

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : FIRST DEPARTMENT

-----x

In the Matter of the Application of
HYMAN RAFFE and GEORGE SASSOWER,

Petitioners,

-against-

JUSTICES OF THE SUPREME COURT OF THE STATE
OF NEW YORK, COUNTY OF NEW YORK,

Respondent.

-----x

S I R S:

PLEASE TAKE NOTICE, that petitioners
above named hereby appeal to the Court of Appeals, State
of New York from an Order of the Appellate Division of
the Supreme Court of the State of New York, First
Judicial Department, dated and entered on May 14, 1985,
and from each and every part thereof.

Dated: June 8, 1985

Yours, etc.

GEORGE SASSOWER, Esq.
Attorney for petitioner
2125 Mill Avenue,
Brooklyn, New York, 11234
718-444-3403

To: Hon. Robert Abrams

Form B

At a term of the Appellate Division of the Supreme Court
held in and for the First Judicial Department in the County of
New York, on May 14, 1985.

Present—Hon. Leonard H. Sandler, Justice Presiding,
David Ross,
Max Bloom,
E. Leo Milonas,
Betty Weinberg Ellerin, Justices.

In the Matter of the Application of
Hyman Raffo and George Sassower,
Petitioners,

—against—

Justices of the Supreme Court of the
State of New York, County of New York,
Respondents.

M-2152

For a Writ of Prohibition and other relief,
pursuant to Article 78 of the CPLR.

The above-named petitioner, George Sassower, having
moved for an order of this Court setting the above-entitled matter
down for a constitutionally conducted hearing to determine whether the
movant's rights have been violated and/or for a writ of prohibition
against the respondents based upon "double jeopardy,"

Now, upon reading and filing the notice of motion,
with proof of due service thereof, and the papers filed in support
of said motion and the papers filed in opposition or in relation
thereto; and due deliberation having been had thereon,

It is ordered that the motion be and the same hereby
is denied in its entirety.

ENTER:

HAROLD J. REYNOLDS

Clerk.