

# Doris L. Sassower

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## BY COURIER

February 27, 1998

U.S. Court of Appeals for the Second Circuit  
40 Foley Square  
New York, New York 10007

ATT: Bernard F. Madsen, Jr., Deputy Clerk

RE: §372(c) Judicial Misconduct Complaints:  
#97-8535 (District Judge Sprizzo)  
#97-8539 (Circuit Judge Jacobs)  
#97-8540 (Circuit Judge Meskill)  
#97-8541 (District Judge Korman)

Dear Mr. Madsen:

Reference is made to your letter, dated February 23, 1998, which was post-marked on that date and received by us on February 25th. That letter enclosed the Order of Chief Judge Winter dismissing the four above-numbered §372(c) judicial misconduct complaints. The Order purports to be dated and filed on February 9, 1998, a Monday.

This February 9th date is most surprising since, on Friday, February 13th, I telephoned the Second Circuit and spoke to Beth Meador, your supervisor, who confirmed that there had been *no* disposition on those §372(c) complaints. This is reflected by Doris L. Sassower's February 13th letter to Chief Judge Winter and the Circuit judges -- a letter which should have reached Ms. Meador and yourself on Tuesday, February 17th, the first business day after that three-day Presidents' Day weekend.

If, in fact, Judge Winter's Order had been issued and filed on February 9th, we would have expected to have been promptly notified that the information Ms. Meador had given me on February 13th, as reflected by Ms. Sassower's February 13th letter, was erroneous<sup>1</sup>. And we would have expected you

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<sup>1</sup> Indeed, during this period, Ms. Meador sent us a corrected Order in *Sassower v. Mangano, et al.*, #96-7805, denying our Petition for Rehearing with Suggestion for Rehearing *In Banc* -- redated from November 17, 1997 to December 17, 1997. I had brought the error in the original Order to Ms. Meador's attention in my above-described February 13th phone conversation

to have immediately sent us Chief Judge Winter's Order rather than allowing another six days to elapse before mailing it -- a full two weeks after it had supposedly been issued and filed. Expedition was additionally warranted because Ms. Sassower's February 13th letter gave notice that the Circuit's several months' delay in addressing her judicial misconduct complaints was prejudicing her preparation of her petition for a writ of certiorari in *Sassower v. Mangano, et al.*

Since it could well be surmised that Chief Judge Winter's Order was actually issued and filed *after* receipt of Ms. Sassower's February 13th letter and *backdated* to make it appear otherwise, we would appreciate an explanation.

Inasmuch as Ms. Sassower will be petitioning for review to the Judicial Council of the Second Circuit, please advise who are its judges and send us the most recent copy of the Second Circuit's Rules Governing Complaints against Judicial Officers under 28 U.S.C. §372(c).

Very truly yours,



ELENA RUTH SASSOWER  
Paralegal Assistant to Complainant,  
DORIS L. SASSOWER

cc: Beth Meador, Supervising Administrative Attorney  
Jay Weinstein, Assistant Attorney General

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with her, which I followed up by a February 17th letter to her, sent by courier. Enclosed therewith was another copy of Ms. Sassower's February 13th letter, correcting the one that had been mailed in an envelope addressed to you.