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August 27, 1991

Hon. Joseph R. Biden
Chairman, Senate Judiciary Committee
221 Senate Russell Office Bldg.
Washington, D.C. 20510

Re: Hon. Clarence Thomas

Honorable Sirs:

I here set forth, in summary fashion, disquieting facts, of a criminal magnitude, concerning Hon. Clarence Thomas for the consideration of your Committee and the United States Senate.

Everything stated herein has uncontrovertible, easily accessible, documentary support.

Judge Thomas is simultaneously being mailed a copy of this communication.

A. DEFRAUDING THE FEDERAL GOVERNMENT:

1. Under the uniformly-followed statutory procedure (28 U.S.C. §2679[c][d]), when a federal official or employee is sued for tortious conduct, the Attorney General or his designee issues a "scope certificate" which automatically causes the substitution of the United States as the defendant. Thereupon the cost of the defense, as well as the satisfaction of any judgment, becomes the responsibility of the government.

2. Contrariwise, if no "scope certificate" is extant, the government is not involved, does not incur any cost or expense of the litigation, and does not pay any judgment that might be recovered.

3. The U.S. Attorney simply does not have the statutory authority to represent federal officials or employees, as distinguished from the United States, in tort litigation (28 U.S.C. §547).

4. Federal attorneys who undertake the representation of federal officials, employees or anyone else, except for the United States, in tort litigation, at federal cost and expense, are unquestionably defrauding the government.

5. Nevertheless, under Docket Nos. CCA 90-5025 and 90-5091, the Circuit Court Panel, in which Judge Thomas was a member, knew that U.S. Attorney Jay B. Stephens of the District of Columbia was representing federal officials in tort litigation, in their own name, at federal cost and expense.

6. The Circuit or District Court file will confirm the unlawful expenditure of federal time, monies and efforts for purposes which were private and contrary to the legitimate interests of the government, monetarily and otherwise, as will hereinafter be demonstrated.

7. I respectfully submit, in view of the penal mandate contained in 18 U.S.C. §4 and the ethical mandate in Code of Judicial Conduct 3B3, the mere knowledge of the aforementioned, without more, compelled remedial action by Judge Thomas.

8. I respectfully submit, that the American taxpayer is entitled to know that federal monies were and still are being expended to protect and defend a privately motivated criminal racketeering enterprise, whose interests, monetarily and otherwise, are contrary to the interests of the government--all with Judge Thomas' knowledge, approval and cooperation.

B. DIVERSION OF MONIES PAYABLE TO THE FEDERAL GOVERNMENT.

1. Where fine monies are directed in a Court Order, in haec verba, to be made payable "to the ['federal'] court", the Congress and the American taxpaying public are entitled to expect that such monies are received by the federal government, and not by judicial cronies for their private use.

2. By motion dated February 19, 1990, under CCA Docket No. 90-5025, the three judge Circuit Court Panel, of which Judge Thomas was a member, did absolutely nothing with respect to an unopposed motion which requested, inter alia, that:

"monies made payable to the United States, but diverted to the private pockets of KREINDLER & RELKIN, P.C. and CITIBANK, N.A. be deposited with this Court for a proper disposition ..."

C. DIVERSION OF MONIES DUE THE SOVEREIGNS:

1. The law is clear, federal and state, monies resulting from contempt convictions, unless otherwise specified, belong to the sovereign (Gompers v. Buck's Stove, 221 U.S. 418 [1911]; Goodman v. State, 31 N.Y.2d 381, 340 N.Y.S.2d 393, 292 N.E.2d 665 [1972]).

Thus, 80 years ago, the Court to which Judge Thomas aspires to be a member, stated (Gompers v. Buck's Stove, supra at p. 447):

"for criminal contempt where costs ... are awarded they go to the government for the use of its officers."

2. Nevertheless, the Circuit Court panel in which Judge Thomas was a member did nothing when the unopposed motion, dated February 19, 1990 was made requesting:

"that other monies and consideration due the United States, the State of New York, and/or the City of New York, but diverted to the private pockets of FELTMAN, KARESH, MAJOR & FARBMAN, Esqs., KREINDLER & RELKIN, P.C., CITIBANK, N.A., and/or their co-conspirators be deposited with this Court for a proper disposition".

D. CRIMINAL EXTORTION:

1. The mandate of the United States Constitution, as well as all civilized societies, demands that when multiple persons are sentenced to be incarcerated in the same or mirrored convictions that those who refuse to private extortion demands be incarcerated at government expense.

2. As independently investigated, reported and published in, inter alia, the Village Voice (June 6, 1989) by Jonathan Ferziger of United Press International:

"By signing three extraordinary agreements in 1985 ... the court agreed to let him [Hyman Raffe] go free. The tab so far has come to more than \$2.5 million, paid to both the Feltman and Kreindler firms. [Hyman] Raffe continues to pay with checks from his A.R. Fuels Co. business."

3. As long as Raffe keeps paying such extortion monies he will not go to jail, and so the written agreement provides, as Judge Thomas was well aware, since it was central in the case #90-5025 before His Honor's panel at the Circuit Court.

E. LARCENY OF JUDICIAL TRUST ASSETS:

1. Judicial trusts are "persons" within the meaning of Amendments V and XIV of the United States Constitution, held under color of law by court-appointed receivers for the ultimate benefit of creditors, stockholders, and others legitimately interested in such assets.

2. Puccini Clothes, Ltd. -- "the judicial fortune cookie" -- was involuntarily dissolved on June 4, 1980, and by law the court-appointed receiver must file an accounting "at least once a year" (22 NYCRR §202.52[e]). However, not a single accounting has ever been filed in the more than eleven years that have elapsed.

3. As Judge Thomas was aware, all Puccini's judicial trust assets were made the subject of larceny and unlawful plundering by members of the judiciary and their cronies,

leaving absolutely nothing for its nationwide legitimate creditors.

4. In every American jurisdiction, before a court-appointed receiver and his surety can be discharged, a "final accounting" must be filed. Such filing cannot be waived, excused or enjoined since the American public, in addition to the legitimate creditors, are entitled to know the manner by which the judiciary disposes of trust assets.

5. Nevertheless, the panel which included Judge Thomas, with full knowledge of the aforementioned larceny and unlawful plundering, did not grant or dispose of a motion which requested:

"to compel ... Chairman of the Administrative Board and/or ... Chief Administrator of the Office of Court Administration to cause to be filed with this Court an 'accounting' with respect to the stewardship of the judicial trust assets of PUCCINI CLOTHES, LTD. -- 'the judicial fortune cookie' ---".

F. THE ACT OF MARCH 2, 1831 - "THE LAST VICTIM":

1. The promise of [then] Chairman of the House Judiciary Committee and thereafter President, James Buchanan, was that Luke Lawless, Esq. would be "the last victim" to be incarcerated without a trial or hearing, under judicial contempt power (Nye v. U.S., 313 U.S. 33, 45-46 [1941]).

2. The Acts of Congress, including the Act of March 2, 1981, are entitled to be constitutionally respected as "the law of the land".

3. Nevertheless, those who have resisted judicial larceny, diversion of monies payable to the sovereign, extortion and other racketeering crimes, as Judge Thomas was aware, are repeatedly convicted, fined and/or incarcerated thereunder, at public expense, without an opportunity for a trial or hearing or any live testimony in support thereof.

4. Of course, if you 'pay-of' millions of dollars to the judicial cronies, and agree to remain silent, as did Mr. Raffe, one can avoid incarceration.

5. The response of the panel that had included Judge Thomas was silence.

G. "THE AMERICAN GULOG":

1. Since neither a court-appointed receiver nor his surety can be discharged without the filing of a "final accounting", and since I was able to abort approval of a 'phantom', 'non-existent' and 'fictitious' accounting, I was

arrested, charged with a single-count of non-summary criminal contempt and incarcerated for two months, without bail.

2. During such two month incarceration at substantial federal expense, the approval proceeding of a 'fictitious' accounting was engineered, and each and every legitimate nationwide creditor of Puccini was deprived of his just claim, as Judge Thomas is aware.

3. In short, Judge Thomas aided, abetted and facilitated by in-office judicial conduct, the larceny of judicial trust assets, and other racketeering crimes, including a without bail incarceration to facilitate such adventure.

H. "FIXING" - "THE COINS OF THE JUDICIAL REALM".

1. The aforementioned, as Judge Thomas was aware, is only a portion of a "criminal reign of judicial terror" against those, all born American citizens, who have resisted and exposed judicial corruption, state and federal.

2. Respectfully, as part of the forthcoming confirmation hearings, Judge Thomas should be requested to identify the "judicial fixers".

3. In my personal view the identification, elimination and punishment of "judicial fixers" is the paramount issue, not His Honor's confirmation, vel non.

4. Those who have the power to repeatedly incarcerate without benefit of trial, divert monies from the sovereign to private pockets, "fix" judges at the Circuit Court level, and engage, with impunity, in other egregious criminal activities, must be exposed and made subject to the rule of law.

5. Only when those who "fix" judges and courts face the realistic prospect that they will be exposed and punished, can the courts earn the respect that is essential for its proper governmental operation.

Most Respectfully,



GEORGE SASSOWER

cc: Hon. Clarence Thomas