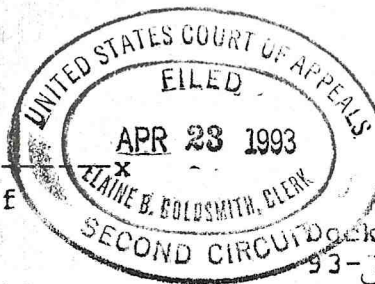


U.S. CIRCUIT COURT OF APPEALS
FOR THE SECOND CIRCUIT



In the Matter of the Application of
GEORGE SASSOWER,
Petitioner,
For a Writ of Mandamus and Prohibition.

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1a. Petitioner, under penalty of perjury, makes this application for leave to file a writ of mandamus and prohibition directed against the U.S. DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK ["SDNY"] and/or Chief U.S. District Court Judge THOMAS P. GRIESA ["Griesa"] -- hereinafter "respondents":

(1) to compel the issuance of an Order with respect to petitioner's filing of a complaint and temporary restraining order in Geo. Sassower v. Field, on or about March 18, 1993, and

(2) to prohibit the respondents from making any 28 U.S.C. §1915 analysis of any of petitioner's filings.

b. This contents of this petition shall also serve as a petition for leave to file this petition without the payment of any fee, based upon judicial estoppel.

2. For purposes of the jurisdiction of the Supreme Court of the United States, this petition shall be deemed "in" the Circuit Court, as of the day of receipt.

3a. Without subject matter or personal jurisdiction, or due process, [former] Chief U.S. District Court Judge CHARLES L. BRIEANT ["Brieant"] issued a sua sponte Order dated December 10, 1987, which barred petitioner from tendering any filings in SDNY without judicial permission, invariable unavailable, even when relief is constitutionally compelling.

b. Such "leave" requirement issued by Judge Brieant followed petitioner's surfacing and exposing of the "fixing memorandum" of the U.S. District Court WILLIAM C. CONNER ["Conner"] to U.S. District Court CHARLES L. HAIGHT ["Haight"], who was and is associated with Judge Brieant in criminal racketeering activities revolving around the larceny of the judicial trust assets of PUCCINI CLOTHES, LTD. ["Puccini"], and the recognition that petitioner's 18 U.S.C. §3057 request, if granted, would result in criminal charges of, inter alia, bankruptcy fraud against Judges Conner, Brieant and others.

3a. The modus operandi of the SDNY, as well as this Court, is to not process petitioner's filings, and eventually deny same, which seems is the scenario being followed in Geo. Sassower v. Field (supra).

b. Service of petitioner's proposed preliminary injunction was made upon all parties in the proposed action, and was unopposed.

4a. Petitioner was not a party in E.R. Sassower v. Field (88-5775 [GLG]), was not permitted to intervene, and was not even permitted to physically witness the proceedings, because of the clear absence of all jurisdictional oral edict of Judge Brieant in 1989.

b. The physical exclusion edict of petitioner was enforced by Judge Goettel notwithstanding his following "Memorandum Decision" of May 16, 1991, which reads:

"Undoubtedly, he [petitioner] had a stake in the outcome of the proceeding since he was the principal and, at times, the only occupant of the apartment. Therefore, he faced possible eviction from the apartment if the plaintiffs [E.R. Sassower et ano.] did not prevail."

5. Petitioner is a person of substantial assets, including those contractual based and constitutionally protected which, inter alia, this Court and the state courts have not permitted petitioner to liquidate.

a(1) In February 1992, petitioner requested leave to file a complaint against A.R. FUELS, INC. ["AR"] and HYMAN RAFFE ["Raffe"] to liquidate petitioner's contractually based, constitutionally protected, assets which were due him.

(2) AR is judicially estopped from claiming that anything less than \$120,000, with interest, is due petitioner for matters not related to PUCCINI CLOTHES, LTD. ["Puccini"].

(3) Raffe has "paid-off", and continues to do so, the syndicate of Chief Judge Brieant and Presiding Justice FRANCIS T. MURPHY ["Murphy"] a sum which has exceeded \$2,000,000.

(4) Since August of 1992, petitioner's appeal (Sassower v. A.R., CCA2 Docket Nos. 92-7911/9047), from the denial of permission by Chief Judge Brieant's, along with a preliminary injunction, has been lying fallow in the Second Circuit Court of Appeals which is under the stewardship of U.S. Chief Judge THOMAS J. MESKILL ["Meskill"].

b(1) In March of 1992, appellant requested leave to commence an action against Puccini, based upon petitioner's contractually based, constitutionally protected, money judgment which, with interest, amounts to approximately \$60,000, and also against those who made Puccini's judicially trust assets the subject of larceny and unlawful plundering.

(2) Other monies due petitioner, but unliquidated, amounts to many millions of dollars, a portion of which is involved in such requested litigation.

(3) Leave to file was denied by Judge Griesa, and petitioner's appeal lies fallow in this court since July of 1992 (Sassower v. Puccini, CCA2 Docket Nos. 92-6194/6236).

c(1) In April 1992, petitioner filed a petition:

"for leave to file a petition against the respondent, LEE FELTMAN, Esq. ['Feltman'], as a court-appointed receiver, and N.Y. STATE ATTORNEY GENERAL ['NYAG'] ROBERT ABRAMS ['Abrams'], as the statutory fiduciary, to render and file a verified accounting for the judicial trust assets for PUCCINI CLOTHES, LTD. ['Puccini'], and/or to take such other action to cause such filing.

(2) Such accounting would produce for petitioner and other legitimate creditors a very substantial sum of money.

(3) Chief Judge Brieant who, with his co-conspirators made all of Puccini's judicial trust assets the subject of larceny and plundering, leaving nothing for its legitimate creditors, including petitioner, denied such application.

(4) The appeal is also lying fallow in this Court since August 1992 (CCA2 Docket No. 92-7907).

d(1) With personal and subject matter jurisdiction lacking, not in the presence of petitioner, and without notice or any due process, N.Y. State Referee DONALD DIAMOND ["Diamond"], who has almost no judicial authority (NY CPLR §4317(b)), issued an Order which read:

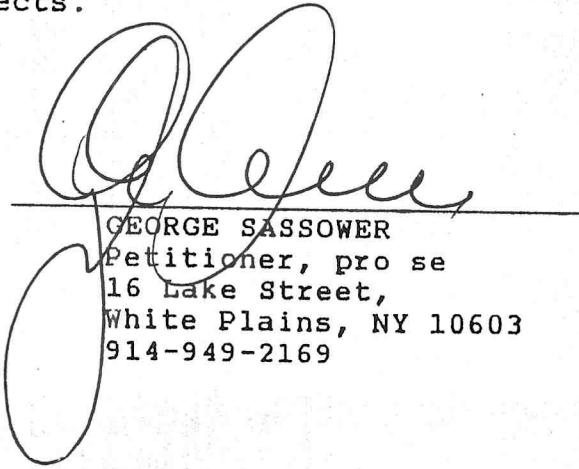
"ORDERED, that the Receiver for Puccini Clothes, Ltd. shall in turn deposit such amount with the Clerk of the Court in full payment of the Judgment in favor of George Sassower and against Puccini Clothes, Ltd., subject to the further Order of this Court; and it is further

ORDERED that thereafter an application may be made to the undersigned [Referee Diamond] for an Order directing the Clerk of the Court to deliver the proceeds of the Judgment to George Sassower, by setting forth proof of the discontinuance with prejudice of all outstanding judicial and administrative proceedings and lawsuits brought by or on behalf of George Sassower, or any member of the family of George Sassower, or any person claiming to be a client of disbarred attorney George Sassower, including but not limited to Harold Cohen and Dennis Vilella, or in any instance where any summons, process or paper has been issued by disbarred attorney Sassower, as attorney, as attorney pro se, or as a party pro se, against any one or more of the following: Lee Feltman, Esq., individually or as the Receiver for Puccini Clothes, Ltd., Puccini shareholders Eugene Dann, Robert Sorrentino, Jerome H. Barr and Citibank, N.A. as co-executors of the Last Will of Milton Kaufman, Rashba & Pokart, Feltman, Karesh, Major & Farbman, Kreindler & Relkin, P.C., Nachamie, Kirschner, Levine & Spizz, P.C., Ira Postel, Esq., or any attorney, employee or agent of any of the aforesaid firms; ..."

(2) Where the Briant-Murphy criminal racketeering operation is concerned, Article 1 §10(1), Amendment V, or any other provision of the U.S. Constitution, is of concern or significance to them or this Court.

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

Dated: April 19, 1993

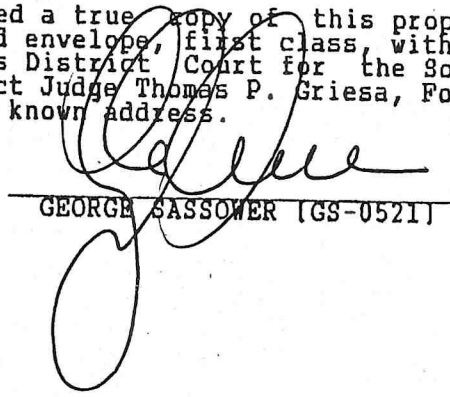


GEORGE SASSOWER
Petitioner, pro se
16 Lake Street,
White Plains, NY 10603
914-949-2169

CERTIFICATION OF SERVICE

On April 20, 1993 I served a true copy of this proposed motion by mailing a copy of same in a sealed envelope, first class, with proper postage thereon, addressed to United States District Court for the Southern District of New York, c/o Chief U.S. District Judge Thomas P. Griesa, Foley Square, New York, NY 10007 that being its last known address.

Dated: April 20, 1993



GEORGE SASSOWER (GS-0521)