

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA

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In the Matter of the Petition of
GEORGE SASSOWER, individually and
on behalf of THE GRAND JURY FOR
THE SOUTHERN DISTRICT OF FLORIDA,

File No. 94-

Petitioner,

For a Special Grand Jury Presentment
Concerning the Criminal Racketeering
Activities in the Southern District
of Florida of, inter alia, JAMES F.
CROWDER, JR.; KENDALL COFFEY; DONALD
L. GRAHAM; JON O. NEWMAN; CHARLES L.
BRIEANT; WILLIAM C. CONNER; PETER K.
LEISURE; FRANCIS T. MURPHY; WILLIAM
C. THOMPSON; G. OLIVER KOPPELL;
CITIBANK, N.A.; KREINDLER & RELKIN,
P.C.; FELTMAN, KARESH, MAJOR &
FARBMAN; HOWARD M. BERGSON; ANTHONY
MASTROIANNI; WEST PUBLISHING COMPANY,
and THE MEAD CORPORATION,

P E T I T I O N

-against-

U.S. ATTORNEY KENDALL COFFEY,
Respondent.
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Petitioner, individually and on behalf of the
Grand Jury for the Southern District of Florida, as and for his
petition, respectfully sets forth and alleges:

1a. Petitioner, on his own behalf and on behalf of the
Grand Jury, presents this petition, directly under and by virtue
of the Constitution and laws of the United States.

b. Jurisdiction in the United States District Court
exists by virtue of 28 U.S.C. §1331, §1343, §1346 §1361 and
§1651[a].

2a. The subject of inquiry is the criminal activities,
racketeering and otherwise, in this federal judicial district.

b. Participants in these criminal activities in this
federal judicial district include: JAMES F. CROWDER, JR.
["Crowder"]; KENDALL COFFEY ["Coffey"]; DONALD L. GRAHAM

["Graham"]; JON O. NEWMAN ["Newman"]; WILLIAM C. CONNER ["Conner"]; PETER K. LEISURE ["Leisure"]; FRANCIS T. MURPHY ["Murphy"]; WILLIAM C. THOMPSON ["Thompson"]; G. OLIVER KOPPELL ["Koppell"]; CITIBANK, N.A. ["Citibank"]; KREINDLER & RELKIN, P.C. ["K&R"]; FELTMAN, KARESH, MAJOR & FARBMAN ["FKM&F"]; HOWARD M. BERGSON ["Bergson"]; ANTHONY MASTROIANNI ["Mastroianni"]; WEST PUBLISHING COMPANY ["West"], and THE MEAD CORPORATION ["Lexis"].

3a. Petitioner is a born American citizen, battle-starred veteran of World War II, and oath bound to protect and defend the United States Constitution and the laws enacted thereunder.

b. Petitioner's constitutional rights and obligations, which are independent of the rights and duties of the grand jury, include his right to petition government and its agencies for redress of his grievances, a right guaranteed by, inter alia, Article III and Amendment I of the United States Constitution.

c. The grand jury is one of the agencies of government to which petitioner has the constitutional right to petition where the purpose is to advise that body of criminal activities within its bailiwick, a legal right recognized by a specific statute and controlling case law (18 U.S.C. §1504 and §3332[a]; Wood v. Georgia, 370 U.S. 375, 390-391 [1962]; In re Grand Jury Application, 617 F. Supp. 199 [SDNY-1985]; cf. In re New Haven Grand Jury, 604 F. Supp. 453 [Conn.-1985]).

d. This petition also constitutes and serves as a demand upon U.S. Attorney Coffey for a grand jury presentment, as provided in 18 U.S.C. §3332(a) (In re Grand Jury Application, supra), under a scenario which comports with the appearance of justice, which at bar, mandates his recusal, since he is one of those sought to be investigated.

4a. Under established law, the grand jury, particularly when exercising its "sword" function, is a governmental body, essentially independent of the other branches of government, including the courts and the public prosecutor (U.S. v. Williams, U.S. , 112 S.Ct. 1735 [1992]; Nixon v. Sirica, 487 F.2d 700, 712-713 n. 54 [D.C. Cir.-1973]).

b. The grand jury, as an independent body, has the right to be informed of all criminal activity however that information may be conveyed to it, and to investigate such information so that it can fulfill its "duty" (18 U.S.C. §3332(a)):

"to inquire into offenses against the criminal laws of the United States alleged to have been committed within that district."

c. Independent of any statute, the Supreme Court of the United States has described the grand jury function as:

"to inquire into all information that might possibly bear on its investigation until it has identified an offense or has satisfied itself that none has occurred" (U.S. v. R. Enterprises, 498 U.S. 292, 297 [1991]).

5a. Provided no proceedings on the subject is pending before the grand jury, where criminal conduct exists or there is some evidence showing its existence, petitioner and every other person, has the First Amendment and statutory right to communicate with the grand jury and convey his information on the subject (18 U.S.C. §1504).

b. The criminal process, including the obstacles placed in the path of those attempting to advise the grand jury of judicial and prosecutorial misconduct, is also a matter of public and grand jury concern.

c. Thus, the present application by petitioner, and the difficulties encountered by him in bringing to the attention of the grand jury matters of official and/or judicial misconduct, is also a matter of grand jury concern.

6. Some, but not all, of the essential uncontroverted allegations of criminal activity which petitioner desires to bring to the attention of the Grand Jury, can be found in Sassower v. Fidelity & Deposit Company of Maryland (SD Fl. 93-CV-2268 [DLG]), a file in which this Court can take judicial notice.

7. These criminal rackets, as practiced in this Court, are summarized as follows:

a. Petitioner commenced an action against FIDELITY & DEPOSIT COMPANY OF MARYLAND ["F&D"], the surety for LEE FELTMAN, Esq. ["Feltman"], the court appointed receiver for PUCCINI CLOTHES, LTD. ["Puccini"], and Mastroianni, the administrator of the ESTATE OF EUGENE PAUL KELLY ["Kelly Estate"].

b. The only legal and ethical course of conduct that could be pursued by Crowder¹, F&D's attorney, was to implead financially responsible culprits and "walk away" from the Sassower v. F&D (supra) action, without any further expense, legal or otherwise.

c. To insure that F&D attorneys were clearly aware that only one legal and ethical route was available to them, a fact never disputed by anyone, in petitioner's motions for summary judgment dated December 9 and 10th, 1993, he stated the following:

"The defendant, FIDELITY & DEPOSIT COMPANY OF MARYLAND ['F&D'], has a complete remedy over against, inter alia, ANTHONY MASTROIANNI ['Mastroianni'], and others with available assets to satisfy any judgment recovered."

"The defendant, FIDELITY & DEPOSIT COMPANY OF MARYLAND ['F&D'], has a complete remedy over against, inter alia, LEE FELTMAN, ESQ. ['Feltman'], FELTMAN, KARESH, MAJOR & FARBMAN, Esqs. ['FKM&F'], KREINDLER & RELKIN, P.C. ['K&R'], CITIBANK, N.A. ['Citibank'] to satisfy any judgment recovered.;"

d. Rather than pursuing the only legal and ethical procedure available to Crowder, he communicated with, inter alia, FKM&F, in order to have U.S. District Court Judge Graham "fixed".

e. Crowder after being assured that Judge Graham had been and/or could be "fixed", and that there would be no repercussions for his misconduct, he inundated Judge Graham with false, bogus, counterfeit and/or legally worthless documents, and perjurious and false affidavits and statements.

¹ Includes the actions of Crowder's co-counsel, to wit., JACK L.B. GOHN, Esq. and ALBERT J. MATRICCIANI, JR., Esq.

f. Crowder made the corruption of Judge Graham obvious when he did not submit any Rule 7.5 Statements or affidavits²/affirmations in opposition to petitioner's motions, or in support of F&D's motion for summary judgment.

g(1) The filing of petitioner's Amended Complaint, made it necessary Crowder to cooperate in the corruption of U.S. Attorney Coffey so that he would represent, at federal cost and expense, judges and officials who were engaged in criminal activities, such as diverting monies payable "to the federal court" to Citibank and K&R.

(2) U.S. Attorney Coffey has only one client -- the United States -- and can only represent the United States, as distinguished from judges, officials, employees and/or servicemen.

(3) If however, the Attorney General of the United States, or anyone of her about 100 designees (28 CFR §15.3), certifies that the conduct of the judge, official, employee and/or serviceman was within the "scope" of his "office or employment", the United States is substituted as the defendant, and U.S. Attorney Coffey then represents the United States, at federal cost and expense.

(4) The failure to have "scope" status, compels the judge, official and/or employee to retain his own attorney, at his own cost and expense.

² Affidavits were submitted by Crowder on one point which were thereafter exposed as perjurious.

(5) Obviously, neither U.S. Attorney Coffey, nor any authorized official was willing to "scope" certify judges and/or officials engaged in criminal racketeering activities, which are contrary to legitimate federal interests.

(6) Thus, the representation of rouge jurists and officials, at federal cost and expense, by U.S. Attorney Coffey, became concealed matter.

8a. The "marching orders" given to Judge Graham pursuant to the Crowder "fix" was to summarily dismiss petitioner's complaint, without any trial, hearing, or due process employing, as pretext, inter alia, Raffe v. Doe (supra) and Sassower v. Abrams (supra), although the uncontroverted evidence was that these decisions were void lacking, inter alia, subject matter jurisdiction and the product of corruption, and intended to enjoin inquiry into criminal racketeering activities.

b. Included in such sua sponte dismissal by Judge Graham, were causes not even covered by the Raffe v. Doe (supra) and Sassower v. Abrams (supra) injunctions.

c. After such sua sponte, without due process, dismissal, Judge Graham, pursuant to the "fix", directed the Clerk of this Court not to accept petitioner's papers in the matter, although post-dismissal relief is always available to a litigant, as a matter of right (e.g. FRCivP, Rule 52, 60(b)).

9. The bottom line -- the undisputed documentary evidence is:

(a) There is no accounting for the judicial trust assets of Puccini. All of its judicial trust assets made the subject of larceny by Citibank and K&R, with substantial sums employed to bribe and corrupt, including about \$700,000 to FKM&F, the law firm of the court-appointed receiver.

(b) Since no accounting could be rendered by Feltman without further exposing the larceny and judicial corruption involved therein, state and federal judges were paid-off and/or otherwise corrupted to, inter alia, enjoin petitioner from demanding an accounting and/or compelling the return of the booty.

(c) Such injunctions by state jurists, and by U.S. District Court Judge WILLIAM C. CONNER ["Conner"] on October 11, 1985 in Raffe v. Doe (619 F. Supp. 891 [SDNY-1985]), were rendered without subject matter jurisdiction, without personal jurisdiction over petitioner or his interests, without any due process, and as a result of fraud and corruption.

(d) Contrary to the contrived, concocted and fabricated statement by Judge Graham, petitioner was not permitted to appeal Raffe v. Doe (supra), nor was he permitted access to the courts in order to vacate same, or declare the transparently invalid injunction void.

(e) At no time or place, has anyone, including Judge Conner or Crowder, asserted that Raffe v. Doe (supra) had any validity, particularly as to petitioner or his contractually based, constitutionally protected, assets.

(f) Raffe v. Doe (supra) was nevertheless the vehicle employed by corrupt members of the Second Circuit judiciary, particularly Chief Judge Brieant, to corrupt other jurists and other courts.

10. The bottom line -- the undisputed documentary evidence is:

(a) There is no valid accounting for the judicial trust assets in the Kelly Estate, since the attorney for the prime beneficiaries, all infants, was dead, and petitioner was not afforded notice and opportunity to contest any accounting after the assets he held as trustee of GENE KELLY MOVING & STORAGE, TRUSTS ["Kelly Trusts"] were, without any due process of law, seized;

(b) With petitioner now also exposing the plundering of the judicial trust assets in the Kelly Estate; the diversion of monies payable "to the federal court" to Citibank and K&R; the extortion of millions of dollars in favor of Citibank, K&R and FKM&F in order to avoid incarceration under a criminal conviction; the conviction and incarceration of DENNIS F. VILELLA ["Vilella"] for crimes never committed by anyone, and similar activities, an expanded Raffe v. Doe (supra) became necessary for the continuation of these judicial rackets.

(c) Sassower v. Abrams (833 F. Supp. 253 [SDNY-1993]) became such vehicle, whose injunctive provisions attempted to mirror the criminal activities of Chief Judge Newman as petitioner revealed them to President WILLIAM J. CLINTON ["Clinton"] and Attorney General JANET RENO ["Reno"] on June 1, 1993.

(d) Like Raffe v. Doe (supra) petitioner was not permitted to appeal Sassower v. Abrams (supra), either.

(e) At no time or place, has anyone, including Crowder, asserted that Sassower v. Abrams (supra) had any validity.

(f) Sassower v. Abrams (supra) was nevertheless the vehicle employed by corrupt members of the Second Circuit judiciary, particularly Chief Judge Newman, to corrupt other jurists and other courts, including Judge Graham.

11. Incorporated by reference in this petition is the simultaneously submitted application for a preliminary injunction.

WHEREFORE, it is respectfully prayed that this petition be granted in all respects, and a presentation to the Grand Jury be ordered, which comports with the "appearance of justice".

Dated: July 26, 1994

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