

To be argued by:
GEORGE SASSOWER, Esq.

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : FIRST DEPARTMENT

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PEOPLE OF THE STATE OF NEW YORK, ex rel.,
PUCCINI CLOTHES, LTD.; GEORGE SASSOWER,
and HYMAN RAFFE, a hostage,

Petitioners-Appellants,

-against-

Hon. SOL WACHTLER, as Chief Judge of the
Courts of the State of New York; and
JOSEPH W. BELLACOSA, Chief Administrator
of the Courts of THE STATE OF NEW YORK,

Respondents-Respondents.

-----x

APPELLANTS' BRIEF

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"Abandon all hope ye who enter
here" (The Inferno, Dante)

APPELLANTS' BRIEF

IN THE BOWELS OF RICCOBONO'S CESSPOOL

STATEMENT

1a. The petition [6-30], dated March 26, 1986 -- two
(2) months and twenty (20) days into the IAS system describes in
part such system in the "Riccobono cesspool"!

b. The "non-waivable" "random selection process" is
about as big a fraud as was 22 NYCRR §660.24 of Presiding Justice
FRANCIS T. MURPHY!

c. Since such date, as the Order herein appealed from
reveals (3), all Puccini related litigation, no matter how
distant removed, even in other judicial departments, have been
dragooned to the personal bailiwick to Mr. Justice IRA GAMMERMAN!

d. Even when multiple venue statutes require that such litigation be venued in a county outside of New York, Mr. Justice IRA GAMMERMAN has dragooned same to himself.

The fact that in some of such litigation Mr. Justice IRA GAMMERMAN is a defendant, respondent, and/or an essential Dennis v. Sparks (449 U.S. 24) witness, has not altered the actions of this despot!

e. Indeed, all Puccini related litigation must be channelled to Mr. Justice IRA GAMMERMAN or Referee DONALD DIAMOND since all other nisi prius jurists have refused, in large part, to follow the criminal adventures of Administrator XAVIER C. RICCOBONO!

2a. No purpose would be served by repeating the conservatively stated petition [6-30] in this Brief. It speaks for itself!

b. Copies of such petition has been, or will be, extensively published and circulated, including to the media!

c. The public is entitled to know the manner government operates, including the judicial system, or so that is the way that appellant reads the cases from the Supreme Court of the United States!

Apparently, Presiding Justice FRANCIS T. MURPHY, this Court, and Administrator XAVIER C. RICCOBONO, believe that justice or rather judicial-official corruption would be served if Referee DONALD DIAMOND is permitted to operate in his "non-public courtroom", so that he can fabricate and contrive his spurious documents therein (30).

3a. The petition inures to the benefit of PUCCINI CLOTHES, LTD., "the judicial fortune cookie", nevertheless it is not supported by Senior Attorney, DAVID S. COOK, Esq., its statutory watchdog, who represents Presiding Justice FRANCIS T. MURPHY, the members of this Court, Administrator XAVIER C. RICCOBONO, Mr. Justice IRA GAMMERMAN, and Referee DONALD DIAMOND.

b. In this proceeding, Mr. Cook has acquired an additional client, to wit., Hon. JOSEPH W. BELLACOSA, who is also now involved in the attempted whitewash of the larceny of judicial trust assets!

c. Mr. Cook, with the court's receiver, LEE FELTMAN, Esq., have their private arrangements with Mr. Justice IRA GAMMERMAN on appellant's applications, even when it inures to the benefit of Puccini!

d. Obviously, Presiding Justice FRANCIS T. MURPHY, this Court, Administrator XAVIER C. RICCOBONO, and his two lap-dogs, do not want any accounting to be filed because it will reveal, not only massive larceny and perjury, but also massive judicial-official corruption!

e. Repeatedly placing appellant in jail, without benefit of trial, is apparently their hope!

f. It is a hope, as non-existent as is the existence of the "tooth fairy"!

4a. The Order of March 11, 1986 is as fraudulent and legally worthless as the other corruptly secured Orders of Mr. Justice IRA GAMMERMAN -- and more so!

b. No one even pretends it has any validity. It can only be described as "the rankest compound of villainous smell that ever offended nostril" (Shakespeare's Merry Wives of Windsor, III:v), lacking in personal, subject matter, and every other jurisdictional deficiency!

c. The only redeeming feature of such Order is that now, other counties in other departments, know the "coins in the judicial realm" in the First Department.

d. It is quite evident to everyone that neither Administrator XAVIER C. RICCOBONO, nor Mr. Justice IRA GAMMERMAN, nor Referee DONALD DIAMOND would do what they are doing, if they were not assured of the protection of Presiding Justice FRANCIS T. MURPHY!

e. To say more would be supererogatory!

QUESTIONS PRESENTED

1Q. May this Court adjudicate this matter in view of the litigation pending involving this Court and members of this Court?

A. The question was not presented or presentable to the Court below!

2Q. Is the Order of March 11, 1986 (3) of any force or effect?

A. No one even pretends it is, including Mr. Justice IRA GAMMERMAN and his patrons!

3Q. Is not the plan of Administrator XAVIER C. RICCOBONO, Presiding Justice FRANCIS T. MURPHY, Hon. ROBERT ABRAMS, the "judicial thrall", and their criminal patrons, to deprive appellants of their constitutional right to access to the courts so as keep the status quo ante of November 7, 1983?

A. That is quite obvious!

4Q. Should the petition have been granted in all respects?

A. In a lawful and civilized judicial system where there is obedience to the law, that would be correct!

POINT I

APPELLANTS' PETITION SHOULD BE GRANTED IN ALL RESPECTS

1. Obviously, the plan of Presiding Justice FRANCIS T. MURPHY, Administrator XAVIER C. RICCOBONO, Hon. ROBERT MURPHY, the "judicial thrall", and their criminal patrons is to deny appellants their constitutional rights to "access to the courts" so as to maintain the status quo ante of November 7, 1983, when the first "hard evidence" of the larceny of judicial trust assets surfaced!

2. The "parade of horrors" and stays have long been declared unconstitutional (Cotting v. Godard, 183 U.S. 79, 100-102).

3. This unconstitutional farce should be ended now!

CONCLUSION

THE ORDER APPEALED FROM SHOULD BE REVERSED AND THE PETITION
GRANTED IN ALL RESPECTS

Dated: July 14, 1986 (Bastille Day)

Respectfully submitted,

GEORGE SASSOWER, Esq.
Attorney for appellants.

STATEMENT PURSUANT TO CPLR 5531

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1. The Index Number of the court below is 7,527-1986
2. The title of the original parties appears above and there has been no change.
3. The proceeding was commenced in Supreme Court, New York County.
4. The action was commenced on March 27, 1986, by service of a Notice of Petition and Petition.
5. Special proceeding for various forms of appropriate relief.
6. Appeal from Orders dated April 17, 1986, entered April 24, 1986.
7. The appeal is on the full record.