RECORDS COPY
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1702

United States Court of Appeals
FOR THE SECOND CIRCUIT

Second Circuit Rule 27(a) governing use of this form is reprinted on reverse of Page 2. Note requirement that supporting affidavits be attached.

PAGE 1

86-2455

None Assigned

Docket Number

George Sassower, etc.

v.

Vincent G. Bergen, et al.

Use short title

UNITED STATES COURT OF APPEALS
FILED
FEB 22 1988
ELAINE B. GOLDSMITH, CLERK

NOTICE OF MOTION

State type of motion

Stay Dismissal of Process Pending Appeal

MOTION BY: (Name, address and tel. no. of law firm and of attorney in charge of case)

George Sassower Pro se. 914-949-2169. fee enclosed
80 Mt. Vernon Place
New Rochelle N.Y. 10806

OPPOSING COUNSEL (Name, address and tel. no. of law firm and of attorney in charge of case)

Has consent of opposing counsel?
A. been sought? ☐ Yes ☑ No
B. been obtained? ☐ Yes ☑ No
Has service been effected? ☑ Yes ☐ No
Is oral argument desired? ☐ Yes ☑ No
(Substantive motions only)
Requested return date:
(See Second Circuit Rule 27(b))
Has argument date of appeal been set:
A. by scheduling order? ☐ Yes ☑ No
B. by firm date of argument notice? ☐ Yes ☑ No
C. If Yes, enter date:

EMERGENCY MOTIONS. MOTIONS FOR STAYS & INJUNCTIONS PENDING APPEAL

Has request for relief been made below? ☐ Yes ☑ No
(See F.R.A.P. Rule 8)
Would expedited appeal eliminate need for this motion? ☐ Yes ☑ No
If No, explain why not:

Will the parties agree to maintain the status quo until the motion is heard? ☐ Yes ☑ No

Judge or agency whose order is being appealed: Hon. Jacob Mishler

Brief statement of the relief requested:
Stay Dismissal of Process Appeal pending adjudication of issue at Bankruptcy Ct

Complete Page 2 of This Form

By: (Signature of attorney) George Sassower

Appearing for: (Name of party)

Appellant or Petitioner: ☑ Plaintiff ☐ Defendant
Appellee or Respondent: ☐ Plaintiff ☐ Defendant

Signed name must be printed beneath

2/19/88
Date

ORDER

Kindly leave this space blank

IT IS HEREBY ORDERED that the motion be and it hereby is ~~granted~~ denied

UNITED STATES COURT OF APPEALS
FILED
MAR 9 1988
ELAINE B. GOLDSMITH, CLERK
SECOND CIRCUIT

Kenneth A. Manton
Jose A. Cabranes
Jose A. Pinto

March 9 '88
Date

Circuit Judge

CASE NO. 86-2450	[illegible] SHERIFF OF WESTCHESTER COUNTY

	DATE	FILINGS – PROCEEDINGS
rr	3-12-87	Appellant SHERIFF WESTCHESTER CTY affidavit in reponse to cross-motion for change of venue and other relief filed (w/ps)
jed	3/13/87	Appellee Sassower motion to dismiss, alternatively to adjourn motions for two weeks, with substantial costs filed.
rr	3-11-87	Scheduling order # 3 filed (Clerk) (endosed on motion dated 3-11-87)
rr	3-12-87	Intervenor-appellant STATE OF NEW YORK brief filed (w/ps)
rs	3/16/87	appellant SHERIFF OF WESTCHESTER COUNTY letter stating that they will not file briefs FILED (w p/s)
jed	3/17/87	Order referring motion for summary reversal to the panel to the appeal filed. (endorsed on motion filed February 27, 1987)
jed	3/17/87	Order referring motion for change of venue, dismissal, appointment of U.S. Atty, etc. to the panel to hear the appeal filed. (endorsed on motion filed March 5, 1987)
jed	3/17.87	Order referring motion for dismiss, alternatively to adjourn 3/17/87 motions for two weeks with substantial costs to the panel to hear the appeal filed. (endorsed on motion filed March 13, 1987)
jed	3/25/87	Appellee Sassower motion for dismissal of appeal writ of prohibition filed.
jed	3/25/87	Appellee Sassower motion for dismissal of appeal filed.
jed	3/25/87	Appellee Sassower motion for dismissal of appeal filed.
jed	3/26/87	Appellee Sassower motion for new argument date filed.
jed	3/30/87	Order denying appellee Sassower motion for new argument date filed.
jed	3/31/87	Appellant Feltman affidavit in opposition to three separate motions to disaiss appeal filed.
jed	3/31/87	Appellant Feltman affidavit in opposition to motion by appellee for order dismissing appeal on alleged ground that the appendix was not served timely filed.
rs	4/1/87	Appellee SASSOWER briefs filed (wp/s)
jed	4/3/87	Appellee Sassower memorandum in further support of motions for dismissal filed
rs	4/8/87	Appellant FELTMAN AS RECEIVER, reply briefs filed (wp/s)
rs	4/8/87	Intervenor-Appellant STATE OF NEW YORK reply briefs FILED. (
rs	4/9/87	Receipt Re: Intervenor-Appellant STATE OF NEW YORK extra copy of brief with proof of service attached.
SV	4/13/87	Case submitted before VanGraafeiland, Pratt, Miner, C.JJ.
rr	6-8-87	Appellee SASSOWER motion for summary affirmance filed (w/ps)
rr	6-19-87	Intervenor-Appellant STATE OFNEW YORK opposition to appellees' motion for summary affirmance filed (w/ps)
JJ	03/15/87	Appellee SASSOWER Motion for Dismissal and/or Affirmance Pursuant to 651 Federal Supplement 128 filed (w/pfs)

GENERAL DOCKET

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

86-2458

	DATE	FILINGS – PROCEEDINGS
RAG	12-24-86	Copy of district court docket entries and notice of appeal on behalf of Appellant Feltman filed
RAG	12-24-86	Appellant Feltman Form C filed (w/pfs) (Received 12-19-86)
RAG	12-24-86	Appellant Feltman Form D filed (w/pfs) (Received 12-19-86)
RAG	12-24-86	Copy of receipt re: payment of docket fee in district court filed (Received 12-18-86)
fp	01-12-87	Appellant FELTMAN designation of record to be included in the appendix, **filed** (w/pfs)
rs	1/21/87	Record on appeal filed (original papers of the district court)
rr	1-26-87	Scheduling order #1 filed
JJ	02/10/87	Scheduling Order # 2 filed
JJ	02/13/87	Movant Attorney General Motion for Leave to Intervene Pursuant to 28 USC Section 2403 filed (w/pfs)
JJ	02/20/87	Defendant SHERIFF WESTCHESTER CNTY Motion for Leave to File Motion Out-Of-Time; Motion for Extension of Time to file Brief and Appendix filed (w/pfs)
JJ	02/20/87	Defendant SHERIFF WESTCHESTER CNTY Motion for SUMMARY REVERSAL filed (w/pfs)
JJ	02/20/87	Defendant SHERIFF WESTCHESTER CNTY Papers In Support of Motion for SUMMARY REVERSAL filed (w/pfs)
JJ	02/24/87	Order denying Defendant SHERIFF WESTCHESTER CNTY motion for Leave to File Motion Out Of Time and Motion for Extension of Time to file Brief and Appendix filed (CLERK)
rr	2-24-87	Order granting movant ATTORNEY GENERAL motion dated 2-13-87 filed (RJC)
rr	2-27-87	Appellant LEE FELTMAN, ESQ., brief filed (w/ps)
rr	2-27-87	Appellant LEE FELTMAN, ESQ., appendix filed (w/ps)
JJ	02/24/87	Appellee SASSOWER Letter In Opposition to SHERIFF WESTCHESTER COUNTY Motion for Summary Reversal filed
fp	03-05-87	Appellee SASSOWER motion for change of venue, vacate ex parte order, and dismissal of appeal **filed** (w/pfs)
fp	03-09-87	Appellant FELTMAN affidavit in opposition to appellant's motion filed 03-05-87 and in further support of appellee's motion for summary reversal filed (w/pfs)
fp	03-11-87	Intervenor-Appellant STATE OF NEW YORK motion for extension of time to file brief, filed (w/pfs)
fp	03-11-87	Intervenor-Appellant STATE OF NEW YORK brief, **received**

(CONTINUED ON PAGE FOUR)

JAN FEB MAR APR MAY JUNE JULY AUG SEPT OCT NOV DEC

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31

CASE NO.	JUDGE BELOW	SPECIAL CALENDAR NUMBER	CALENDAR NUMBER
86-2458	EDELSTEIN(0805)		985

TITLE OF CASE

Official Caption 1/

Docket No. 86-2458

GEORGE SASSOWER,,

Plaintiff-Appellee

v.

THE SHERIFF OF WESTCHESTER COUNTY,

Defendant,

LEE FELTMAN, ESQ., as Receiver for Puccini Clothes, Ltd.,

Intervenor-Respondent-Appellant,

STATE OF NEW YORK,

Intervenor-Appellant

Authorized Abbreviated Caption 2/

Docket No. 86-2458

SASSOWER V SHERIFF WESTCHESTER CTY

ATTORNEYS

APPELLEE:

George Sassower
[pro-se]
51 Davis Avenue
White Plains, NY 10605

(914)949-2169

APPELLANTS:

FELTMAN, KARESH, MAJOR & FARBMAN
Park Avenue Plaza
55 East 52nd St.
New York, NY 10055

ATTN: Donald F. Schneider

(212) 371-8630
(FOR:LEE FELTMAN)

Christopher Keith Hall
Assistant Attorney General
State of New York
120 Broadway
New York, NY 10271
(212) 341-2020

(FOR:State of NY)

1/ Fed. R. App. P. 12(a) and 32(a).

2/ For use on correspondence and motions only.

CLOSED

SHORT TITLE: SASSOWER V SHERIFF WESTCHESTER CTY

DOCKET NO. ▶ 86-2458

MR NUMBER ▶

TYPE OF CASE: ☐ U.S. Civil ☐ Bankruptcy ☐ Criminal ☐ Original proc. ☐ Private Civil ☒ Prisoner ☐ Administrative

3 530 NEWYORKC

DISTRICT CO: ☐ Cons. ☐ EDNY ☐ WDNY ☐ NDNY ☒ SDNY ☐ VT ☐ Other (specify)

▶Forms	Date Filed
A	
B	
C:	12-24-86
D:	12-24-86
CJA20	
CJA23	
Other (specify)	
DATE(S) PREARRAIGNMENT CONFERENCE(S) HELD	

DOCKET FEE
DATE:
ACCOUNT OF APPELLANT:
RECEIVED: FEE PAID IN SDNY
DISBURSED:
NO FEE REQUIRED: ☐ FP ☐ 24a ☐ SC

DISTRICT COURT DATA
DISTRICT DOCKET NO.: 86 Civ. 7403
DATE ACTION FILED IN DIST. COURT: 09-25-86
DATE OF DISTRICT COURT JUDGMENT OR ORDER APPEALED: memo & order: 12-08-86
DATE N.A. FILED: 12-16-86
DATE DOCKETED: 12-24-86

▶ SRE: 79-7205, 85-7037, 7963, 7965, 2280, 86-7263, 2300

RECORD FILED (ORIGINAL DIST. COURT PAPERS): 1/21/87
TRANSCRIPT(S):

SCHEDULING ORDERS

	SO 1 DATE ISSUED	Adj SO 2 DATE ISSUED	Adj SO 3 DATE ISSUED	Adj SO 4 DATE ISSUED	Adj SO 5 DATE ISSUED
	1-26-87	02/10/87	3-12-87		
Record		02/23/87			
Transcript					
BRIEFS:					
Appellant	2-17-87	02/24/87	3-9-87		
No.					
Appellee	3-10-87	03/17/87	3-31-87		
No.					
Argument (Week of)	3-30-87	03/30/87	4-13-87		

☐ ADJ. SO. 6 ETC. OVER ☐ APPELLEE'S APPENDIX

FILING OF BRIEF, APPENDIX, ETC.

PAPER FILED	PARTY	DATE
B (10)	T	2-27-87
A (10)	T	2-27-87
B (10)	T-T	3-12-87
letter	T	3/13/87
BR (10)	E	4/1/87
RB (10)	T	4/3/87
RB (10)	T	4/8/87

MOTIONS TO EXTEND TIME

	Date Filed	Order Entered
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Proceedings Held in Abeyance ☐ Reactivated ☐

Issuance of Mandate Stayed ☐ Stay Vacated ☐

CALENDAR

Date Time Request Sent:

Date Disqualification Sent:

Date Certain Notices Sent (No. sent ____) 1 2 3 4 5 6:

Receipt of Day Certain Notices 1 2 3 4 5 6 ☐

Date Set for Argument: 4/13/87

Committed ☐

Not Committed ☐

ROR ☐

Bail ☐

TERMINATION

Date ~~XXXX~~ Submitted: 4/13/87 Tape No.: 191

Date Judgment Filed: ~~Order of Disposition~~ 4-2-87 Date Mandate Issued:

Date Bill of Costs Filed:

Date Statement of Costs Filed:

Petition for Rehearing Filed Date: Granted ☐ Denied ☐ Date:

☐ Additional Petitions for Rehearing-See Docket Entries

Petition for Certiorari Filed Date: Granted ☐ Denied ☐ Date:

☐ Additional Petitions for Certiorari-See Docket Entries

METHOD OF DISPOSITION

☒ WRITTEN OPINION (BY JUDGE)
☐ WRITTEN OPINION (PER CURIAM)
☐ DECISION FROM THE BENCH
☐ SUMMARY ORDER
☐ COURT ORDER W/O OPINION
☐ DEFAULT DISMISSAL (CAMP, CAEF, OTHER)
☐ CONSENT DISMISSAL (RULE 33, CRIMINAL, OTHER)
☐ 0.18(7) DISMISSAL
☐ OTHER (SPECIFY)

Record Returned:

Receipt of Return of Records:

Date Reopened:

PR. ST. HC: DEFENDANT-APPELLANT

CASE NO. 86-2458	SASSOWER V SHERIFF OF WESTCHESTER CTY

	DATE	FILINGS—PROCEEDINGS
JJ	06/22/87	Appellee SASSOWER Affirmation is Support of motion for Dismissal and/or Affirmance Pursuant to 651 Federal Supplement filed (w/pfs)
fp	06-23-87	Appellee SASSOWER Supplemental papers in support of motion for dismissal and/or Affirmance Pursuant to 651 Federal Supplement 128 filed (w/pfs)
fp	06-23-87	Appellee SASSOWER memorandum in support of motion for dismissal and/or Affirmance Pusuant to 651 Federal Supplement 128 filed (w/pfs)
JJ	06/25/87	Appellee SASSOWER Motion for Return of Blackmail monied to H. Raffe or Pay Over to Soveriegn-Enjoin filed (w/pfs)
JJ	06/29/87	Appellee SASSOWER Letter requesting a Temporary Injunction, in accordance with motion dated June 23, 1987 filed (w/pfs)
JJ	07/02/87	Appellee RAFFE Affidavit stating that he has not authorized Sassower to seek relief on his behalf filed (w/pfs)
JJ	07/07/87	Appellee SASSOWER RECUSAL AFFIRMANTION Filed (w/pfs)
rr	7-15-87	Judgment **reversed and remanded** with instructions by published signed opinion (GCP)
rr	7-15-87	Judgment **filed**
rs	7/15/87	ORDER denying appellant SASSOWER motion for summary affirmance, **FILED.**
RS	7/15/87	**Order denying appellant SASSOWER motion for return of blackmail monies, FILED. Order denying appellant SASSOWER motion to dismiss and or affirm and also sanctioning appellant with a fine of $250.00., and also directing the clerk to refuse to file any new appeals or proceedings submitted by appellant until sanctions are paid, FILED.**
rr	9-1-87	Order **denying NUNC PRO TUNC** appellant **SASSOWER** motions for writ of prohibition and change of venue **filed** (CLERK)
rr	9-2-87	Mandate (Judgment, Opinion) **issued**
JJ	2-10-88	Appellee SASSOWER Motion to Modify or Remove Sanctions in Appeal 86-2458 filed (w/pfs)
JJ	02-22-88	Appellee SASSOWER Papers In support Motion to Modify or Remove Sanctions in Appeal filed (w/pfs)
JJ	3-9-88	Order denied apppellant pro se SASSOWER motion for stay dismissal or process pending adjudication filed. (EVG, GCP, RJM, C.JJ.) (endorsed on motion filed 2-22-88)