

0019.
SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X
In the Matter of the Application of THE PEOPLE
OF THE STATE OF NEW YORK, ex rel., GEORGE
SASSOWER, individually and on behalf of those
similarly situated, and on behalf of UNITED
PRESS, INTERNATIONAL; THE ASSOCIATED PRESS;
THE WALL STREET JOURNAL; THE NEW YORK TIMES;
THE NEW YORK NEWS; NEW YORK POST; NEWSDAY;
THE VILLAGE VOICE; GANNETT, INC.; AMSTERDAM NEWS;
NEWSWEEK; TIME; U.S. NEWS AND WORLD REPORTS;
NEW YORK MAGAZINE; BUSINESS WEEK; FORBES;
WCBS; WNBC; WNYW; WABC; WWOR; WPIX; and WNET,
Petitioner,

Index No.
12941-1988

Assigned to:
Hon. GERARD E.
DELANEY

-against-

1676
THE OFFICE OF COURT ADMINISTRATION; ROBERT
ABRAMS, as Attorney General of the
State of New York; SHERIFF OF WESTCHESTER
COUNTY; and ALL POLICE and PEACE OFFICERS
OF THE STATE OF NEW YORK,

Respondents.

For a Writ of Mandamus, Prohibition, and
Procedendo ad Justicium.

-----X
S I R S:

PLEASE TAKE NOTICE that upon the annexed affidavit
of GEORGE SASSOWER, Esq., duly sworn to on the 7th day of
October, 1988, and upon all the pleadings and proceedings had
herein, the undersigned will move this Court, at the Individual
Assignment Part of Hon. GERARD E. DELANEY, of the Supreme Court
of the State of New York, County of Westchester, held at the
Courthouse thereof, 111 Grove Street, White Plains, New York,
10601, on the 26th day of October, 1988, at 9:30 o'clock in the
forenoon of that day or as soon thereafter as Counsel may be
heard, for an Order granting summary judgment in favor of the
relator against the SHERIFF OF WESTCHESTER COUNTY, together with
such other, further, and/or different relief as to this Court may

seem just and proper in the premises.

PLEASE TAKE FURTHER NOTICE, that opposing papers, if any, are to be served upon the undersigned at least seven (7) days before the return date of this motion, with an additional five (5) days if service is by mail.

PLEASE TAKE FURTHER NOTICE, that with the opposing papers, if any, the Westchester County Attorney and/or the Sheriff of Westchester County, are to serve and file copies of the property executions and other papers and orders given them related to the undersigned, as more fully described in the moving affidavit (CPLR 2214[c]).

Dated: October 7, 1988

Yours, etc.,

GEORGE SASSOWER, Esq.
Attorney, pro se
16 Lake Street,
White Plains, New York 10603
914-949-2169

To: Office of Court Administration
Hon. Robert Abrams
Hon. Marilyn J. Slaatten

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STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

GEORGE SASSOWER, Esq., first being duly sworn,
deposes, and says:

1a. This affidavit is made in support of a motion for
summary judgment against the respondent SHERIFF OF WESTCHESTER
COUNTY (Westchester County, Commissioner of Public Safety
Services), represented in this proceeding by the Westchester
County Attorney, Hon. MARILYN J. SLAATTEN.

b. Deponent verily believes that the grant of this
motion inures to the benefit of the Sheriff, the County Attorney,
as well as, your deponent.

2a. Petitioner's "Fourteenth Cause of Petition" has

reference to the respondent, Sheriff, and since deponent no longer has the protection of Title 11 of the United States Code, he seeks to prevent a repetition of the events in 1985-1986, for his sake, as well as the Sheriff.

b. Petitioner verily believes that both the County Attorney and the Sheriff's Office likewise desire to avoid a repetition of those same events.

3a. Referee DONALD DIAMOND, as well as other jurists and officials, are involved in the massive larceny and plundering of the judicial trust assets of PUCCINI CLOTHES, LTD. ["Puccini"], which was involuntarily dissolved on June 4, 1980, or more than eight (8) years ago.

b. No true accounting can be rendered without exposing such massive larceny and plundering, as well as other corrupt activities, unless deponent succumbs.

c. Part of the in terrorem tactics employed by Referee DONALD DIAMOND, the ex parte appointee of Administrator XAVIER C. RICCOBONO ["Corruption Incarnate"], was the issuance of "phantom" judgments against deponent, SAM POLUR, Esq. ["Polur"] and HYMAN RAFFE ["Raffe"], the true nature of which were exposed in 1987, before Hon. HOWARD SCHWARTZBERG, Bankruptcy Judge in White Plains, as more fully described in Paragraph 47 of the Petition.

d. The depraved and demented actions of those involved in the larceny and plundering of judicial trust assets, in conspiratorial consort with Referee DONALD DIAMOND, reveals,

in part, the events which caused Polur and Raffe to eventually succumb.

4a. As a non-consensual, ex parte appointee, Referee DONALD DIAMOND had, at best, very limited powers and authority (CPLR §4317[b]).

b. Referee DONALD DIAMOND, who operates out of a non-public courtroom in which deponent is specifically denied admittance, was designated by Administrator XAVIER C. RICCOBONO after he was ex parte communicated with by FELTMAN, KARESH, & MAJOR, Esqs. ["FK&M"], on their own behalf, and on behalf of their co-conspirators, shortly after deponent surfaced the "hard evidence" of the massive larceny of Puccini's judicial trust assets.

c. At that point, Administrator XAVIER C. RICCOBONO agreed to become an active participant in this criminal adventure which involved the larceny of judicial trust assets, and other criminal activity.

5a. Deponent's first communication from the Sheriff of Westchester County, was in the latter part of 1985 when he received a demand to satisfy a five thousand dollar (\$5,000) judgment, purportedly awarded by Referee DONALD DIAMOND in favor of LEE FELTMAN, Esq. ["Feltman"], the receiver for Puccini, which had been given him for execution.

b. Previously, Feltman had agreed not to expose the larceny of Puccini's trust assets engineered by KREINDLER & RELKIN, P.C. ["K&R"] and CITIBANK, N.A. ["Citibank"] and not make

any attempt at recovery of same, in return for which the balance of Puccini's trust assets would be turned over to FK&M, his law firm, since Feltman's fees were fixed by statute (Business Corporation Law §1217).

c. The situation was made more egregious by the fact that the Sheriff of the City of New York had previously levied and executed on deponent's daughter's assets in order to satisfy this "phantom" judgment, and that otherwise FK&M had received from the Sheriff of the City of New York more than five thousand dollars (\$5,000) based on this same "phantom" judgment.

d. Indeed, deponent offered to pay said judgment, in full, with a box of cigars for the Sheriff, if he could produce a copy of such judgment, which the Sheriff was unable to obtain from FK&M or anyone else.

6a. In 1986, based on this same "phantom" judgment, an Order was issued by Referee DONALD DIAMOND directing the Sheriff to "break into" deponent's apartment, "seize all word processing equipment and soft-ware", and "inventory" his possessions.

b. The County Attorney demanded a one million dollar (\$1,000,000) from FK&M, and thereafter several other Orders were received by the Sheriff directing him to "break into" deponent's apartment.

7a. Thereafter, in jest, deponent stated that since FK&M were able to levy on deponent's bank accounts based on "phantom" judgments, deponent was compelled to keep his monies in his "non-interest bearing mattress".

b. As a result of such statement, made in jest, the Sheriff was met with an application to have him "break into" deponent's apartment and "tear apart" his "non-interest bearing mattress".

c. Such lunacy by FK&M, the County Attorney stated it would refuse to obey, and one of County Attorneys attended a conference, with others, before Referee DONALD DIAMOND.

d. Deponent was not at such conference, but understands that the County Attorney thereafter questioned the mental stability of those involved with Referee DONALD DIAMOND in this criminal enterprise.

8. To avoid such harassment, deponent filed a petition in bankruptcy, thereby vesting title to his property in the federal court, and otherwise triggering an automatic stay (11 U.S.C. §362) stay of all proceedings.

9a. As the respondent, OFFICE OF COURT ADMINISTRATION, knows, Referee DONALD DIAMOND has a Judiciary Law §14 disqualification, and his orders, judgments, decisions, and other judicial documents are a nullity.

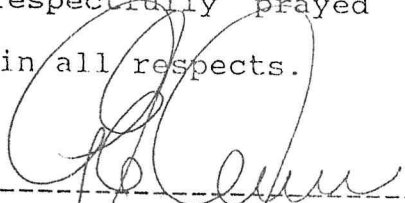
b. This disqualification, as well as others, is also known to the respondent, ROBERT ABRAMS, Esq., the Attorney General, the attorney for Referee DONALD DIAMOND.

c. Under the aforementioned circumstances it would serve everyone's legitimate purpose if the relief requested in this cause of petition be granted.

10. Westchester County has been caused to expend a

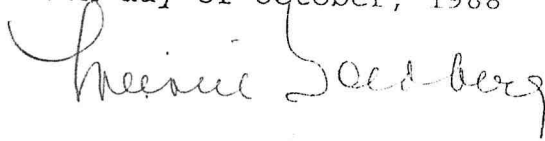
great deal of monies based upon the corruptly secured documents,
under the purported authority of Referee DONALD DIAMOND, who even
if he were not disqualified, simply has no authority to cause
their issuance.

WHEREFORE, it is respectfully prayed that the
relief requested herein be granted in all respects.



GEORGE SASSOWER

Sworn to before me this
7th day of October, 1988



MIRIAM GOLDBERG
Notary Public, State of New York
No. 60-4518474 Westchester County
Commission Expires 4/2/89

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RECEIVED
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STATE OF N.Y.
DEPT. OF CORRECTIONS

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

MARY MANCUSO, first being duly sworn, deposes,
and says:

That on the 56th day of October, 1988, she served a copy of the within Nortice of Motion and Affidavit upon Xavier C. Riccobono, Michael J. Dontzin, Thomas V. Sinclair, Jr., David B. Saxe, Donald Diamond, Ira Gammernan, Alvin F. Klein, Francis T. Murphy, Joseph W. Bellacosa, Albert M. Rosenblatt, Robert Abrams, David S. Cook, Kreindler & Relkin, P.C., Jerome H. Barr, Citibank, N.A., Nachamie, Kirschner, Levine & Spizz, P.C., Lee Feltman, Feltman, Karesh, Major & Farbman, and Rashba & Pokart by mailing true copies of same in a sealed properly stamped envelopes in a Post Office Box maintained by the United States Postal Department, to them at their last known addresses.

Mary Mancuso
MARY MANCUSO

Sworn to before me this
12th day of October, 1988

Michael J. Goldberg

MICHAEL GOLDBERG
Notary Public, State of New York
No. 60-4515472 Westchester County
Chemungton Heights 4/28/89