

"THE SMOKING GUN PROOF"

The
Criminal & Corrupt Activities
of

SAMUEL A. ALITO

[Second Abridged Edition]

"He [the corrupt judge] moves like a figure in a Greek tragedy, inexorably along the way of self-destruction. ... The disregard of his oath seems to become more brazen with each succeeding corruption. Like the mythical Ajax the Less, he seems to tempt the gods to destroy him." (*The Corrupt Judge*, Joseph Borkin, at p. 13).

1. **"THE BRIBES"** targeted in this abridged publication, are those by: (a) *Citibank, N.A.*, the financial colossus; (b) from "sources" where "public accountings" are mandatory; (c) involving high-echelon jurists and officials, and (d) where the undenied amounts of "bribes" were more than \$3,500,000.

Any "public accounting" for: (1) *Puccini Clothes, Ltd.*, would reveal that *Samuel A. Alito*, as a U.S. Attorney, was involved in "bribes" of approximately \$800,000 from Puccini's judicial trust assets, and (2) any "public accounting" would also reveal that the monies payable "to the [federal] court" (Exhibit "B1B"), were *all* "diverted" to the coffers of *Citibank* and/or *Kreindler & Relkin, P.C.* ["K&R"] its attorneys (e.g., Exhibit "B1D"), to serve, after "laundering", as an additional "source" of "bribes", while the federal court received none of these federal monies, a criminal operation in which U.S. Attorney *Samuel A. Alito* was also involved.

The *quid pro quo* for the "bribes" from these and other easily verifiable "sources" where "public accountings" are mandatory, and millions of dollars more, from other "sources", is "*Total & Complete Immunity*" for the *Citibank* conspirators, as Exhibit "B5A", a U.S. Third Circuit Order, confirms!

2. Every official and jurist has to be "fixed", including Attorney Generals *Alberto R. Gonzales* and *Eliot Spitzer*, so that none of them would compel the *Citibank* conspirators to "account" for any of their illicit "loot" or provide "restitution" to any of their victims, including the *United States* and *State of New York*!

This is a continuing criminal operation. There can never be any defectors in the "*Rehnquist-Roberts Ultimate Totalitarian Empire*", since a single official or judge who compels the *Citibank* conspirators to "account", provide "restitution" or does not afford them "total immunity", would render a lethal blow to the "*Citibank Bribes for Total Immunity Agreements*".

3. The criminal activities of U.S. Attorney *Samuel A. Alito* included the unlawful expenditure of "staggering" sums of federal monies not appropriated by Congress, a felony, punishable by a fine and a term of imprisonment (31 U.S.C. §1350), a crime compounded and made more egregious by his falsifying official records to conceal such unauthorized expenditures, which Exhibit "B1E" confirms.

4. As the files in the federal courts in New Jersey and U.S. Third Circuit Court of Appeals (e.g. 90-5147, 91-5580) reveal, whenever the option of U.S. Attorney *Samuel A. Alito* existed of either divesting the *Citibank* conspirators of any of their illicit "loot" or defrauding any of its victims, including the *United States*, U.S. Attorney *Samuel A. Alito* always opted, to defraud the victims, including the *United States*.

Consequently, today, the *Citibank* conspirators have all their illicit "loot" while their victims, the rightful owners, including the *United States* and *State of New York* have none of it!

5. The repeated "betrayal" of a client, such as the *United States*, by its attorney, such as U.S. Attorney *Samuel A. Alito* is "*The Ultimate Legal Abomination*" mandating "disbarment"!

Instead, *Samuel A. Alito* has been nominated to be an Associate Justice of the Supreme Court of the *United States*! However, even his confirmation would not provide him criminal, civil or disciplinary immunity! The Worst is Still to Come.

GEORGE SASSOWER, Esq.

Member of NY State & Federal Bars, 1949 to Date.

A Flawless Publication

"THE SMOKING GUN PROOF"
The
Criminal & Corrupt Activities
of
SAMUEL A. ALITO
Smoking Gun §I
NAILING JELLYFISH TO THE WALL

"Not honesty alone, but the punctilio of an honor the most sensitive, is then the standard of behavior. As to this there has developed a tradition that is unbending and inveterate. Uncompromising rigidity has been the attitude of courts of equity when petitioned to undermine the rule of undivided loyalty by the 'disintegrating erosion' of particular exceptions" (*Meinhard v. Salmon*, 249 NY 458, 464, 164 NE 545, 62 ALR 1 [1928], per Cardozo, Ch. J.)

PART "A":

1A. *Samuel A. Alito*, conducting himself in tandem with, *inter alia*, Attorney General of the United States *Alberto R. Gonzales*; Chief U.S. Circuit Court Judge *Anthony J. Scirica*, for the Third Circuit, and U.S. District Court Judge *Charles L. Brieant* of the Southern District of New York, concealed from, *inter alia*, the *United States Senators*, individually and as a body, the *American Bar Association* and the public his egregious criminal activities as the U.S. Attorney for the District of New Jersey, which included expending, without authorization, federal monies, a felony, punishable by a fine and a term of incarceration (**31 U.S.C. §1350**) and "cooking" his federal books (Exhibit "B1E") in order to conceal such activities, none of which was ever denied by the aforementioned or any one else.

These criminal events by U.S. Attorney *Samuel A. Alito* occurred at about the zenith of the *Iran-contra* scandal when, as an almost daily event the President of the United States, *Ronald Reagan*, the Vice-President of the United States, *George Herbert Walker Bush*, and other high-echelon officials and members of the military were repeatedly told that it was Congress that has exclusive control of the federal purse!

B. In order to implement the "*Citibank Bribes for Total Immunity Agreements*", U.S. Attorney *Samuel A. Alito* failed and refused to support motions to "divest" Citibank of the monies payable "to the federal court" in favor of the United States, his client, to whom he owed "undivided loyalty" and he never articulated any justification for his treasonous, perfidious and treacherous behavior.

Although his sole client was the United States and was on its payroll, an examination of the activities of U.S. Attorney *Samuel A. Alito* reveals he gave his "undivided loyalty" to *Citibank, N.A.*, its attorneys, and their stable of corrupt judges and officials, (*cf. (Meinhard v. Salmon, supra)*).

2. Had the confirmation of *Samuel A. Alito* to be an Associate Justice of the Supreme Court of the United States been a criminal proceeding, a conviction would have had to be vacated for: (1) the deceptive, if not perjurious, statements and sworn testimony by the primary prosecution witness, *Samuel A. Alito*; (2) by the failure of those acting on behalf of the President of the United States, especially the Attorney General of the United States, *Alberto R. Gonzales*, to produce decisive material in his possession compelling the rejection of the nominee by the United States Senate (*Brady v. Maryland*, 373 U.S. 83 [1963]); (3) the failure of Chief U.S. Circuit Court Judge *Anthony J. Scirica*, for the Third Circuit to produce decisive requested documents to the *Judiciary Committee of the United States Senate* (*U.S. v. Agurs*, 427 U.S. 97 [1976]); (4) and the "ineffective representation of the public" by the United States Senate. Republicans and Democrats (*Rompilla v. Beard*, 545 U.S. , 125 S.Ct. 2456 [2005]), reversing *Rompilla v. Horn*, 355 F.3d 233 [3rd Cir.-2004]) per *Alito, J.*, (*Sloviter, J. dissenting*).

3. Where there is a fraud upon the tribunal and/or the public interests is involved, doctrines of estoppel, waiver, and other limitations for the bringing of the action and/or proceedings and/or declaring them a "nullity" are inapplicable (*Hazel-Atlas v. Hartford*, 322 U.S. 238 [1944]).

PART "B":

1A. My letter of July 5, 2005 to the President, almost four (4) months *before Samuel A. Alito* was nominated to be an Associate Justice of the Supreme Court of the United States, with copies to, *inter alia*, Judge Alito and Attorney General Gonzales, with attached exhibits, reads in full, *in haec verba*, as follows [with emphasis in the original]:

"President George W. Bush
The White House
1600 Pennsylvania Avenue,
Washington, D.C. 20500

Re: U.S. Circuit Court Judge Samuel A. Alito, Jr.

Dear Mr. President,

In order that you may make a fully informed decision, I set forth the following, which will not be mooted by your failure to nominate the above to be an Associate Justice of the Supreme Court of the United States.

1. U.S. Attorney *Samuel A. Alito, Jr.* of the District of New Jersey defended, at unauthorized federal cost and expense, persons who had not been 28 *U.S.C.* §2679[d] 'scope' certified, and where no 28 *U.S.C.* §2675[a] 'notice of claim' had been filed (*Sassower v. Abrams*, 88 Civ. 1012 [NHP]).

In order to conceal these unauthorized expenditures from, *inter alia*, Congress, which has exclusive control of the federal purse, U.S. Attorney Alito 'cooked' federal books and records, as a Freedom of Information Report confirms (Exhibit 'A').

2. According to a named federal official these expenditures were 'staggering' (*New Jersey Law Journal*, July 13, 1989). However, after such 'staggering' estimate, the federal expenditures 'went through the roof'!

3. Had U.S. Attorney Alito or any authorized official (28 *CFR* §15.3) or judge 'scope' certified Alito's rogue clients, there would have been an *automatic* United States substitution, and the action would have been immediately dismissed for the failure to file a 28 *U.S.C.* §2675 'notice of claim'.

Although "dismissal" would have been the immediate consequence of a 'scope' certificate, neither U.S. Attorney Alito nor any authorized federal official would, 'after an investigation', execute such document.

Obviously, no authorized official or judge was going to 'scope' certify anyone involved in diverting monies payable 'to the [federal] court' (Exhibit "B") to private pockets to serve as an additional source of 'bribes'.

4. U.S. Attorney Alito not only did not make any attempt to recover, in favor of the United States, these diverted federal monies, but he was defended those involved, at unauthorized federal cost and expense.

This is an ongoing criminal racket where the United States is one of the prime victims!

5. Mr. President, I respectfully suggest that your Attorney General should make recovery of these diverted federal monies, recoup the unauthorized federal expenditures and terminate this criminal adventure wherein U.S. Attorney was a participant.

6. Judge Alito has been reported to be on the 'short list' for appointment to the Supreme Court by Newsweek (April 10, 2000); U.S. News & World Report; The National Journal

(June 10, 2000); Time Magazine (May 26, 2003); The Legal Times (March 3, 2003), and within the past few days on Fox TV.

In view of same, as a born American citizen and battle-starred veteran of World War II, my obligation, under the circumstances, is manifestly evident.

Most Respectfully,

GEORGE SASSOWER

cc: U.S. Circuit Court Judge Samuel A. Alito, Jr.
Attorney General Alberto R. Gonzales

B. The *unlawful* expenditures of federal funds made by the Article II U.S. Attorney *Samuel A. Alito* was incredibly arrogant, since at the same time that he making these *unlawful* expenditure of federal funds and "cooking" his federal books to conceal from the Article I Congress his *unauthorized* expenditure of federal funds, Admiral *John M. Poindexter*, Colonel *Robert C. McFarlane*, Colonel *Oliver L. North* and others, were being publicly roasted, and criminally prosecuted for "cooking" federal records in order to conceal that a portion of the monies received from the sale of military supplies to Iran for the release of American hostages held in Lebanon, were being used to keep the "contras" alive "body & soul", in response to the desires of President *Ronald W. Reagan*.

President Reagan, as was Vice-President *George H.W. Bush*, were threatened with impeachment, as they were repeatedly reminded that it was Congress that has exclusive control of the federal purse and there could be no disbursement of federal funds or assets, without its explicit authorization (Article 1 §9[7] of the *Constitution of the United States*).

At the time, there would have been no question as to the reaction of Congress if it knew that while it was holding "hearings" on the *Iran-Contra* matter, that U.S. Attorney *Samuel A. Alito, Jr.*, was engaged in the same activities, at *unauthorized* federal cost and expense, in order consummate the transmission of "bribes" of approximately \$800,000, and to salvage the "body & soul" of *Citibank, N.A.*, the financial colossus, and its stable of corrupt judges and officials, under a "*Citibank Bribes for Total Immunity Agreement*"!!!

2A. My letter of July 8, 2005, with copies to, *inter alia*, Judge Alito and Attorney Gonzales reads in full, *in haec verba*, as follows:

"President George W. Bush
The White House
1600 Pennsylvania Avenue,
Washington, D.C. 20500

Re: U.S. Circuit Court Judge *Samuel A. Alito, Jr.*

Dear Mr. President,

Confronted by the documentary evidence of his egregious criminal activities, which includes defrauding the United States, I anticipate that U.S. Circuit Court Judge *Samuel A. Alito, Jr.* will promptly withdraw his name from the 'short list' of potential nominees to the Supreme Court of the United States.

However, as I stated in my communication to you of the 5th inst., such withdrawal or your failure to nominate, will not moot the matter.

1. The unlawful scenario pursued by U.S. Attorney *Samuel A. Alito, Jr.* of New Jersey, which is in the Third Circuit, was scripted and directed by Chief U.S. District Court Judge *Charles L. Briant* of the Southern District of New York, which is in the Second Circuit.

The Briant criminal scenario, in a limited form, initially appeared in hard published print in *Raffe v. Doe* (619 F. Supp. 891 [SDNY-1985]), and was thereafter made fully operational in *Vilella v. Santagata* (SDNY-87 Civ. 1450 [GLG]) and then in *Geo. Sassower v. Abrams* (NJ-88 Civ 1012 [NHP]).

2. In *Geo. Sassower v. Abrams* (*supra*), a money damage tort action, U.S. Attorney Alito, was defending 'persons' and where there was no 28 U.S.C. §2675[a] 'notice of claim', which is legally impossible.

A. As U.S. Attorney Alito knew, in a money damage tort action, a federal attorney can *only* defend the United States, never any 'person'! There is an exception, under special circumstances, for revenue and custom officials and employees (28 U.S.C. §547[3]).

B. Additionally, as U.S. Attorney Alito also knew, a federal attorney can never defend anyone, even the United States, in a money damage tort action, where no 28 U.S.C. §2675[a] 'notice of claim' has been filed.

No 28 U.S.C. §2675[a] 'notice of claim' was filed since these federal judges and officials were being sued in their 'personal', not 'official', capacities!

3. Since the Alito defense representation was unauthorized, he 'cooked' federal books and records to conceal such litigation and expenditures (Exhibit 'A').

The unauthorized expenditure of federal funds is a 'subject matter jurisdictional' infirmity, which renders the merit dispositions made to be null and void!

4. A named federal official characterized the unlawful expenditures as 'staggering' (*New Jersey Law Journal*, July 13, 1989).

After such 'staggering' estimate was made, the federal expenditures 'went through the roof', however the U.S. Department of Justice in Washington and U.S. Attorney's Office in New Jersey, has no record of such litigation (Exhibit 'A').

5. Had U.S. Attorney Alito, or any authorized official in the U.S. Department of Justice (28 CFR §15.3), or jurist, 'after an investigation', certified that the federal defendants sued were acting 'within the scope of their offices', the United States would have been *automatically* substituted as the defendant (28 U.S.C. §2679[d]), and the action would have been immediately dismissed because of the lack of a 28 U.S.C. §2675[a] 'notice of claim'.

However the actions of these federal defendants were so egregious and contrary to federal legitimate interests that neither Alito, nor any other authorized official or jurist would 'scope' certify any of them.

Obviously, neither Alito, nor any authorized official or judge would certify that any jurist or official was acting 'within the scope of his/her office' who was involved in diverting monies payable 'to the [federal] court' (Exhibit 'B') to private pockets to be 'laundered' as an additional source of 'bribes'!

6. To preserve the remaining cash assets of approximately \$800,000 in the judicial trust account of *Puccini Clothes, Ltd.*, as 'bribes' for judges and judicial officials, Judge Briant had U.S. District Court Judge *William C. Conner*, albeit lacking jurisdiction, to issue a transparently invalid injunction (*Raffe v. Doe, supra*).

However, since I held a contractually based, constitutionally protected, money judgment against Puccini (Exhibit "C"), I was able to prevent the transmission of such approximately \$800,000 in the Puccini trust account as 'bribes'.

This approximately \$800,000 in 'bribes' from Puccini's judicial trust assets was in addition to the more than \$2,500,000 in 'bribes' reported by *United Press, International* (e.g. *NY Village Voice*, June 6, 1989), since the consummation of such approximately \$800,000 transmission took place after such article was published.

7. In addition to the 'subject matter jurisdictional' infirmity caused by the unlawful Alito defense representation in *Geo. Sassower v. Abrams* (*supra*), such action was *also* infected with

an Amendment XI of the *Constitution of the United States* (*Hans v. Louisiana*, 134 U.S. 1 [1890]) 'subject matter jurisdictional' infirmity, which also rendered the [U.S. District Court Judge, *Nicholas H. Politan* merit dispositions made to be null and void, as U.S. Attorney Alito was also aware.

To the conservative, as Alito purports to be, Amendment XI/Hans is the 'body, mind and soul' of their constitutional religion.

8. Alito's conduct in *Geo. Sassower v. Abrams* (*supra*) was so patently unlawful and actionable that five (5) weeks after such action was filed, a second action was filed in which he was a money damage co-defendant (*Geo. Sassower v. Feltman*, NJ 88 Civ 1562 [NHP]).

Now, U.S. Attorney Alito was defending both these actions at unauthorized federal cost and expense.

9. Despite the multiple jurisdictional infirmities that existed in both these actions, in order to consummate the transmission of the approximately \$800,000 from Puccini judicial trust assets as 'bribes', Chief Judge Briant had U.S. District Court Judge *Nicholas H. Politan* of New Jersey charge me with a single count of non-summary criminal contempt and hold me incarcerated, without bail, for two (2) months, at extraordinary federal cost and expense, during which time, they were able to transmit such 'bribe monies' from the Puccini judicial trust!

Thus, this 'bribe' transfer of monies from the Puccini judicial trust was being underwritten at extraordinary federal cost and expense.

10. Politan and Alito having facilitated the transfer of approximately \$800,000 in Puccini's judicial trust assets to serve as a "source" of 'bribes', the judiciary, including the Third Circuit Court of Appeals, were confronted with the task of concealing such larceny, which is factually and legally impossible, since in every jurisdiction, state and federal, trial and appellate, a court-appointee must 'publicly account' for his stewardship as the public is entitled to know whether their judges and/or their appointees are 'crooks'!

In New York, a court-appointed receiver must publicly account, at least once a year and after the expiration of eighteen (18) months, the New York State Attorney General, the statutory fiduciary, must make application to the Court to compel a court-appointed receiver to 'account' and 'distribute'.

Thus, seventeen (17) years after Alito's criminal adventure there is no 'accounting', no application to compel the court-appointed receiver to 'account', no judgment terminating the Puccini trust proceeding, no order discharging the court-appointed receiver or his surety, as the Court's Docket Sheet for Puccini confirms (Exhibit 'D').

11. In addition, despite the lapse of time, all the Politan merit dispositions are null and void (*Fed. Rules of Civil Procedure*, Rule 60(b)[4]).

Respectfully,

GEORGE SASSOWER

cc: Judge Samuel A. Alito, Jr. (Certified Mail)
Hon. Fred Thompson
Hon. Alberto R. Gonzales
Judge Charles L. Briant
Judge William C. Conner

B. In addition to expending, without authorization, federal monies and "cooking" federal books to conceal these *unauthorized* and *unlawful* expenditures, U.S. Attorney *Samuel A. Alito Jr.*, was not supporting my motions to "divest" Citibank of the monies payable "to the federal court" in favor of the United States, without ever articulating any justification for his treasonous, perfidious and treacherous behavior!

3A. Not having received any response from anyone, two (2) weeks later, I wrote to the President on July 21, 2005, as follows:

"President George W. Bush
The White House
1600 Pennsylvania Avenue,
Washington, D.C. 20500
Dear Mr. President,

I believe it would be appropriate for you to counsel your friend and attorney, **Alberto R. Gonzales**, the Attorney General of the United States, that he jeopardizes his personal reputation and career, in addition to inviting scandal, by his failure to recover in favor of the United States, the monies payable 'to the federal court', but diverted to private pockets, and the unauthorized and illegal expenditure of federal monies.

Enclosed is a further documented presentation, of even date, addressed to Attorney General Gonzales.

Respectfully,

GEORGE SASSOWER

cc: Hon. Alberto R. Gonzales

B. The enclosed letter to Attorney General Gonzales, of July 21, 2005, with a copy to, *inter alia*, Chief U.S. District Court Judge **Charles L. Brieant**, of the Southern District of New York, Citibank's factotum and a "serial fixer", reads, in part, as follows [with emphasis in the original]:

"Hon. Alberto R. Gonzales
Attorney General of the United States
Department of Justice
10th & Constitution Avenues
Washington, D.C. 20530

An Open Letter

Dear Mr. Attorney General:

While your Justice Department criminally prosecutes and civilly pursues those in business who 'cook' financial books, some of its members were and/or are engaged in 'cooking' their federal books in order to conceal from Congress, which has exclusive control of the federal purse, the unauthorized and illegal expenditure of federal monies, as confirmed by documents generated by your office (see e.g. Exhibits 'A' & 'B').

As we previously wrote you the failure of the President to nominate U.S. Attorney **Samuel A. Alito, Jr.** of New Jersey, now U.S. Circuit Court Judge for the Third Circuit, who was on the 'short list' for appointment to the Supreme Court of the U.S., does not moot this matter.

Your failure to recover, in favor of the United States, the diverted federal monies (Exhibit "C") and the unauthorized expenditure of federal funds, is a blot on your department, invites scandal and jeopardizes your personal reputation and career.

This 'open letter' is intended to inform, *inter alia*, the media and the public, in comprehensible legal language, matters of importance and targets the damages to the federal and state governments, rather than sustained by the involved individuals.

1A. Every Article III federal judge, U.S. Magistrate-Judge and U.S. Attorney *knows* that in a money damage tort action, a federal attorney can represent only the United States, never any person. The exception for a custom or revenue official, who theoretically can be sued in his/her

name, and under special circumstances, be entitled to federal defense representation (28 U.S.C. §547[3]) can be ignored, since there are no reported cases where such event existed.

Where a federal judge, official, employee or person in the military is sued in his/her own name, is certified by the Attorney General, or any of his/her authorized subordinates (28 CFR §15.3) or judge that he/she was acting within the "scope" of his office or employment, the United States is automatically *substituted* as the defendant, and the federal attorney defends the United States, not the substituted person sued, who is no longer a defendant in the action (28 U.S.C. §2679[d]).

Otherwise stated: No 'scope certificate' means no federal defense representation, at federal cost and expense. There are no exceptions!

The form and contents of a 'scope certificate' appears in *Gutierrez v. Lamagno*, 515 U.S. 417, at 421 n.2 [1995]) and states that 'after an investigation' the authorized official or judge 'certified' was acting within the scope of his office or employment' (Exhibit 'D').

B. Every Article III federal judge, U.S. Magistrate-Judge and U.S. Attorney *also knows* that in a money damage tort action, a federal attorney cannot defend anyone, including the United States, unless a 28 U.S.C. §2675[a] 'notice of claim' has been filed.

Otherwise stated: No 28 U.S.C. §2675[a] 'notice of claim' also means no federal defense representation, at federal cost and expense, for anyone, including the United States. There are no exceptions!

C. Although 'legally impossible', if federal defense representation is provided to a judge, official or employee who has not been 'scope certified' and/or where no "notice of claim" exists, the reasonable value of these federal legal services results in 'taxable income' and 'taxes' must be paid thereon.

2. [Former] Chief U.S. District Court Judge *Charles L. Brieant* of the Southern District of New York and a [former] Member of the Judicial Conference of the United States '*fixes*' jurists in courts throughout the United States, whereby they accept a "legally impossible" scenario wherein the federal and NY State governments are defrauded, triggering 'subject matter jurisdictional' infirmities, rendering all merit dispositions made to be null and void.

Commencing with *Vilella et al. v. Santagata* (SDNY 87Civ1450[GLG]), which was filed five (5) months after Brieant became Chief Judge of the Southern District of New York, the Brieant 'legally impossible' scenario has remained constant and thereby easily recognizable.

A. Under the 'legally impossible' Brieant scenario, a federal attorney, at unauthorized federal cost and expense, defends the federal defendants, in their own names, since there are no 28 U.S.C. §2679[d] 'scope' certificate in any of these actions.

In none of these 'legally impossible' Brieant scripted actions, federal attorneys defended, although there were no 28 U.S.C. §2675[a] 'notices of claim'.

...

Had these federal defendants been 'scope' certified, the United States would have been 'substituted' as the defendant, and the action would have been dismissed because of the absence of a 28 U.S.C. §2675[a] 'notice of claim'.

However, after being '*fixed*' by Chief Judge Brieant, Judge Goettel, again *sua sponte*, reversed himself and adjudicated the action.

B. Participating in these nationwide frauds was the NY State Attorney General who, at unauthorized NY State cost and expense, defended state judges and officials, in manifest violation of Article XI of the *Constitution of the U.S.* (*Hans v. Louisiana*, 134 U.S. 1 [1890]).

Obviously, NY State records were also being 'cooked' in order to conceal these unconstitutional expenditures from the NY State fiscal authorities, which did not relieve the tax obligations of these NY State judges and officials.

4A. In New Jersey, Chief Judge Briant in 'fixing' U.S. District Court Judge *Nicholas H. Politan* in *Geo. Sassower v. Abrams/Feltman* (NJ-88 Civ 1012/1562 [NHP]), received the assistance of U.S. Atty ... for the purpose of 'fixing' U.S. Attorney *Samuel A. Alito, Jr.*

Here also, U.S. Attorney Alito represented the federal defendants, including himself, in their own names, where no 28 U.S.C. §2679[d] 'scope certificates' or 28 U.S.C. §2675[a] 'notices of claim', although 'legally impossible'!

Even before the government expenditures in New Jersey went 'through the roof', a named federal official described the expenditures made as "staggering" (*New Jersey Law Journal*, July 13, 1989).

The monumental governmental expenses made were expended in order to transmit approximately \$800,000 in "bribes" from the judicial trust assets of *Puccini Clothes, Ltd.* to judges and judicial officials.

Despite the monumental expenditures made, by reason of Alito's 'cooking' operations, there is no record of *Geo. Sassower v. Abrams/Feltman* (*supra*) by the United States Department of Justice (Exhibit 'A').

Here also, despite the 'cooking' of federal records, the federal defendants had to report the reasonable value of the legal services rendered them and were obligated to pay the taxes due on same.

B Here also, in New Jersey, despite the Amendment XI/Hans constitutional prohibition, after being advised by Briant that Judge Politan had been 'fixed', the NY State Attorney General defended NY State judges and officials, including himself, at unconstitutional cost and expense and he also "cooked" his books to conceal same from NY State fiscal authorities.

Respectfully,

GEORGE SASSOWER

cc: U.S. Judge Charles L. Briant

4A. Nevertheless, four (4) months after I initially wrote to the President of the United States, he nominated *Samuel A. Alito* to be an Associate Justice of the Supreme Court!

Obviously, Judge Alito concealed his past misconduct, of which the above is only part, from the Vice-President of the United States, *Richard Cheney*, and all those who interviewed him before he was nominated.

B. Obviously also, *Samuel A. Alito*, concealed his past misconduct from the *American Bar Association* and the others who interviewed him, including the individual members of the *United States Senate*, after he was nominated.

5A. Assuming, *arguendo*, Attorney General Gonzales, did not know of the *unauthorized and unlawful* expenditure of federal monies by *Samuel A. Alito*, prior to July 2005, he became aware of such fact in July of 2005, which was a felony, made more egregious and independently criminal, by Alito's "cooking" of federal books in order to conceal such federal expenditures.

The statutory, non-discretionary, obligation of the Attorney General was to (31 U.S.C. §1351).

"report immediately to the President and Congress all relevant facts and a statement of the actions taken" [emphasis supplied].

B. Aside from the statutory duty of Attorney General Gonzales to advise the President and Congress, and his obligation to recover the unlawful expenditures made, every attorney is under the obligation, under pains of disciplinary sanctions (*Annotated Model Rules of Professional Conduct* [4th Ed.], p. 573 *et seq.*), to "Report" the misconduct of judges and other lawyers (Rule §8.3).

The failure of Gonzales to "Report" the misconduct of Alito to, *inter alia*, the United State Senate and House of Representative, was quantum leaps more egregious than any instance where an attorney was sanctioned for his/her failure to "Report".

PART "C":

1. Notwithstanding the evidence, of which the aforesaid was only part, *Samuel A. Alito* was nominated by the President to be an Associate Justice of the Supreme Court.

2. With the public inundated with statements about the unquestioned integrity of *Samuel A. Alito*, including by every U.S. Senator who voiced an opinion on the subject, my motion of December 13, 2005, addressed to the Third Circuit Court of Appeals reads, in part, as follows:

"This motion, on notice to, *inter alia*, [former] U.S. Attorney *Samuel A. Alito*, [former] New York State Attorney General ["NYSAG"] *Robert Abrams* and [former] Chief U.S. District Court Judge *Charles L. Brieant* for the Southern District of New York is made: (1) to recall and vacate the dispositions of this Court, as well as the Court below, as *inter alia*, "jurisdictionally infirm" (*FRCivP* Rule 60[b][4]) and as being the product of judicial corruption (*FRCivP* Rule 60[b][6]); (2) requesting that the relevant files, or certified copies, be forwarded to the *Judiciary Committee of the United States Senate*, (3) and related relief, including directing "restitution" to the victims, including to affirmant and the United States."

Since the relevant files, or copies thereof would have compelled the rejection of the nominee as an Associate Justice, and expose wholesale judicial and official corruption, these documents were intentionally not forwarded to the Senate Judiciary Committee or disclosed to anyone on its behalf.

3. The *Code of Conduct For United States Judges* (114 S.Ct. 35, 39) reads as follows: "B. *Administrative Responsibilities*" (3) A judge should initiate appropriate action when the judge becomes aware of reliable evidence indicating the likelihood of unprofessional conduct by a judge or lawyer."

Every Third Circuit judge, who spoke on behalf of *Samuel A. Alito* before the U.S. Senate Judiciary Committee, with one exception, particularly Chief Judge Scirica, *knew* of the criminal and egregious activities of U.S. Attorney Alito, and concealed such knowledge from the United States Senate and the public.

PART "E":

1. *Before* the hearing commenced on January 9, 2006, I prepared the "First Abridge Edition", which was eighteen (18) pages in length and had twenty-four (24) exhibits, which was mailed to the *Federal Bureau of Investigation*, aware that any false statement contained therein had criminal consequences.

I also mailed copies to, *inter alia*, (1) *Samuel A. Alito*; (2) Attorney General *Alberto R. Gonzales*, and (3) Chief Judge *Anthony J. Scirica*, and others, including Senators *Arlen Specter* and *Patrick J. Leahy*.

2. No one articulated a single flaw, law or fact, in such publication!

Had Chief Judge Scirica or his court forwarded the relevant files, or certified copies of same, the U.S. Senate and the public would have seen the documentary evidence confirming the existence of the "*Citibank Bribes for Total Immunity Agreements*"!

3. Where federal or New York State assets or a court-appointee is involved, there must be a "public accounting" (*e.g.* (Article 1 §9[7] of the *Constitution of the United States*), which obligation cannot be waived, excused or enjoined, since the public is entitled to know whether their judges or officials and/or their appointees are "crooks".

Every official and jurist has to be “fixed”, including Attorney Generals *Alberto R. Gonzales* and *Eliot Spitzer*, so that none of them would compel the Citibank conspirators to “account” for any of their illicit “loot” or provide “restitution” to any of their victims, including the *United States* and *State of New York*!

This is a continuing criminal operation. There can never be any defectors in the “*Rehnquist-Roberts Ultimate Totalitarian Empire*”, since a single official or judge who compels the Citibank conspirators to “account”, provide “restitution” or does not afford them “total immunity”, would render a lethal blow to the “*Citibank Bribes for Total Immunity Agreements*”, Associate Justice *Samuel A. Alito* and the other officials and jurists in Citibank’s stable of corrupt officials and jurists.

Elevating *Samuel A. Alito* would not provide him or his patrons “immunity”, for as the nominee correctly stated on January 9th, “*no person is above the law*” (*Ex parte Virginia*, 100 U.S. 339 [1880]) and as an Associate Justice of the Supreme Court he, Gonzales, Scirica and others would still be the subject of a criminal proceedings! The Worst Is Still To Come

The Criminal & Corrupt Activities of

SAMUEL A. ALITO

Smoking Gun §II

“UNAUTHORIZED FEDERAL & N.Y. STATE EXPENDITURES”

“It is a well-known constitutional provision, that no money can be taken or drawn from the Treasury except under an appropriation by Congress. ... However much money may be in the Treasury at any one time, not a dollar of it can be used in the payment of anything not thus previously sanctioned.” (*Reese v. Walker* (52 U.S. 272, 291 [1851]).

PART “A”:

1. The “*unlawful expenditures*” targeted in this abridged edition are from the treasuries of the United States and New York State, which are also easily verifiable since in those instances “*public accountings*” are *mandatory*”.

Article 1 §9[7] of the *Constitution of the United States*, provides:

“No money shall be drawn from the Treasury, but in consequence of appropriations made by law and a regular statement and account of the receipt and expenditures of all public monies shall be published from time to time.” [emphasis supplied]

2. The uncontroverted and undenied documentary evidence is that U.S. Attorney *Samuel A. Alito, Jr.* was wilfully and unlawfully expending federal monies, which is a felony, punishable by a fine and a term of incarceration (31 U.S.C. §1350).

Additionally, there is imposed upon the “head of the agency” involved in the unauthorized expenditures (31 U.S.C. §1341), as well as those who receive unauthorized “voluntary services” (31 U.S.C. §1342) which, in the case of *Samuel A. Alito*, is the Attorney General of the United States, who must (31 U.S.C. §1351).

“report immediately to the President and Congress all relevant facts and a statement of the actions taken” [emphasis supplied]

3. The *unauthorized expenditures* being made by U.S. Attorney *Samuel A. Alito*, being a crime, punishable by a fine and term of imprisonment, were made more egregious, and independently criminal, by the “cooking” of federal books in an attempt to conceal such *unauthorized expenditures*, as confirmed by the response to a *Freedom of Information Act* [“FOIA”] demand.

The response by the *United States Department of Justice* [“USDJ”] to a FOIA demand (Request #96-2976) states that with respect to “*Sassower Abrams/Feltman*” [NJ #88Cv1012-1562, CCA3 #90-5147] (Exhibit “B1E”) was:

“A search for records located in the United States Attorney’s Office(s) for the District of New Jersey revealed nothing pertaining to this matter” [emphasis supplied].

4. U.S. Attorney **Samuel A. Alito, Jr.** of New Jersey and New York State Attorney General [“NYSAG”] **Robert Abrams**, who were also acting in conspiratorial tandem, were both defrauding their own governmental clients.

Amendment XI of the *Constitution of the United States* (*Hans v. Louisiana*, 134 U.S. 1 [1890]), is the constitutional religion of the conservative, a religion in which **Samuel A. Alito**, is one of its “apostles”. However where monumental “bribes” are involved, **Samuel A. Alito**, is an “apostate”.

PART “B”:

1. In a tort action, one can generally sue the principal and agent, master and servant, employer and employee, the owner and driver, and obtain a judgment against both, as their liability is joint and several.

However, as *every* U.S. attorney, Article III jurist and U.S. Magistrate-Judge *knows* under the *Federal Tort Claims Act* [“FTCA”], the controlling law on the subject, when a federal judge, official, employee or person in the military [all defined as “employees” of the United States, (28 U.S.C. §2671)] is involved, for a particular act or event, it is one or the other that can be sued, not both.

If the federal employee was “acting within the scope of his/her office/employment” at the time of the incident, only the United States can be sued.

If not, the federal employee is the only proper defendant. There is an rare exception, not here relevant, for custom and revenue agents (28 U.S.C. §547[3]).

2. If the federal employee is sued in tort in his “personal capacity” and contends that he/she was acting “within the scope of his employment” at the time of the incident, any authorized official in the *United States Department of Justice* [“USDJ”] (28 CFR §15.3), “after an investigation”, can (28 U.S.C. §2679[d]) certify that the federal employee was acting “within the scope of his office/employment”, which “certification” results in an automatic “substitution” of the United States as the defendant.

U.S. Attorneys, such as **Samuel A. Alito**, were officials in the USDJ who were authorized to issue “scope certificates” (28 CFR §15.3).

28 U.S.C. §2679[d] reads:

“Upon certification by the Attorney General [or his/her authorized representative] that the defendant employee was acting within the scope of his office or employment at the time of the incident out of which the claim arose, any civil action or proceeding commenced upon such claim ... shall be deemed an action against the United States under the provisions of this title and all references thereto, and the United States shall be substituted as the party defendant.” [emphasis supplied]

A. Thus, had all the federal judges who were money damage defendants in *Geo. Sassower v. Abrams* (NJ 88Civ1012[NHP]) and/or *Geo. Sassower v. Feltman* (NJ 88Civ1562[NHP]) been “scope certified”, the *United States* would have been automatically “substituted” as the defendant, and U.S. Attorney **Samuel A. Alito** would have defended the United States, not the federal judges being sued.

B. Had some of the federal defendants in *Geo. Sassower v. Abrams/Feltman* (*supra*) been “scope certified”, but not all, there would have been an automatic United States “substitution” for those certified, but not the others, and U.S. Attorney Alito would have defended the United States, not those not “scope certified”.

C. Had these federal defendants in *Geo. Sassower v. Abrams/Feltman* (*supra*) been “scope certified” for some, but not all, of their activities “revolving around” the “*Citibank-Rehnquist Racket*”, there would have been an automatic United States “substitution” for those acts which were “scope certified”, but not the other acts, and U.S. Attorney Alito would have defended only the United States.

3. Since neither U.S. Attorney Alito, U.S. District Court Judge Politan, nor any authorized official or jurist, "scope certified" any of the money damage federal defendants in *Geo. Sassower v. Abrams/Feltman* (*supra*) for any their activities "revolving around" the "*Citibank Bribes for Total Immunity Racket*", these federal defendants were relegated to being defended by non-federal attorneys, at non-federal cost and expense.

Instead, they were defended by U.S. Attorney *Samuel A. Alito*, at unauthorized federal cost and expense, defrauding the federal purse and triggering "subject matter jurisdictional" infirmities, rendering the merit dispositions made to be null and void.

4. No official or jurist, including *Alito-Politan* ever "scope certified" *Eugene H. Nickerson*, *Wilfred Feinberg* or any jurist involved in "diverting" federal monies to Citibank-K&R, or *Charles L. Brieant*, who was a prime factotum of Citibank, or *William C. Conner* who, despite the absence of "jurisdiction", provided the Citibank conspirators with immunity or any other federal jurists and officials involved in similar criminal activities, which were adverse to federal legitimate interests!

To repeat, Nickerson, Feinberg, Brieant, Conner and other federal jurists having been refused "scope certification", for activities which were contrary to federal legitimate interests were relegated to being defended by non-federal attorneys, at non-federal cost and expense.

Instead, U.S. Attorney *Samuel A. Alito*, at *unauthorized* federal cost and expense, defended these federal defendants in their own names, defrauding the federal purse thereby.

They, including Alito, were and are "felons", which no one has or can deny!!!

To conceal these *unauthorized* federal expenditures from Congress, at a time when "impeachment" was an everyday word, U.S. Attorney *Samuel A. Alito* "cooked" his federal books and records (Exhibit "B1E").

PART "C":

Without any 28 U.S.C. §2675[a] there cannot be any federal defense, at federal cost and expense. The requirement is "jurisdictional" (*McNeil v. United States*, 108 U.S. 106 [1993]).

When Congress says "no", it means "no!"

PART "D":

1. When *Samuel A. Alito* and *Nicholas H. Politan* were sued in their "personal" capacities in other circuits, such as Second and Eight Circuits, no authorized official in the United States Department of Justice, or judge would "scope certify" them as confirmed by *Geo. Sassower v. Sansverie* (885 F.2d 9 [2d Cir.-1989]-Exhibit "B4A") and *Geo. Sassower v. Carlson* (930 F.2d 583 [8th Cir.-1991] - Exhibit "B4B"), since, to repeat in a money damage tort action, Congress has authorized federal attorneys to defend the "United States", never any "person".

An examination of the answers by *Samuel A. Alito* to the questionnaire tendered by the *Judiciary Committee* should disclose whether he perjured himself for it generally requests information as to any suits against the nominee!

Had *Samuel A. Alito* and *Nicholas H. Politan* been "scope certified", the *United States* would have appeared in the title of Exhibits "B4A" & "B4B", not *Samuel A. Alito*, or *Nicholas H. Politan*!

To repeat, no one, involved in "diverting" federal monies to Citibank-K&R and/or not supporting the recapture of such federal monies in favor of the United States, has ever been "scope certified" by any authorized official in the USDJ or jurist. Would you if you had the authority???

Therefore, *Alito-Politan* and their federal co-conspirators dragooned and/or accepted federal defense representation, at federal cost and expense, in their "personal" capacities, defrauding the United States and triggering a "subject matter jurisdictional" lethal infirmity, rendering the merit dispositions made to be null and void.

2. In 1990, *Samuel A. Alito*, became a Association Judge of the Third Circuit Court of Appeals and since no one would “scope certify” him or his federal co-conspirators, the panel in which U.S. Circuit Court Judge, now Chief Judge, *Anthony J. Scirica* was attempted to immunize them in their “personal” capacities (Exhibit “B5A”).

To implement the “*Citibank Bribes for Total Immunity Agreements*”, the panel in which U.S. Circuit Court Judge, now Chief Judge, *Anthony J. Scirica*, attempted to immunize *Citibank, N.A.* and those involved with it in “diverting” federal monies to private coffers, as “bribes” (Exhibit “A5A”).

3. Chief Judge *Anthony J. Scirica* and his Court, in making their supporting statements for Judge Alito, did not produce their records for examination by the *U.S. Senate*! The Worst Is Still To Come

The Criminal & Corrupt Activities of
SAMUEL A. ALITO
Smoking Gun §III
“INFLEXIBLE AND WITHOUT EXCEPTION”

“the rule is inflexible and without exception the first and fundamental question is that of jurisdiction, first, of [the appellate] court, and then of the court from which the record comes. This question the court is bound to ask and answer for itself, even when not otherwise suggested, and without respect to the relation of the parties to it.” (*Mansfield v. Swan*, 111 U.S. 379, 382 [1884]).

PART “A”.

1. The *unauthorized* expenditure of federal *or* state monies, results in a “subject matter jurisdictional” infirmity and renders all merit dispositions made to be “null and void”.

2. The head-note of the Official Reporter of the Supreme Court of the United States in *Maxwell v. Swan* (*supra*) reads as follows:

“There was a voluminous record in this case, with a long assignment of errors, and an elaborate brief on behalf of the plaintiff in error [defendant]. The court gave no opinion on the question discussed, but dismissed the case for want of jurisdiction.”

3. Initially expressed in *Capron v. Van Noorden* (6 U.S. 126 [1804]), every federal appellate jurist knows the “inflexible and without exception” principle that appellate “jurisdiction” is dependent upon “jurisdiction” in that court, as well as in the court(s) below.

In the two hundred (200) old *Capron v. Van Noorden* (*supra*), the Court stated:

“The only question submitted to the court was, whether the plaintiff could assign as error his own [jurisdictional] omissions and irregularities in the pleadings.”

The Court responded in the affirmative, and reversed the judgment.

Thus, this often repeated doctrine as expressed in the “inflexible and without exception” principle means that even the party that caused the jurisdictional infirmity to exist is not estopped from asserting the infirmity after an unsatisfactory judicial result.

4. In *United States v. Corrick* (298 U.S. 435, 440 [1936]), the “inflexible without exception” principle was set forth by the Court as follows:

“The appellants did not raise the question of jurisdiction at the hearing below. But the lack of jurisdiction of a federal court touching the subject matter of the litigation cannot be waived by the parties, and the district court should, therefore, have declined *sua sponte* to proceed in the cause. And if the record discloses that the lower court was without jurisdiction this court will notice the defect, although the parties make no contention

concerning it. While the District Court lacked jurisdiction, we have jurisdiction on appeal, not of the merits but merely for the purpose of correcting the error of the lower court in entertaining the suit.”

Associate Justice Rehnquist, speaking for the Court, in *Philbrook v. Glodgett* (421 U.S. 707, 721 [1975]), stated:

“[W]e have repeatedly held that we must take note of want of jurisdiction in the district court even though neither party has raised that point.” [emphasis supplied]

5. Acting in conspiratorial tandem with U.S. Attorney *Samuel A. Alito*, in the same actions and proceedings in New Jersey, was NYSAG *Robert Abrams*, who was defending rogue NY State judges and officials in their personal capacity, at unconstitutional New York State cost and expense.

Thus, in the same litigation in New Jersey and in the Third Circuit Court of Appeals [“CCA3”], while Alito was defrauding the United States purse, Abrams was defrauding the New York State purse.

The compelled conclusion from the patently corrupt activities of U.S. Attorney *Samuel A. Alito* and NYSAG *Robert Abrams* was that they both knew the Third Circuit Court of Appeals had also been “fixed” and “corrupted” and that they would not address the “subject matter jurisdictional” infirmity, albeit mandatory.

6. The Bottom Line: The compelled conclusion by all the members of the Judiciary Committee had Chief Judge Scirica produced the papers requested on December 13, 2005 was that the Third Circuit could have only made a *United States v. Corrick*, *supra* disposition because of a lack of subject matter jurisdiction, none other, and consequently it concealed such documents and information.

PART “B”:

1. There is and never was any dispute that the representations of U.S. Attorney *Samuel A. Alito* and NYSAG *Robert Abrams* triggered “subject matter jurisdictional” infirmities, rendering all merit dispositions made in the *Alito-Politan* litigation to be null and void.

2. In *Disher v. Information Resources*, 873 F.2d 136, 139 [7th Cir.-1989]), Judge Posner, speaking for the Court, stated:

“Jurisdiction over a case is the power to render a binding judgement in it; if there is no jurisdiction, there is no power”.

In *Crawford v. United States* (796 F.2d 924, 928 [7th-1986]), Judge Posner, speaking for the Court, stated:

“Decisions that fail to remark (take note of) a jurisdictional issue are not assumed to have resolved it by their silence.”

For validity, in addition to “jurisdiction”, “due process” must be afforded.. As Associate Justice Field, speaking for the Court, in *Windsor v. McVeigh* (93 U.S. 274, 277 [1876]), stated:

“A sentence of a court pronounced against a party without hearing him, or giving him an opportunity to be heard, is not a judicial determination of his rights, and is not entitled to respect in any other tribunal.” [emphasis supplied]

3. A void decision, order or judgment, resulting from the absence of “jurisdiction”, or “due process”, like counterfeit currency, can never become valid, and is vulnerable to collateral attack (12 *Moore Federal Practice* [3rd Ed.] ¶60.44, p. 60-139; 11 *Wright, Miller, Kane Federal Practice & Procedure* [2nd Ed.] §2862, p.322).

4. As stated in 11 *Wright & Miller, Fed. Prac. & Proc.*, §2862, p. 197:

"There is no question of discretion on the part of the court when a motion is under Rule 60(b)(4) (cases cited)".

Since no jurist could possibly articulate "jurisdiction" in any matter "revolving around" the "*Citibank Bribes for Total Immunity Agreements*", every jurist must be "*fixed*" so as to refuse to make any merit determinations as to the validity of the dispositions made by U.S. District Court Judge *Nicholas H. Politan* or the other New Jersey federal jurists where *Alito-Abrams* were acting as defense attorneys..

Every jurist confronted with these New Jersey federal dispositions, must address their validity. However since none could articulate validity, each and every jurist until the end of time must be "*fixed*" so that he/she would not address the issue, albeit mandatory. There can *never* be any defectors in the "*Rehnquist-Roberts Ultimate Totalitarian Empire*", *Never, Ever!!!* The Worst is Still to Come.

The Criminal & Corrupt Activities of

SAMUEL A. ALITO

Smoking Gun §IV

BLACKMAIL & EXTORTION IN THE COURTHOUSE

"JUSTICE FOR SALE. The finding of guilt in the case of [Chief] Judge [Martin T.] Manton will come as a profound *shock* to the whole country. ... The methods Judge Manton was charged with using some almost incredibly brazen. ... They were told they would have to pay or, if they did not, collections would be made from the other side. *Blackmail was emanating from the Federal court house.*' .. Nothing could strike a more deadly blow at the foundations of our democracy than the evidence, or the mere suspicion, that justice is subject to purchase and sale that any litigant has an 'inside track', that all men do not come into court on the basis of equality." [New York Times, Editorial, June 5, 1939] [emphasis supplied]

PART "A":

1. Where government assets or judicial appointees are involved, "*the public*" is entitled to know whether their officials, such as the Article II U.S. Attorney *Samuel A. Alito, Jr.*, and judges, such as the Article III U.S. District Court Judge *Nicholas H. Politan* of New Jersey, who acted in conspiratorial tandem, are "crooks", since in those instances "*public accountings*" are *mandatory*.

Thus, the "*bribes*" targeted in this abridged publication, are those where "*public accountings*" are mandatory, to the exclusion of "bribes" from other "sources", involving high-echelon jurists and officials, and where the undenied amounts of "bribes" were more than \$3,500,000.

In addition, the "sources" for the Citibank "bribes" targeted are *only* those where I have an interest, affording me "standing" on the "issues", since a court in order to entertain an action or proceeding, the plaintiff or petitioner must have "standing" to sue or petition.

2. For example: The monies payable "to the federal court" which were "diverted" to the coffers of Citibank-K&R included monies paid on my behalf.

Consequently, a stranger, albeit a taxpaying United States citizen, could not sue to compel "restitution" in favor of the United States.

However, since the "diverted" federal monies included monies paid on my behalf, I had "standing" and could sue to recapture such monies in favor of the United States!

Each and every time I made a motion to "divest" Citibank of its illicit "loot", in favor of the United States, although my "standing" was never denied or disputed, these motions were never supported by United States Attorney *Samuel A. Alito*, whose only client was the United States, and he never articulated any justification for his treasonous, perfidious and treacherous behavior.

Only a corrupt judge, such as *Nicholas H. Politan*, and a corrupt court, such as the *Third Circuit Court of Appeals* would tolerate a U.S. Attorney, such as *Samuel A. Alito*, not supporting the recapture of monies in favor of his client, without ever articulating justification for his treasonous, perfidious and treacherous behavior!

No less than a private client, the United States is entitled to “zealous” and “effective” representation by its attorneys, such as U.S. Attorney *Samuel A. Alito*, otherwise the proceedings are a nullity (*United States v. Throckmorton*, 98 U.S. 61 [1878])!

The obligation of an American judge and court to assure that the client is being protected by his/her attorney with “zeal” and “undivided loyalty” is *sua sponte*, even at the level of the Supreme Court of the United States and never raised as an issue in the courts below (*Wood v Georgia*, 450 U.S. 261, 265 n. 5 [1981]).

3. Even under the lower standard of U.S. Circuit Court Judge *Samuel A. Alito*, the nomination proceedings are a manifest nullity (*Rompilla v. Horn*, *supra*) reversed by the Supreme Court in (*Rompilla v. Beard*, *supra*) (see, *Smoking Guns* §I, Part “A”, *supra*).

Of course the *United States Senate*, sets its own standards of conduct, but particularly where it involves a fraud upon that tribunal and the exclusive power of Congress to control the federal purse, it unquestionable would adopt the *Meinhard v. Salmon* (*supra*) pronouncement.

PART “B”:

1. The *modus operandi* employed by Citibank was and is, whenever possible, to inextricably involve judges, officials and others, in its criminal adventure.

2A. For example: When Puccini was involuntarily dissolved, Citibank-K&R was indebted to *Rashba & Pokart* [“R&P”] for “accounting” services in the sum of \$6,200.

Instead of satisfying this personal obligation from their own substantial assets, Citibank-K&R caused \$10,000 to be withdrawn from the Puccini judicial trust, payable to *Arutt, Nachamie, Benjamin, Lipkin & Kirschner, P.C.* [“ANBL&K”] (Exhibit “A1A”).

ANBL&K “laundered” such \$10,000 from the Puccini judicial trust through its own account and issued a check to R&P for \$6,200 in satisfaction of the Citibank-K&R obligation (Exhibit “A1B”), keeping for itself \$3,200 as a “laundering fee”!

The \$2,000 payment to ANBL&K from the Puccini judicial trust was a “retaining fee” for the “personal representation of *Eugene Dann* and *Robert Sorrentino*.”

Consequently, ANBL&K, R&P, Dann & Sorrentino were now bonded to the Citibank criminal adventure.

B. The Order of involuntary dissolution for Puccini, prepared by K&R, had the provision:
“ORDERED, that the corporation, its officers, directors, shareholders, agents and employees are enjoined and restrained from transferring or disposing any property of the corporation”.

Obviously, before Citibank-K&R began to engineer the larceny of Puccini’s judicial trust assets they had “fixed”, *inter alia*, New York State Attorney General [“NYSAG”] *Robert Abrams*, Senior Assistant NYSAG *David S. Cook*, the statutory fiduciaries for Puccini, and New York State Appellate Division Presiding Justice *Francis T. Murphy* of the First Judicial Department, so that it would never have to account for Puccini’s assets, the judicial trust, albeit mandatory, and the attorneys involved, such as K&R and ANBL&K, would not be made the subject of professional disciplinary procedures, although disbarment was compelled for their conduct.

2. Significantly the *Scirica* panel of the Third Circuit, as did *Alito-Politan*, in order to implement the “*Citibank Bribes for Total Immunity Agreement*” “immunized” Puccini, Citibank, K&R, ANBL&K, R&P, Dann, Sorrentino, Abrams, Cook & Murphy (Exhibit “B5A”).

I, as well as *Hyman Raffae*, hold contractually based, constitutionally protected money judgment against Puccini, Dann & Sorrentino (Exhibits “A2A” & “A2B”), which cannot be “impaired” by any state or federal official (Article 1 §10[1], Amendment V & XIV of the *Constitution of the United States*).

However, as the *quid pro quo* for monumental “bribes” by *Citibank, N.A.*, the New York and federal courts, including *Alito-Politan* and the *Third Circuit Court of Appeals* do, as demonstrated by Exhibit “B5A”.

3. Citibank-Barr-K&R in order to obtain a judgment of almost \$500,000 against Raffé personally submitted a perjurious affidavit of *Charles Zangara*, a Vice-President of Citibank.

Lee Feltman, Esq., the court-appointed receiver for Puccini, his law firm, *Feltman, Karesh, Major & Farbman*, Esqs. [“FKM&F”] and ANBL&K knew that if the perjurious submission was believed, Raffé would recover a judgment over against their clients, Puccini, Dann & Sorrentino.

By “paying-off” a jurist, summary judgment was granted against Raffé and Raffé recovered a judgment over against Puccini, Dann & Sorrentino.

For betraying its clients, Citibank-K&R “paid-off” ANBL&K, from Puccini’s assets (Exhibit “AIC”).

For betraying their judicial trust, Citibank-K&R promised Feltman-FKM&F, one-third (1/3) of the recovery or about \$160,000.

It was in the attempt by Citibank-K&R to transmit \$170,000 in “bribes” from Puccini’s assets, by “laundering” such monies through the offices of Acting Supreme Court Justice, now Associate Appellate Division Justice, *David B. Saxe*, that the initial “hard evidence” of the Citibank-K&R larceny surfaced, and in the few months that followed, the “hard evidence” reached avalanche proportions.

As Exhibit “B5A” also confirms *the Scirica panel* of the *Third Circuit Court of Appeals*, as did *Alito-Politan*, immunized, Zangara, Feltman, FKM&F, & Saxe as well.

The *Third Circuit Court of Appeals*, also immunized *Samuel A. Alito*, then a member of its Court (Exhibit “B5A”).

4. All this, and much more, Chief Judge Scirica and members of his Court concealed from the *Judiciary Committee*, as they heaped praise on the nominee.

“Then [Jesus] lifted up His eyes towards His disciples, and said: Woe to you when all men speak well of you” (*Luke 6:20-26*)

5. To say more on this subject, and there is much more would be supererogatory!

PART “C”:

1. “Crimes” including for non-summary criminal contempt, federal and state, are under the protective umbrella of the *Constitution of the United States* (*Bloom v. Illinois*, 391 U.S. 194 [1968]), are prosecuted: (a) by or on behalf of the government; (b) in the name of the government; (c) by a person *not* having a personal interest in the prosecution; (d) in proceedings, separate and independent of the underlying action or proceeding, and (e) where the accused is named in the title of such criminal proceeding.

2. Notwithstanding the aforementioned fundamental principles, seventeen (17) non-summary criminal contempt proceedings were instituted by Feltman-FKM&F and/or Citibank-K&R (a) as self-anointed criminal prosecutors; (b) in their own names; (c) they having a substantial pecuniary interest in the criminal prosecution; (d) as part of the underlying civil proceedings, and (e) where neither Raffé nor myself were named parties in the title.

Citibank-K&R & Feltman-FKM&F, not only “bribe” judges, New York State and federal, but they “buy & bondage” them “mind, body & soul”, as they, as self-anointed ‘public prosecutors institute and prosecute criminal proceedings in their own names!

3. Although each of the seventeen (17) non-summary criminal contempt proceeding charged against Raffé and myself, with numerous charges, these self-anointed prosecutors could *not* obtain a single conviction, with each result triggering “double jeopardy” prohibitions.

In more than two (2) years, there was not a single day that Raffe and I did not have at least one non-summary criminal contempt proceeding pending, state or federal, each instituted and prosecuted by Citibank-K&R and/or Feltman-FKM&F in their own names.

Obviously, I could not practice law, since my time & energy was being consummated in defending these non-summary criminal contempt proceedings!

4. By Order entered January 4, 1985, NY Supreme Court Justice *Martin Evans* of New York County, entered an Order wherein he failed to find either Raffe or myself guilty of even a single count of non-summary criminal contempt, which was the sixteenth (16th) and seventeenth (17th) non-summary criminal contempt proceeding instituted by Feltman-FKM&F and/or Citibank-K&R without a single conviction, and this result, once again, triggered "double jeopardy" prohibitions.

The proceedings before Mr. Justice Evans was based on about two hundred (200) charges of non-summary criminal contempt alleged by Feltman-FKM&F, Citibank-K&R and ANBL&K.

5. To consummate the "*Citibank Bribes for Total Immunity Agreement*", including the transmission of the remaining \$800,000 in cash in the Puccini judicial trust, NY Supreme Court Administrator *Xavier C. Riccobono* of New York County *ex parte* and *sua sponte* designated Special Referee *Donald Diamond*, an at-will employee, although he did not have the legal authority to make such designation (NY CPLR §4317 [b]).

Administrator Riccobono was a product of the *Tamawa Club* when it was controlled by *Frank Costello* and *Thomas Luchese*, recognized mobsters who headed "mafia crime families" (see, *Costello v. U.S.* 350 U.S. 359 [1956]).

During the Costello-Luchese "reign", one could not become a judge or prosecutor, state or federal, in New York County over their "veto"!

6. Through injunctions, substantially similar to that thereafter promulgated by the *Third Circuit Court of Appeals* (Exhibit "B5A"), Presiding Justice Murphy and U.S. District Court Judge Briant were able to preserve the remaining cash assets, as a "source" of "bribes" from the claims of Puccini's legitimate creditors.

However, because of the money judgments of Raffe and myself, they could not consummate the transmission of those monies.

Consequently, Referee Diamond instituted a "reign of judicial terror", but after eight (8) months they were not able to compel submission of either Raffe or myself.

It was only years later, that *Alito-Abrams-Politan* were above to consummate this transmission of \$800,000 in "bribes" from the Puccini judicial trust, at "staggering" federal cost and expense!

7. With both Riccobono and Diamond money damage defendants in state and federal courts, for their "non-immune" activities (*e.g.*, *Raffe v. Doe* (619 F. Supp. 891 [SDNY-1985]), and unable to secure a single conviction, after seventeen (17) attempts, Administrator Riccobono enlisted the services of NY Supreme Court Justice *Ira Gammerman* for the purpose of implementing the "*Citibank Bribes for Total Immunity Agreement*".

8. Three (3) weeks after the resounding vindication by Mr. Justice Evans, Feltman-FKM&F re-instituted the same non-summary criminal contempt proceedings against Raffe and myself, which proceedings charged one hundred thirty-five (135) counts of non-summary criminal contempt.

However, this time, Administrator Riccobono "directed" Mr. Justice Evans to refer the matter to Referee Diamond, a money damage defendant and respondent in federal and state courts, wherein Raffe and myself were the plaintiffs and/or petitioners.

9 This time, *without* any trials or hearings, *without* the opportunity for any trial or hearings, *without* any confrontation rights, *in absentia*, *without* due process, *without* the right of allocution, *without* any live testimony in support thereof, and *without* any constitutional or legal waiver and despite the claims of "double jeopardy" and similar claims which prohibited these prosecutions, he found Raffé guilty of seventy-one (71) counts and I sixty-three (63) counts.

The Referee Diamond buffoonery which he repeated, *ad nauseam*, in his Reports (Exhibits "A4A):

"A plea of not guilty in a criminal proceeding is tantamount to a general denial in a civil action, not requiring a trial or hearing"

Referee Diamond also repeatedly stated in his Reports: "There is no need for a trial or hearing since I know that Raffé and Sassower are guilty" and "suing him an Riccobono in federal court was a contempt!"

10. Referee Diamond recommended that Raffé, a man over seventy (70) be incarcerated for seventy-one (71) months and be fined \$17,750, while I be incarcerated for sixty-three (63) months and fined \$15,750.

After similar trials, without live testimony convictions, and actual incarcerations of *San Polur*, Esq. and myself pursuant thereto (Exhibits "B1A", "B2A", & "B3A"), and Raffé being informed that the Diamond Report would be sent to Supreme Court Justice *Michael J. Dontzin*, who appointed Feltman, and a promised recipient of Citibank "bribes", for confirmation, Raffé succumbed:

As reported by *United Press, International*, and published, *inter alia*, in the *NY Village Voice* on June 6, 1989:

"By signing three extraordinary agreements Raffé agreed to ... In exchange, the court agreed to let him go free. The tab so far has come to more than \$2.5 million, paid to both the Feltman (*Feltman, Karesh, Major & Farbman*, Esqs. ["FKM&F"]) and Kreindler (*Kreindler & Relkin, P.C.* ["K&R"]) firms. Raffé continues to pay with checks from his *A.R. Fuels Co.* business. 'That's outrageous. It's unbelievable. It's disturbing. ...' Said [NYS] Attorney General [*Robert*] *Abrams* when he saw copies of the checks."

The *Third Circuit Court of Appeals* also immunized Raffé & A.R. Fuels (Exhibit "B5A"), as did *Alito-Politan*.

11. Polur and I, did not "pay-off" were incarcerated at government cost and expense, while Raffé "paid-off" more than \$2,500,000!

12. Polur and I were incarcerated, and Raffé "paid-off" more than \$2,500,000 to avoid incarceration when a basic dumb computer could easily be programmed to read and say "null and void" when exhibits, such as "B1A", "B1C", "B2A", & "B3A" are scanned, and be correct each and every time!

13. In any event these monies belong to the United States and State of New York, not to the Citibank conspirators, who include the judges and judicial officials who were the intended ultimate recipients!

PART "D":

1. Unable to consummate the transmission of the remaining \$800,000 in the Puccini judicial trust, as "bribes", Citibank-K&R began to "divert" the monies payable "to the federal court" to themselves, while they and Feltman-FKM&F began to divert New York State monies to themselves.

2 *Gompers v. Bucks Stove* (221 U.S. 418, 447 [1911]), and all federal reported decisions in the past almost one hundred (100) years, have held that costs, fines and penalties resulting from non-summary criminal contempt proceedings are the property of the government, not private parties.

In New York, even before *Bloom v. Illinois* (*supra*), which brought non-federal non-summary criminal contempt under the protective umbrella of the *Constitution of the United States*, the decisions uniformly held that costs, fines and penalties resulting from non-summary criminal contempt proceeding were the property of the "sovereign", not private parties. (*Wilwerth v. Levitt*, 262 App.Div. 112; 28 N.Y.S.2d 257 [1st Dept. - 1941]; *Mutual v. Tietjen*, 73 App. Div. 532, 77 NY Supp. 287 [1st Dept. - 1902]; *Englander v. Tishler*, 285 App. Div. 1070; 139 N.Y.S.2d 707 [2nd Dept - 1955]).

Since *Bloom v. Illinois* (*supra*), there is no question in New York as to the appropriate disposition of costs, fines and penalties as a result of non-summary criminal contempt convictions.

As stated in *NY Jur 2d Contempt*, §185, p.568-569:

"The fine imposed and collected for a criminal contempt in a civil action goes into the public treasury, since it is imposed to punish the person guilty of the contempt, and not to indemnify the moving party (citing numerous cases). Accordingly, an order adjudging a party in criminal contempt is improper in so far as it imposes a fine to be paid to the plaintiff in the action, since any fine for criminal contempt must be paid into the public treasury, not to the opposing party (citing case). Nor can an order punishing a criminal contempt direct payment of the fine to the plaintiff attorney (citing case)."

Despite the aforementioned the non-summary criminal contempt convictions by NY State Supreme Court Justice *Alvin F. Klein* and Acting Supreme Court Justice, now NY Appellate Division Associate Justice, *David B. Saxe* (Exhibits "B2A" and "B3A") which were affirmed on appeal by the Murphy Appellate Division (Exhibit "B2B") made the monies payable to the Citibank conspirators, not the State of New York, without any objection by the NYSAG.

The *Third Circuit Court of Appeals* also immunized Klein & Saxe (Exhibit "B5A"), as did *Alito-Politan*.

3. Thus, the more than \$3,500,000 in "bribes" were all "extorted" from funds which belonged to Puccini, federal and New York State!

The Criminal & Corrupt Activities of

SAMUEL A. ALITO

Smoking Gun §V

THE ROAD TO SAMUEL A. ALITO

"I am the way into the city [courthouses] of woe. I am the way to a forsaken people. I am the way into eternal sorrow. ... Abandon all hope ye who enter here." (*The Inferno*, Dante Alighieri, Canto III/1-9)

Part "A".

1. In anticipation of Briant becoming the Chief Judge of the Southern District of New York on October 1, 1986 he, along with Presiding Justice Murphy, NYSAG Abrams and others devised a base criminal scheme for: (a) the transmission of the remaining cash assets of approximately \$800,000 in the Puccini judicial trust account, as "bribes" for judges and judicial officials, while (b) providing the Citibank conspirators "immunity".

2. To consummate this criminal result, Murphy, Briant, and Abrams caused the publication of *fraudulent* "legal notices" in the *New York Times* ["NY Times"] and *New York Law Journal* ["NYLJ"] entitled (see, Exhibits "A5A" & "A5B");

"Notice Of Intention By Receiver To File Accounts For Final Settlement"

Notice is hereby given by the undersigned as Receiver of Puccini Clothes, Ltd. that an account of his proceedings as Receiver of the above named corporation, under oath, will be presented to the Supreme Court of New York County, before the Honorable

Donald Diamond, Special Referee, at Room 538 of the Courthouse, 60 Center Street, New York, New York, October 30, 1986 at 10:00 o'clock in the forenoon of that day of that day or as soon thereafter as counsel can be heard and an application will then and there be made returnable that the same be allowed and be decreed to be final and conclusive upon all persons, including those indebted to the corporations, all persons having in their possession any property of said corporation, all persons, having in their possession any property of said corporation has unfulfilled contracts and upon all creditors, claimants and shareholders of the corporation, and that said Receiver be authorized to make a final distribution and upon payment thereof, that he be discharged and his bond vacated, and for such other, further and/or different relief as to the Court may seem just and proper.

Dated: September 10, 1986

LEE FELTMAN, Esq.

As Receiver for Puccini Clothes, Ltd."

3. There was no "accounting", final or otherwise!
The "accounting" mentioned in such published "legal notices" was and is "phantom", "fictitious", "bogus" and "non-existent".
There can never be a Puccini "accounting", final or otherwise, without confirming that Citibank-K&R engineered the larceny of its judicial trust assets (see, e.g., Exhibits "A1A, A1B" and A1C"), including the *Alito-Politan* transfer of \$800,000 and compelling "restitution" to their victims!
4. Even if an "accounting" existed, and it did not, Referee Diamond, an at-will appointee, had only insignificant judicial powers (*NY CPLR* §4317[b]), and he did not have the "legal power" to "approve" any Puccini "accounting", discharge Feltman or his surety, as both the *NY Times* and *NYLJ* knew before October 30, 1986.
5. Today, almost twenty (20) years later, there are none of the mandatory Puccini "accountings", no judgment or final order terminating the Puccini judicial trust, no order discharging the court-appointed receiver, or his surety (Exhibit "A6A").
Nor are there any of the mandatory *NY Judiciary Law* §35-a Statements, which would reveal the disposition of Puccini's assets, and compel "restitution (Exhibit "A6B").

PART "B":

1. With the refusal of the *NY Times* and *NYLJ* to expose the fraudulent nature of these "legal notices", although my assets were substantial and my liabilities minimal, I filed a petition in bankruptcy (*In re: Geo. Sassower*, SDNY 86Bkcy20500[HS]), three (3) days before the consummation of this "published fraud", which bankruptcy filing vested my contractually based, constitutionally protected, money judgement in the federal court, giving it "exclusive" jurisdiction (28 *U.S.C.* §1334), and which resulted in an automatic "stay" of the Diamond fraudulent "approval" proceeding (11 *U.S.C.* §362[a]).

As a result a cornucopia amount of evidence of judicial corruption "surfaced".

2. The obligation of the U.S. trustee in bankruptcy, *Jeffrey L. Sapir*, Esq., was to liquidate my extensive assets, free of any and all injunctions and restrictions, satisfy my minimal liabilities, deduct his fees and turn over to me a very substantial balance.

However, to preserve the approximate \$800,000 in the Puccini judicial trust, and to give effect to the "*Citibank Bribes for Immunity Agreements*", Judge Briant and the Citibank conspirators, by threats and intimidation, caused. Sapir not to liquidate my assets, although it was contrary to his trust obligations and his personal pecuniary interests.

Chief Judge Briant also attempted to "fix" U.S. Bankruptcy Judge *Howard Schwartzberg*, but had only limited success.

In particular he could not “fix” Schwartzberg to hold that the “automatic stay” contained in 11 U.S.C. §362[a] was inapplicable.

Thus, there was some relief afforded against the repeated non-summary criminal contempt proceeding.

The *Third Circuit Court of Appeals* also immunized Briant, Sapir & Schwartzberg (Exhibit “B5A”).

3. While *USA f/b/a Geo. Sassower v. Sapir* (SDNY-87Cv7135 [CSH]) was, at an early stage, pending before U.S. District Court Judge *Charles S. Haight, Edward Weissman*, Esq., a member of the Feltman firm and formerly with K&R met, *ex parte*, with U.S. District Court Judge *William C. Conner*, the author of the jurisdictionally infirm, *Raffe v. Doe* (*infra*) regarding such litigation, wherein both the Feltman and K&R were defendants.

4. There followed a manifestly suspect, *sua sponte*, Order by Judge Haight (1987 WL26596), indicative that His Honor had been “fixed” by Judge Conner.

The action arose out of conduct by K&R-Feltman after *Raffe v. Doe* (*supra*) was determined, and it had previously been held that even if the Conner injunction was valid, it did not apply to acts after it had been rendered, a conclusion which no one disputed.

An investigation revealed that such Judge Haight Order was immediately preceded by a “Bill” (Conner) to “Sandy” (Haight) “fixing memorandum”.

I, having obtained a copy of said “Bill to Sandy” “fixing memorandum” he, as a matter of right, added “William C. Conner, as a *Dennis v. Sparks* 449 U.S. 24 [1980]) money damage defendant .

5. Conner communicated with Chief Judge Briant who, without notice or any due process, dragooned *USA v. Sapir* to himself, stated that plaintiff had Charles S. Haight, not William C. Conner, as a co-defendant, that adding Haight was improper, warranting the dismissal of such action and plaintiff would no longer be permitted to file any further papers in the SDNY without judicial permission.

On the face of the Briant Order itself, it reveals that Conner, not Haight, was added as a defendant, as falsely stated by Chief Judge Briant.

6. The following day, also without jurisdiction, notice or due process, Chief Judge Briant issued a second Order that prohibited me from making any motion in the bankruptcy court, without permission.

When permission was requested of Chief Judge Briant, without knowing anything about the proposed motion, or inspecting the papers, denied the request and threatened me with incarceration if I ever attempted to compel a Puccini accounting.

7. Since I waived a discharge, the bankruptcy proceedings was closed, a new bankruptcy proceeding filed which Judge Schwartzberg, with Sapir’s consent transferred to New Jersey.

8. Immediately Chief Judge Briant began to orchestrate the bankruptcy proceeding in New Jersey, Alito and Politan with the specific instruction that they should ignore the “automatic stay”, and they complied!

9. Then at federal cost and expense, he orchestrated a new non-summary criminal proceeding against me, caused my incarceration, without bail, for two (2) months. During such incarceration, at federal cost and expense, Briant, Alito, Politan, Citibank and Feltman were able to transmit the approximately \$800,000 from the Puccini judicial trust, to be dissipated as “bribes”.

10. Today, seventeen (17) years later, at monumental federal cost and expense, these contempt proceedings have still not been finalized! The Worst Is Still To Be Set Forth


GEORGE SASSOWER, Esq.
10 Stewart Place
White Plains, NY 10603
914-681-7196

[illegible]

Exhibit "A1B"

ARUT, NACHAME, BENJAMIN, LITON &
KIRSCHNER, P.C.
SPECIAL ACCOUNT 2
202 MADISON AVENUE
NEW YORK, N.Y. 10017

10/10/1954

PAY TO THE ORDER OF Arthur and Benjamin Liton \$ 6.20

1-12-1954 CHEMICAL BANK

ARUT, NACHAME, BENJAMIN, LITON &
KIRSCHNER, P.C.

021000178 092-019307 000005200

[illegible]

NAME		ADDRESS	DATE	REMARKS
Pacena	Clifford L.	55 E. 5th St. N.Y.C.	213	George L. L.
Dunn	Eugene	1011 Broadway New York 10	213	George L. L.
Sorrentino	Robert	31 Ave. C New York 10	213	George L. L.
27,112				
115				
115				

JUDGMENT DEBTOR		JUDGMENT CREDITOR		ATTORNEY FOR JUDGMENT CREDITOR Name and Address
Debtors Name	Debtors Address	Creditors Name and Address		
DANN EUGENE	1054 CHANDELLE HEWLETT NY	HUMAN RALPH	HUMAN	
SORRENTINO ROBERT	2150 4TH AVE COURT N. BAYLOR	2134 PACIFIC BLVD	2125 M. 171	
PICCOLI CLOTHES LTD	4615 13TH AVE S. E. SEASIDE	ATLANTIC BEACH NY	BKI	
JUDGMENT NUMBER	JUDGMENT LOCATION	AMOUNT OF JUDGMENT		EXPIRATION DATE AND NUMBER OF YEARS OF STATUS OF JUDGE
64-10000-104	NY	Against (B) C	\$316,960.57	
10015-10000-104	NY	Against (C)	158,475.29	
1250-10000-104	NY	Total B		
DEBTOR'S SIGNATURE	SATISFIED	STATE OF NEW YORK COUNTY OF NEW YORK		
When Issued	When	I, NORMAN GOODMAN, Clerk of the County of New York, hereby certify that this is a correct transcript from the Clerk of Judgments in my office.		
Unsettled Amount		In Testimony Whereof, I have hereunto set my hand and the seal of said County at New York, New York, this 11th day of May, 1964.		

Exhibit "BIA"

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RYAN RAFFTE, individually and on
behalf of PUCCHINI CLOTHES, LTD.,

Plaintiffs,

- against -

84 Civ. 0305 (RSM)

ORDER OF CIVIL AND CRIMINAL
CONTENT OF COURT
FINDING RYAN RAFFTE,
GEORGE SASSOWER, MADISON
HEAR-CORP. and A.R. FUELS
INC.

CITIBANK, N.A., and JEROME W. BARR
individually and as executors of the
Estate of Milton Kaufman, ERICHOLM
C. KELVIN, P.C.; LEE FELTON; FELTHAM,
BERNARD & MAJOR; ARUTY, MACHIAN,
BASTARD & LIPKIN & KIRSCHNER, P.C.;
BASTARD & FOLKERT, P.C.; EUGENE DANN;
ROBERT SORRENTINO; ROBERT ABRAMS, as
Attorney General of the State of New
York; JOHN V. LINDSAY, and SUPERIOR
COURT OF THE STATE OF NEW YORK,
COUNTY OF NEW YORK,

Defendants.

Exhibit "BIB"

ORDERED, that such fines shall be payable to the Court,
for ~~fees~~, ~~for~~ ~~as~~ ~~attorneys~~ ~~for~~ ~~Citibank, N.A.~~
~~case~~ ~~W. Barr~~ ~~individually~~ ~~and~~ ~~as~~ ~~executors~~ ~~of~~ ~~the~~
~~of~~ ~~Milton Kaufman~~ ~~and~~ ~~to~~ ~~further~~

Exhibit "BID"

725 MILL AVENUE
BROOKLYN, N.Y. 11224

TO THE ORDER OF

DATE 9/4/1986

CHECK NUMBER 50842

Amount of Check \$200,000.00

Pay to the order of Kreindler & Palkin P.C.
As Attorney for estate
of Milton Kaufman

National Westminster Bank USA
116 5TH AVENUE - NEW YORK, N.Y. 10011

NON-NEGOTIABLE

United States Court of Appeals

SECOND CIRCUIT

At a stated Term of the United States Court of Appeals for the Second
Circuit, held at the United States Courthouse in the City of New York, on the
13th day of September,
one thousand nine hundred and eighty-five.

Present:
HONORABLE WILFRED FRISBERG,
Chief Judge
HONORABLE IRVING R. KAUFMAN,
HONORABLE THOMAS J. MESKILL,
Circuit Judges.



RYAN RAFFTE, individually and on behalf
of PUCCHINI CLOTHES, LTD.,

Plaintiffs-Appellants,

- against -

CITIBANK, N.A., et al.,

Defendants-Appellees.

85-7251
85-7471

725 MILL AVENUE
BROOKLYN, N.Y. 11224

TO THE ORDER OF

DATE 9/4/1986

CHECK NUMBER 50843

Amount of Check \$160,000.00

Pay to the order of Kreindler & Palkin P.C.
As Estate Agent

National Westminster Bank USA
116 5TH AVENUE - NEW YORK, N.Y. 10011

NON-NEGOTIABLE

Appeal from the United States District Court for the Eastern
District of New York.

This cause came on to be heard on the transcript of record from
the United States District Court for the Eastern District of New York,
and was argued by counsel.

ON CONSIDERATION WHEREOF, it is now hereby ordered, adjudged
and decreed that the judgment of said district court is AFFIRMED.

1. We find that the fee requests submitted by the defendants'
counsel are in compliance with the standards set forth in New York
Cir. 1983).

2. We reject appellants' apparent claim that an evidentiary
hearing was required on the fee awards; since appellees established a
reasonable basis on which to award fees and the district court heard any
objections thereto, it did not abuse its discretion in not holding an
evidentiary hearing.

Exhibit "BIC"

U.S. Department of Justice

Request Number: 84-1976 Date of Receipt: September 5, 1986

Requester: Mr. George SASSOWER

Subject: SASSOWER v. Abrams, Palkin

Dear Requester:

In response to your Freedom of Information Act and/or Privacy
Act request, the paragraph(s) checked below apply:

- ☐ A search for records located in this office has revealed no records.
- ☒ A search for records located in the United States Attorney's Office(s) for the District of New Jersey has revealed nothing pertaining to this matter.
- ☐ The records which you have requested cannot be located.
- ☐ This office is continuing its work on the other subject/districts mentioned in your request.
- ☒ This is the final action my office will take on request.

You may appeal my decision in this matter by writ
within thirty (30) days, to:

Office of Information and Privacy
United States Department of Justice
Flag Building, Suite 570
Washington, D.C. 20530

Both the envelope and the letter of appeal must be clearly
marked "Freedom of Information Act/Privacy Act"

Persons George Sasseover and Samuel Poler for a criminal contempt, are granted in all respects; and it is further ORDERED AND ADJUDGED, that Ryan Raffe, George Sasseover and Samuel Poler are guilty of criminal contempt of court for having wilfully and deliberately violated the Order of Justice Casanueva, dated January 23, 1945, which Order permanently enjoined commencement of the within act and it is further

ORDERED, that pursuant to the Judiciary Law of State of New York, by reason of such criminal contempt of court, Ryan Raffe, George Sasseover, and Samuel Poler shall each be imprisoned for a period of thirty (30) days in the jail of the county of this Court, and George Sasseover shall pay a fine of \$750.00 to each of Feltman, Krasnik a Major, Rose Elm Street, New York, New York, Kreisler & Belkin, P.C., Donald E. Belkin, Esq., Michael S. Garstein, Esq., Fifth Avenue, New York, New York and Citibank N.Y. and Jerome M. Barr, individually and as Executors of the Will of Milton Kaufman, One Citicorp Center, New York, New York. Ryan Raffe shall pay a fine of \$750.00 to each of Feltman Krasnik a Major, 33 East 52nd Street, New York, New York, Kreisler & Belkin, P.C., Donald E. Belkin, Esq., Michael Garstein, Esq., 500 Fifth Avenue, New York, New York and Citibank N.Y. and Jerome M. Barr, individually and as Executors of the Will of Milton Kaufman, One Citicorp Center, New York, New York and Sam Poler shall pay a fine of \$750.00 to

FILED
JUL 1 - 1965
COUNTY CLERK'S OFFICE
NEW YORK

Exhibit "B3A4"

1038	118 APPELLATE DIVISION REPORTS, 2d SE
O'Hair v Stedman Corp. [Mink, J.]	9/27/78
Osipova v City of New York [Shorter, J.]	9/28/78
Palpiano v Modernism Pub. Ltd. [Tunney, J.]	9/27/78
People v Green (Caro) [Buckley, J.]	9/27/78
People v Trujillo (Stephen) [Bradley, J.]	9/27/78
Plain Madison Assoc. v Resource Dynamics, Inc. [Accone, J.]	9/17/78
Reife v Feitman, Karash & Major [Saxe, J.]	9/28/78
Reife v Kreindler & Balkin, P. C. [Klein, J.]	9/17/78
Reife v Balkin [Klein, J.]	9/17/78
Reife v Riccobene [Klein, J.]	9/17/78
Reife v Princess [Marshall, J.]	9/17/78
Reid, Matter of [DiPietro, S.]	9/17/78
Ricco, Matter of [DiPietro, S.]	9/27/78

At a Special Term, Part I, of the
Supreme Court of the State of New
York, held in and for the County
of New York, 68 Centre Street,
New York, New York, on the 1st
day of January, 1940.

PRESIDENT **DAVID B. Saye**

Judge of the Court

Sec. **ALFRED J. [unclear]**

Clerk of the Court

JOHN T. [unclear]

Juror

STAN RAFF,

-against-

FELTMAN, KARSH & MAJOR,

Defendants.

Violatiff, Index No. 479/35

Order

Defendant.

The Sheriff of Any County Will

ORDERED, that GEORGE KASNOVER shall pay to Defendant
FELTMAN, KARSH & MAJOR, at 55 East 52nd Street, New York, New
York 10055, a fine in the sum of \$250.00 within ten (10) days
after service upon GEORGE KASNOVER of a certified copy of this
order with notice of entry thereof, for his criminal contempt
of court; and it is further

ORDERED, that THE SHERIFF OF ANY COUNTY WILL

Return of Return Information (County Clerk), may be returned by the
Clerk to the Sheriff of the County and thereupon the Sheriff shall

prematurely arrested and restrained George Sacco from commencing and filing this action, it is granted in all respects and it is further

ORDERED, that George Sacco shall be imprisoned for a period of ~~thirty~~ (30) days in the Jail of the county of this Court as and for his criminal contempt of court; and it is further

ORDERED, that George Sacco shall pay to defendant Peleuso, Kenneth A. Taylor, at 36 East 10th Street, New York, New York 10003, a fine in the sum of \$250.00 within ten (10) days after service upon George Sacco of a certified copy of this order with notice of entry thereof, for his criminal contempt of court; and it is further

*THIS SUMMARY OF ANY COURT DECISION
SIGNED BY THE JUDGE MAKING SUCH DECISION AND IS NOT TO BE USED FOR ANY OTHER PURPOSES
IT IS ORDERED THAT GEORGE SACCO SHALL PAY TO DEFENDANT PELEUSO, KENNETH A. TAYLOR, AT 36 EAST 10TH STREET, NEW YORK, NEW YORK 10003, A FINE IN THE SUM OF \$250.00 WITHIN TEN (10) DAYS AFTER SERVICE UPON GEORGE SACCO OF A CERTIFIED COPY OF THIS ORDER WITH NOTICE OF ENTRY THEREOF, FOR HIS CRIMINAL CONTEMPT OF COURT; AND IT IS FURTHER*

ORDERED, that defendant's motion to punish Sam Peleuso for a criminal contempt of court is denied and it is further

ORDERED, that plaintiff's cross-motion is denied in all respects and it is further

George SASSOWER, Plaintiff-Appellant,

Matthew D. SANSVERIE, Denis Dillon, J. Kenneth Littman, Kenneth M. Cozza, Robert Rivers, Mary Rita Wallace, Gerald E. Podlask, Daniel J. Moore, Nicholas H. Pollan, Robert Abrams, Wilfred Feinberg, Charles L. Bricant, William C. Conner, Eugene H. Nickerson, Francis T. Murphy, Milton Mollen, Joseph W. Bellacosa, Xavier C. Riccobono, Ira Gammernan, Donald Diamond, Ernest L. Signorelli, Anthony Mastroianni, Kreindler & Reikin, P.C., Citibank, N.A., Leo Feltman, Feltman, Karach, Major & Furman, Nachman, Kirschner, Spitz & Levine, P.C., Bashba & Pokart, Howard M. Bergson, Reisman, Peires, Reisman, & Calica, Clapp & Eisenberg, P.C., Rothbart, Rothbart & Kohn, Samuel A. Alito, Jr., Hugh Leonard, Sills, Cumis, Zuckerman, Radin, Thibman, Epstein, & Gross, P.C., Reikin, Kaplan, Dembling & Burke, P.C., Peter Sordi, and Myriam J. Altman, Defendants-Appellees.

No. 31, Docket 88-7051.

United States Court of Appeals,
Second Circuit.

Submitted Sept. 13, 1989.

Decided Sept. 15, 1989.

SASSOWER v. CARLSON
Case No. 88-1012 and 88-1562

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consideration. Tolson was an at-will employee who could be discharged for any reason, and his claim was therefore inadmissible to dismissal under rule 12(b)(6) of the Federal Rules of Civil Procedure. The decision of the district court is



George SASSOWER, Appellant.

Peter H. CARLSON, West Publishing Company, Moad Data Control, Laryvin Cooperative Publishing Company, New York Law Journal Company, Price Communications Corporation, New Jersey Law Journal, Kreindler & Reikin P.A., Citibank N.A., Jerome H. Sisk, Leo Feltman, Feltman, Karach, Major & Furman, Clapp & Eisenberg, P.C., A. Louis Hochstadt, Jr., William H. Hachtel, Robert E. Cozza, Edwin J. Saks, Sally Kravos, Paul Douglas Sisk, Wilfred Feinberg, James L. Cohen, George C. Pratt, Michael E. Reikin, David J. Moore, Charles E. Bricant, Eugene H. Nickerson, Eugene H. Nickerson, Francis T. Murphy, Xavier C. Riccobono, Donald Diamond, Denis Dillon, Appellees.

George SASSOWER, Appellant.

Francis H. DORAL, David E. Reikin, Jr., James G. Arnold, John Feltman, George C. Pratt, and unknown to plaintiff in process, West Publishing Company, Leo Feltman, Feltman, Karach, Major & Furman, Kreindler & Reikin P.A., Citibank N.A., Jerome H. Sisk, James L.

Otto, Wilfred Feinberg, George C. Pratt, Charles L. Bricant, William C. Conner, Eugene H. Nickerson, Edward E. Korman, I Leo Gammernan, Alfred E. Howard Schwartzberg, Nicholas H. Pollan, Ed Wechtler, Matthew T. Cronin, Francis T. Murphy, Guy J. Morigano, Milton Mollen, William C. Thompson, Xavier C. Riccobono, Alvin F. Klein, David E. Sisk, Ira Gammernan, Donald Diamond, Robert Abrams, Robert Straus, Denis Dillon, Moad Data Control, Inc., Laryvin Cooperative Publishing Co., New York Law Journal Company, Price Communications Corp., New Jersey Law Journal, Appellees.

No. 90-5474, 90-5509.

United States Court of Appeals,
Eight Circuit.

Submitted March 5, 1991.

Decided March 15, 1991.

Rehearing and Rehearing En Banc
Denied May 3, 1991.

Civil actions were dismissed for lack of subject matter jurisdiction as being wholly frivolous and unavailing by the United States District Court for the District of Maryland, 744 F.Supp. 974, David A. Drey and Henry R. MacLennan, Jr., Plaintiffs, v. The Court of Appeals held that suits were properly dismissed and plaintiffs would be subject to sanctions for filing such suits without first obtaining leave of court.

Affirmed.

Information 0-20/0

Plaintiff who filed frivolous and vexatious law suit was sanctioned from filing further civil actions without first obtaining leave of court. In seeking permission to file new actions, plaintiff will be required to certify that claims are new, that claims are not frivolous, unavailing, or brought in bad faith, and will be required to file an affidavit.

In light of our consideration of the first two questions asked by the district court, we do not address the issue of whether Tolson's con-

duct was in compliance with the Statute of Frauds.

ON FEDERAL REPORT

Copy of current opinion of law courts for use in the courts.

George SASSOWER, per se.
Richard L. Harwig, Washington, D.C., for appellees.

Robert ARNOLD, WILLIAM, and KEAM, Circuit Judges.
PER CURIAM.

Exhib. N "B4A"

Exhib. N "B4B"

Exhib. N "A5A"

the following named defendants/respondents in connection with
D.N.J. Civ. Nos. 88-1012 and 88-1562:

Robert Abrams; Samuel A. Alito, Jr.; A.R. Fuels, Inc.; Jerome H. Sisk; Joseph W. Bellacosa; Howard M. Bergson; Berlin, Kaplan, Dembling & Burke, P.C.; Charles L. Bricant; Cahn, Wisnoff, Wisnoff & Lamb; Susan Cassell; Michael Chertoff; Citibank, N.A.; Clapp & Eisenberg, P.C.; William C. Conner; David S. Cook; Kenneth M. Cozza; Eugene Dunn; Donald Diamond; Denis Dillon; Wilfred Feinberg; Leo Feltman; Feltman, Karach, Major & Furman; Robert W. Gaffey; James C. Francis, IV; Ira Gammernan; David Greenberg; Matthew Ireland; Harold Jones; Bentley Kaxal; Irving R. Kaufman; Daniel Kelleher; Alvin F. Klein; Kreindler & Reikin, P.C.; Theodore R. Kuperman; Hugh Leonard; J. Kenneth Littman; Anthony Mastroianni; Roger Miner; Jacob Miskler; Thomas J. Meskill; Milton Mollen; Sally Kravos; Francis T. Murphy; Nachman, Kirschner, Spitz & Levine, P.C.; Eugene H. Nickerson; Ira Postel; George C. Pratt; Puccini Clothes Ltd.; Hyman Raffer; Bashba & Pokart; Reisman, Peires & Furka, P.C.; Reisman, Peires, Reisman & Calica; Xavier C. Riccobono; Ernst H. Rosenberger; Rothbart, Rothbart & Kohn; Isaac Rubin; Matthew D. Sansverie; Joseph J. Santacrose; Jeffrey L. Spitz; David B. Saxe; Walter M. Schackman; Schneck & Wetzman; Howard Schwartzberg; John J. Scura; Ernest L. Signorelli; Sills, Cumis, Zuckerman, Radin, Wisnoff, Epstein & Gross, P.C.; P. Douglas Sisk; Jeffrey I. Slonim; Peter Sordi; Robert Sorrentino; Robert H. Straus; Suffolk, New York, County of; William C. Thompson; Ellsworth A. Van Graafiland; Marcia Waldron; Moses H. Weinstein; and, Charles Sangara.

By the Court,