

Doris L. Sassower

283 Soundview Avenue
White Plains, New York 10606

Tel. (914) 997-1677
Fax (914) 684-6554

BY COURIER

March 30, 1998

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

ATT: Beth J. Meador, Supervising Administrative Attorney

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 Ms. Meador:

This letter responds to your letter dated March 25, 1998, relative to our hand-written notice.

You claim that the Circuit's response to Doris Sassower's May 10, 1996 letter accorded her no "rights". However, it did confer a reasonable expectation that an *identical* letter, under the identical rule, would be accorded the *identical* response. You have not identified why such *identical* response has not been forthcoming to Doris Sassower's *identical* March 23, 1998 letter.

Nor have you identified anything in Rule 7(c) forbidding a complainant from using it "to extend the time for petitioning for review". Ms. Sassower relied on such Rule for the *identically-stated* purpose in her May 10, 1996 letter. No objection was expressed by the Circuit's May 15, 1996 response, which confirmed the 15-day extension. Nor did the Circuit, thereafter, modify its Rule 7(c) so that extensions could not be secured thereunder. Indeed, the Rule remained unchanged in *all* respects.

Moreover, your assertion that "the only requirement for a petition for review is a letter requesting a review setting forth the reasons for the request in a *brief* statement" REITERATES *precisely* what Ms. Sassower's March 23rd letter itself stated, to wit,

"Under Rule 6(e), I am required to provide 'a brief statement of the reasons why the petitioner believes that the chief judge should not have dismissed the complaint[s]...'

Because of time constraints and the press of other commitments, I have been unable to finalize the 'brief statement', although already drafted."

Since Ms. Sassower's timely petition was, therefore not in "proper form" -- a fact she so stated -- Ms. Sassower invoked the procedures under Rule 7(c): an acknowledgment of receipt, with an additional 15 days afforded. These were the procedures adhered to two years ago by the Circuit's May 15, 1996 letter.

One final note is in order: not only has Rule 7(c) remained *identical*, as well as Ms. Sassower's invocation thereof, but there has been *no* change in the past two years in this Circuit's personnel in the Clerk's Office charged with the administrative processing of §372(c) matters: Mr. Madsen has primary charge and you are his superior. Indeed, it was Mr. Madsen who signed the Circuit's May 15, 1996 acknowledgment letter, which afforded the 15-day extension under Rule 7(c).

Please advise, therefore, WHY AND AT WHOSE DIRECTION this Circuit has *not* responded identically. At the same time, please respond to our as yet unresponded-to informational inquiries concerning Chief Judge Winter's dismissal order, as set forth in our March 17th letter to you. The *only* response to that letter we received -- on Saturday, March 21st -- was from Mr. Madsen: his letter dated March 18, 1998 enclosing the names of the judges comprising the Second Circuit Judicial Council and the Circuit's most recent rules governing §372(c) complaints. This information had been requested in our February 27th letter.

For your convenience, a copy of our March 17th letter is enclosed.

Thank you.

Very truly yours,



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

Enclosure

cc: Bernard Madsen, Jr., Deputy Clerk
Jay Weinstein, Assistant Attorney General