

Monday, November 22, 1993

SECOND

Selected

In re Martin-Trigona

Appellate Procedure 'Leave to File' Requirement for Sanctioned Litigants Is Upheld

Motions for disclosure of the identity of judges ruling on 'leave to file' applications submitted by sanctioned litigants Anthony R. Martin and George Sassower were denied on Nov. 5.

Chief Judge Jon O. Newman, in *In re Anthony R. Martin-Trigona* and *In re George Sassower*, 93-5008 and 93-3041, held that the procedure adopted to implement the leave-to-file requirement was a permissible and warranted exception to the normal conduct of appellate litigation. Vexatious litigants sanctioned by the court were prohibited from filing any papers without first obtaining leave. The court found that the challenged procedures, which included anonymity of the particular judge assigned to handle all leave-to-file requests by a certain litigant, were a reasonable response to the harassing abuse of the litigation process. Sanctioned litigants were deemed to have forfeited their rights to the procedures available in normal litigation.

Mr. Martin, formerly known as Martin-Trigona, and Mr. Sassower, represented themselves.