

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

-----X
In the Matter of the Application of
HYMAN RAFFE, GEORGE SASSOWER, Esq., and
SAM POLUR, Esq.,

Petitioners,

-against-

Hon. ALVIN F. KLEIN and Hon. DAVID B.
SAXE,

Respondents.

Pursuant a Writ of Prohibition and a Bill
In Equity.

-----X
S I R S:

PLEASE TAKE NOTICE, that petitioners,
hereby appeal to the Court of Appeals from the Order of
the Appellate Division of the Supreme Court of the State
of New York, First Judicial Department, dated September
24, 1985, and each and every part thereof, including the
whole.

Dated: September 26, 1985

Yours, etc.,

GEORGE SASSOWER, Esq.
Attorney pro se.
2125 Mill Avenue,
Brooklyn, New York, 11234
717-444-3403

To: Hon. Robert Abrams
Kreindler & Relkin, P.C.
Feltman, Karesh & Major, Esqs.

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 September 24, 1985

Present—Hon. Theodore R. Kupferman, Justice Presiding
David Ross
John Carro
Arnold L. Fein
Betty Weinberg Ellerin, Justices.

----- -x
In the Matter of the Application of Hyman Raffe,
George Sassower, Esq., and Sam Polur, Esq., :

Petitioners, :

-against- :

Hon. Alvin F. Klein and Hon. David B. Saxe, 24182

Respondents. : [M-3305]

Pursuant to a Writ of Prohibition and a
Bill in Equity. :

----- -x
The above-named petitioners having presented a petition to this
Court praying for an order, pursuant to Article 78 of the Civil Practice
Law and Rules, in the nature of a writ of prohibition, prohibiting respondent
from enforcing the two contempt orders entered on July 1, 1985 issued against
petitioners, and for other related relief,

And said proceeding having been argued by George Sassower of counsel
for petitioners Raffe and Sassower, by Sam Polur, petitioner pro se, by Donald
F. Schneider of counsel for the firm of Feltman, Karesh & Major, and by Michael
J. Gerstein of counsel for the firm of Kreindler & Relkin and on behalf of
Jerome Barr and Citibank, N.A.; and due deliberation having been had thereon,

It is unanimously ordered that the application be and the same
hereby is denied, and the petition dismissed, without costs and without dis-
bursements.

ENTER:

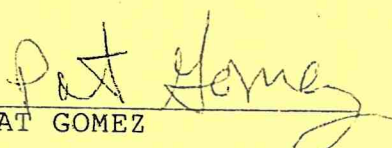
HAROLD J. REYNOLDS
Clerk.

STATE OF NEW YORK)
CITY OF NEW YORK)ss.:
COUNTY OF KINGS)

PAT GOMEZ, first being duly sworn, deposes,
and says:

I am over the age of 21, reside at 739 East
88th Street, Brooklyn, New York, 11236 and not a party
to this action.

That on the 26th day of September, 1985, I
served copies of the within Notice of Appeal by
depositing a copy of same in a Post Office Box in the
State of New York, addressed to Hon. Robert Abrams;
Feltman, Karesh & Major, Esqs.; and Kreindler & Relkin,
P.C., at their last known addresses.


PAT GOMEZ

Sworn to before me this
26th day of September, 1985



BARBARA TATESURE
Notary Public State of New York
No. 24-4760746
Qualified in Kings County
Commission Expires March 30, 1986