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"Woe unto you ... hypocrites ...
Woe unto you also, ye ~~lawyers~~
judges ..for ye build the sepulchers of the
prophets Woe unto thee you,
~~lawyers~~ judges! for ye have
taken away the key of knowledge ... " (St.
Luke, 11:44-52)

THE ANATOMY OF JUDICIAL-OFFICIAL CORRUPTION ST. LUKE -- REVISITED

1a. The lawyer disbarred, reported at 504 N.Y.S.2d 398, by the First Department's "Court of Conscience", was "on the mat" by reason of unrelated personal problems, and had taken \$6,959.81 from an escrow account, where his client beneficiary apparently owed him a greater sum of money than he had taken! When his check "bounced", because of this diversion of funds from his escrow account, he attempted to make installment payments and/or other types of restitutory arrangements, and apparently did so by performing services for the client for an additional nine months!

b. The author of the "Letters to the Editor" of September 5, 1986, believes "disbarment" was too harsh a punishment!

c. To those legally vested with the jurisdictional power to impose punishment, I can accept their "black hooded" decree, provided punishment, vel non, is imposed on all those who are similarly derelict, and further provided it does not have a strong odor of hypocrisy!

d. The American heritage, unlike the French, is that "equality", and not "liberty", is the prime and overriding political and social concept, and certainly, inequality of treatment has no place near any civilized courthouse, here or elsewhere!

2a. While the author of the September 5th letter fairly stated the situation, as set forth by the Court of Conscience, he did, I believe, omit an important, but obscured, issue.

b. The court's power to discipline attorneys, is essentially statutory, and except for criminal convictions, is limited to "professional misconduct, malpractice, fraud, deceit, crime or misdemeanor, or any conduct prejudicial to the administration of justice" (Judiciary Law §90[2]).

c. The court affirmed the report of the Hearing Panel, which found that this attorney, the rules he had been charged with violating (at p. 398), had indeed been violated, and that he:

"was guilty of professional misconduct and conduct prejudicial to the administration of justice ... in violation of DR 1-102(A)(4) and (6) and DR 9-102(B)(4) of the Code of Professional Responsibility ..." (at p. 399).

d. This attorney was never charged with DR 1-102(A)(5) ["conduct prejudicial to the administration of justice"], and under the factual situation, such charge which was never made, could not have been reasonably sustained, the Court's statement notwithstanding. In short, it appears that this disbarred attorney was found guilty of a charge patently never made!

e. There was nothing in the court's opinion which could reasonably be construed as "dishonesty, fraud, deceit, or misrepresentation" DR 1-102 (A)(4); or "adversely reflecting his fitness to practice law" DR 1-102(A)(6).

f. A good argument could have been, and I am sure, was made as to DR 9-102((B)(4), as the Court went into "hair splitting distinctions" with another case, where the attorney acted out of "frustration", rather than "need", and because he was 75, and had the wisdom that only age brings, he kept identified the funds diverted.

g. In short, the Court of Conscience disbarred the attorney because God had made men, including attorneys, to be something less than angels, which if equally applied to all that err, finds me not in vehement disagreement!

3a. In the involuntary dissolution of PUCCINI CLOTHES, LTD., when the decree was entered, as a matter of law, as well as by specific provision therein, its assets and affairs became custodia legis.

b. DONALD B. RELKIN, Esq. ["Relkin"] of KREINDLER & RELKIN, P.C., ["K&R"] the attorneys for CITIBANK, N.A. ["Citibank"] and JEROME H. BARR, Esq. ["Barr"], communicated, ex parte, with Hon. JOHN V. LINDSAY, the designated receiver by the court, and the court's agent, and "James Marcus style", deceived the former mayor into not taking possession of Puccini's assets, not filing his bond, payable "to the people", to indemnify this

helpless and constitutional "person"! Case law, clearly holds, that Relkin should have been charged with, inter alia, with criminal contempt and interference with the administration of justice, for this act alone!

c. While Lindsay, the court appointed judicial constable, was away from his assigned post, with no indemnification bond having been filed, K&R, its clients, Citibank and Barr, and their co-conspirators began to massively ravage and rape Puccini's judicial trust assets! This was a clear case of arrogant and unabashed larceny of judicial trust assets!

d. It took the court, wherein Administrator XAVIER C. RICCOBONO was and still is the administrator, more than one year after Lindsay had declined the appointment, to appoint a new receiver, and in sum Puccini did not have a receiver, nor was the mandatory bond in effect, for a period of twenty (20) months!

e. Any "one eyed" idiot, with any sense of trust responsibility, would have immediately made some inquiry, to assure himself that the trust assets of this bondless "person" were intact, particularly when I was vehemently contending that the circumstantial evidence irresistibly reveals there had been an unlawful dissipation of assets, and demanded an inspection of the records on behalf of a client who had the greatest financial interest in such corporation, as well as my own interest in such involuntarily dissolved corporation!

f. But ex cathedra XAVIER C. RICCOBONO, in his throne room, of a building which bears the inscription "The True Administration of Justice is the Firmest Pillar of Good Government", and his Court, made no inquiry, and did nothing to a point of bordering on the criminal!

g. Administrator XAVIER C. RICCOBONO and his Court could, with some justification contend, that the Court was literally inudated, and overwhelmingly so, for three and one-half years, with [perjurious] affidavits and [false] statements from K&R, Citibank, Barr, and their co-conspirators, that the assets were intact, and even if no bond had been filed, Citibank did not have the financial problems of this disbarred attorney, and was able to provide restitution.

h. True, it was inconceivable, during such three and one-half years, and thereafter, that K&R, LEE FELTMAN, Esq. ["Feltman"], FELTMAN, KARESH, and MAJOR, Esqs. ["FK&M"], and ARUTT, NACHAMIE, BENJAMIN, LIPKIN, & KIRSCHNER, P.C. ["ANBL&K"], were nothing better than "felons with law degrees", who with Citibank, had violated every provision contained in Judiciary Law §90[2], and about every non-physical crime contained in the Penal Code -- and more!

i. But it is also true, that it was inconceivable, at least to me, that Administrator XAVIER C. RICCOBONO, and some of the members of the Court of Conscience, would go into active criminal partnership with the "felons with law degrees" and Citibank, and pervert the "machinery of justice", not only to stonewall restitution, but to further victimized them.

j. It was simply a situation where the "rape" victim went to the police station for help, and found herself again "gang raped" by the guardians of the law, while they were simultaneously ranting against the peccadillos committed by others, including this recently disbarred attorney!

4a. Between November 7, 1983, when the first "hard evidence" of larceny and perjury had surfaced, and early March 1984, the scope of same was beyond my or anyone else's wildest imagination and speculation!

b. What would this disbarred attorney do, had he been one of those engaged in such larceny, even if he did not have the assets of Citibank or the assets of the these well-healed attorneys? Clearly, from the opinion of the Court of Conscience, he would have made restitution or at least made the attempt!

c. What would this disbarred attorney do, had he been the Administrative Judge of the Supreme Court of the State of New York, instead of Administrator XAVIER C. RICCOBONO? Clearly, from the opinion of the Court of Conscience, he would have recognized his error, and attempted to rectify it by taking steps to make recovery!

d. What would this disbarred attorney do, were he the Chief Counsel of the Department Disciplinary Committee, instead of Michael A. Gentile, Esq.? I hope, initially, assuring that restitution were provided to the victims of such criminal conduct!

e. What in fact did they do!

f. What did Presiding Justice Francis T. Murphy do? What did the thirteen (13) in the Court of Conscience do? What did the "judicial thrall" at 60 Center Street do?; What did Chief Administrative Judge Joseph W. Bellacosa do? What did the highest law enforcement officer in the State of New York, Hon. Robert Abrams do? What did District Attorney Robert Morgenthau do? What did everyone in "robes and furr'd gowns" do? What did the Court of Conscience and nisi prius courts in the Second Judicial Department do?

You will not find what they did in the New York Law Journal, nor in the advance sheet -- but you will see it documented here in future installments!

g. Most important, what happens to those who steal, perjure, extort, corrupt, deceive, and "hijack" the administration of justice, when they act in criminal consort with their judicial friends? Are they disbarred for their "hard core" criminal conduct? Are they prosecuted? Are they compelled to make restitution?

h. What happens to the helpless judicial trust, which is a "person" within the meaning of the XIV Amendment of the Constitution of the United States?

i. What happens to those who have a legitimate interest in Puccini's trust assets, and expose such larceny and corruption!

i. In a few days, the next summarized chapter of "Anatomy of Judicial - Official Corruption" or the "Coins of the Judicial Realm", with names, dates, places, and especially the truth, will be told, provided the Sheriff does not "break into" my residence and "seize my Word Processor and Soft Ware", or I am not again transported to the Bronx House of Detention, convicted, sentenced, and incarcerated, without benefit of trial.

j. In future chapters you will travel down the River Styx to the "Tenth Circle of The Inferno", although Dante, in his epic, only found "Nine Circles"!

"Through tatter'd clothes small vices do appear;
Robes and furr'd gowns hide all. Plate sin with gold,
And the strong lance of justice hurtles breaks;
Arm it in rags, a pigmy's straw does pierce it.
None does offend, none, I say none; I'll able 'em
Take that of me, my friend, who have the power
To seal the accuser's lips, Get thee glass eyes,
And, like a scurvy politician, seem
To see the things thou dost not."
(Lear, in King Lear, 4.06:164-172)

Please make copies and distribute them to your friends and associates, if you believe with the Supreme Court of the United States, that the workings of government, including the judiciary, are matters that should be made public for the proper functioning of a democratic society!

k. That very democratic society demands that the "criminals with law degrees", after more than six (6) years, immediately account for Puccini's trust assets and expose themselves and their judicial "friends", for as the Court of Conscience stated there is (p. 400):

"the duty to protect the public and to vindicate the public's trust in lawyers (and judges) as custodians of client's (and trust) funds". Amen!