

August 10, 2001

NYS Commission on Judicial Conduct
801 Second Avenue,
New York, N.Y. 10017

Re: **JUDITH S. KAYE**
NY Court of Appeals

Departmental Disciplinary Committee
61 Broadway,
New York, N.Y. 10006

FRANCIS T. MURPHY, Esq.
ROBERT ABRAMS, Esq.
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Grievance Committee
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Part I

Gentlemen:

1A... The *NEW YORK STATE ATTORNEY GENERAL* ["NYSAG"], in addition to being the attorney for the *STATE OF NEW YORK* is the statutory fiduciary for all involuntarily dissolved New York corporations, such as *PUCCINI CLOTHES, LTD.*, and on behalf of NYS, is the *parens patriae* of all infants within NYS, including the three (3) motherless infant beneficiaries in the *ESTATE OF EUGENE PAUL KELLY, Deceased* ["Kelly Estate"] and of the *GENE KELLY MOVING & STORAGE, TRUSTS* ["Kelly Trusts"].

However, in the courts of the State of New York, in every instance, without any exception, the NYSAG always took a position contrary to the Puccini judicial trust, the Kelly Estate, the Kelly Trusts and even against the State of New York, monetary and otherwise.

The *quid pro quo* for the "bribes" by *CITIBANK, N.A.* from, *inter alia*, Puccini's judicial trust assets by NY Presiding Justice **FRANCIS T. MURPHY** of the First Judicial Dept., is "threshold immunity" for the Citibank conspirators..

B. The uncontroverted allegations in the complaint in *Sassower v. American Bar Association* (33 F.3d 733 [7th Cir.-1994]) includes:

"Research has revealed that since 1979, during the concurrent tenure in office of NY State Appellate Division, Presiding Justice **FRANCIS T. MURPHY** of the First Department, and New York State Attorney General **ROBERT ABRAMS**, in not a single instance has Attorney General Abrams exercised his fiduciary obligations, including those which are mandatory in nature, in the Presiding Justice Murphy judicial bailiwick, unless consented to by Presiding Justice Murphy.

Presiding Justice Murphy operates a 'patronage mill' from his Courthouse, which he regards as his 'personal fiefdom' (*NY Newsday*, November 25, 1988 and December 1, 1988), and one of his operational managers is the son of [former] Chief U.S. District Court Judge **CHARLES L. BRIEANT**, while Presiding Justice Murphy's son was employed by Chief Judge Brieant, a practice labeled as 'disguised nepotism', and condemned more vehemently than simple 'nepotism' (*Spector v. State Commission on Judicial Conduct*, 47 N.Y.2d 462, 466, 418 N.Y.S.2d 565, 566, 392 N.E.2d 552, 553 [1979]).

2. Thus, to escape this New York State "cesspool" of judicial corruption, one should, whenever possible, is to resort to a federal forum where, unlike the state courts where the New York State Attorney General ["NYSAG"] cannot constitutionally defend rogue judges who are defrauding judicial trusts in order to enrich themselves, or even honest judges.

Every Article III federal jurist and state attorney general knows the directive contained in *Pennhurst State v. Halderman* (465 U.S. 89 [1984]), wherein the Court stated [at p. 121]:

“[a] federal court must examine each claim in a case to see if the court's jurisdiction over that claim is barred by the Eleventh Amendment/[Hans]”.

3. It inexorably follows that before **JUDITH S. KAYE; FRANCIS. T. MURPHY; WILLIAM C. THOMPSON**, and **ROBERT ABRAMS** appeared by New York State Attorney General [“NYSAG”] **G. OLIVER KOPPELL** in *Sassower v. American Bar Association* (*supra*) they knew that U.S. District Court Judge U.S. District Court Judge **WILLIAM T. HART** of the Northern District of Illinois had been “fixed”.

Kaye, Murphy, Thompson, Abrams and Koppell also knew that the “fix” included the “instructions”, that neither they nor the U.S. Seventh Circuit Court of Appeals would address the issue of subject matter jurisdiction, which is legally impossible, since every federal judge knows that he/she cannot make any merit disposition without being satisfied that subject matter jurisdiction exists.

4. When it became obvious that Judge Hart was refusing to address and adjudicate the lack of subject matter jurisdiction, refusing to divest the Citibank conspirators of any of their illicit “loot” and other issues where discretion did not exist, in the words of the Circuit Court (*Sassower v. ABA, supra* at p. 735):

“Sassower has peppered this court with motions -- [1] motions to disqualify opposing counsel, motions for stays, petitions for writs of mandamus, motions for summary reversal,[2] motions to direct Citibank to turn over assets, [3] and more.”

None of these motions and petitions were controverted, fact or law, or the relief requested opposed, by anyone including NYSAG Koppell.

5. Advising the Citibank conspirators that Judge Hart had been “fixed” were the Chambers of U.S. Judge Briant and his son, **CHARLES L. BRIEANT, III, Esq.**, in Murphy’s employ, but on NY State payroll, and now a member of the **DEPARTMENTAL DISCIPLINARY COMMITTEE**. To Be Continued

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