or by an examination while plaintiff was in New York or New Jersey, a procedure mandated by law.

b. However, the "racketeering defendants" desired that plaintiff be publicly stigmatized, and consequently caused plaintiff to be incarcerated for two (2) months, without bail, most of that time being at the psychiatric facility at FMC.

19a. Although the law and facts were, as a matter of law, against any conviction of plaintiff, the proceedings before Judge Politan and the Circuit Court left no doubt in plaintiff's mind that such tribunals had been "fixed".

b. In order to effectuate that "fix" Walk included in his "Supplemental Appendix" on appeal fifty-four (54) pages (pp. 1-53) prepared by C&E and "the criminals with law degrees", which were not part of the trial record.

c. Walk's Brief, in almost every essential respect, was taken from such improperly included Appendix.

d. The Third Circuit, incorporated in its opinion, as essential parts thereof, those portions which were in the improperly included in Walk's Appendix and/or his Brief.

e. The decision of the Third Circuit, for that reason alone, is a nullity.

20a. On effectively the same charges, plaintiff had received more than forty (40) adjudications other than guilty, thus triggering "double jeopardy" prohibitions many times over.

b. Unquestionably also, plaintiff was being made the subject of "invidious prosecutorial selectivity".

c. These pleas were interposed, along with plaintiff's plea of "not guilty".

d. As to the pleas of "double jeopardy" and "invidious prosecutorial selectivity" plaintiff was entitled to an immediate adjudications by the trial court, particularly since they were legally and factually unopposed.

e. Instead, Judge Politan did not rule upon them until the opening of trial, and thereby precluded a separate and prior appeal (Abney v. U.S., 431 U.S. 651 [1977]).

21a. On October 23, 1989, almost immediately after plaintiff's conviction and his filing his Notice of Appeal, he moved for dismissal and reversal based, inter alia, "double jeopardy" and "invidious selectivity", which motion bore the legend "Please Expedite".

b. Plaintiff was entitled to an almost immediate disposition of such motion, since a grant would have made dispensed with the filing of a Brief and Appendix and otherwise protected "double jeopardy" values.

c. Here again, the motion was unopposed by the Alito office.

d. Plaintiff kept communicating with the Third Circuit with respect to such motion and by non-response or response, plaintiff was given the clear impression that such motion had been properly docketed.

e. After plaintiff's appeal had been submitted to the Third Circuit Panel, and a few days before the decision of June 19, 1990, for the first time, plaintiff was informed that such motion had never been received and therefore never docketed.

f. Consequently, plaintiff sent another copy to the Third Circuit and the Panel, which was received by them on or shortly after June 18, 1990, or after the June 19, 1990 decision had been rendered, but not docketed.

g. By letter dated June 29, 1990, Sisk, Senior Staff Attorney for the Third Circuit, admitted that the Court had received the original October 23, 1989 motion, but had not docketed same.

h. The confluence of events irresistibly compel the conclusion that the failure to docket such motion of plaintiff, the deception by Sisk and Mrvos (Clerk of the Court) Office, was intentional, all with the knowledge of Walk, the Alito Office and C&E in order to deprive plaintiff of his appellate and constitutional rights.

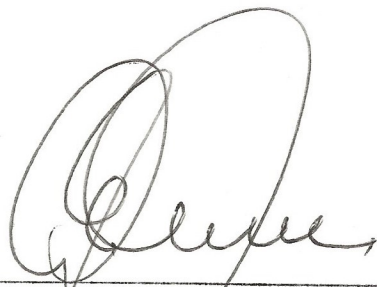
22a. Contained in a twenty-two (22) page supporting affirmation of October 23, 1989 were most of plaintiff's factual information to support his unopposed "double jeopardy", "invidious selectivity" and other of plaintiff's contentions, which plaintiff did not repeat in his Brief and/or Appendix.

b. The evidence also appears to support the assertion that the Panel (Hutchinson, Cowen and Seitz) had actual knowledge of the existence of the October 23, 1989 motion, of its absence before the Panel, and the conscience determination by the Panel to disregard its contents.

23. The major portion of the Third Circuits opinion relates to plaintiff's incarceration at FMC, a probation sentence which required intensive psychiatric treatment, and similar denigrating material, without once mentioning that in the opinion of all psychiatrists and psychologists plaintiff is very healthy and competent.

WHEREFORE, it is respectfully prayed that (1) the governmental racketeering defendants or those acting under "color of law" be enjoined from publishing and/or propagating the fact that plaintiff was incarcerated at FMC, or any false innuendo arising therefrom, without simultaneously disclosing the true facts concerning same, including plaintiff's mental health; (2) declaring the decision of the Third Circuit of June 19, 1990 to be null, void and of no effect by reason of the fraud and misconduct involved; (3) compelling a public accounting for the judicial trust assets of PUCCINI CLOTHES, LTD.; (4) compelling a full disclosure about the payments and other considerations being paid by HYMAN RAFFE; (5) damages in the sum of fifty million dollars (\$50,000,000), increased three-fold pursuant to the RICO statute; (4) together with such other relief as to this Court may be just and proper in the premises.

Dated: July 5, 1990

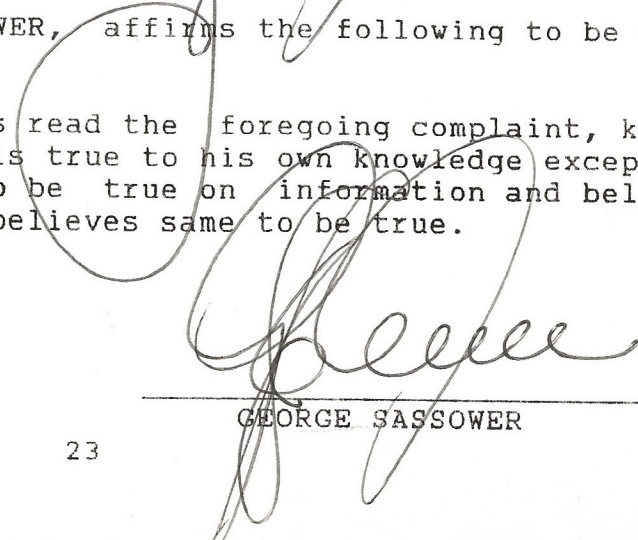


GEORGE SASSOWER

GEORGE SASSOWER, affirms the following to be true under penalty of perjury.

Affirmant has read the foregoing complaint, knows its contents, and the same is true to his own knowledge except as to matters stated thereon to be true on information and belief, and as to those matters he believes same to be true.

Dated: July 5, 1990



GEORGE SASSOWER