

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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GEORGE SASSOWER,

Plaintiff,

-against-

ROBERT ABRAMS, FRANCIS T. MURPHY, XAVIER
C. RICCOBONO, CHARLES L. BRIEANT, JAMES
L. OAKES, A.R. FUELS, INC., HYMAN RAFFE,
HOWARD BERGSON, FRED L. SHAPIRO, DONALD
DIAMOND, CAROLYN CAIRNS OLSON, and
MATTHEW T. CROSSON,
Defendants.

Docket No.
92 Civ. 8515 [PKL]
Supplemental
Recusal Affirmation

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This affirmation made under the penalty of perjury, is made in good faith, and supplements affirmant's recusal application of February 22, 1993, pending sub judice since that date.

This morning, affirmant received the opinion of U.S. Circuit Court Judge RALPH K. WINTER ["Winter"], dated September 3, 1993, filed September 9, 1993 under Docket No. 93-8527 (28 U.S.C. §372[c]).

1. The face of such Judge Winter document reveals that ex parte, Judge Winter, or someone on his behalf, communicated with U.S. District Court Judge PETER K. LEISURE ["Leisure"], or someone on his behalf, concerning the merits of this subject litigation.

2a. It further appears that either Judge Leisure transmitted false and deceptive information concerning the matter or Judge Winter incorrectly reported same.

b. The impression is that Judge Leisure transmitted false and deceptive information and that Judge Winter falsely and deceptively reported the information reported.

c. A further statement, with particulars, on this subject will follow in a few days.

3a. Instructively, neither Chief U.S. Circuit Court Judge JON O. NEWMAN ["Newman"] nor Judge Winter -- the author of McHugh v. University of Vermont, 966 F.2d 67 [2nd Cir.-1992]-- disputed the ultimate proposition that federal representation at federal cost and expense without a 28 U.S.C. §2679[d] "scope" certificate or adjudication, is unauthorized and a fraud upon the federal purse.

b. Judge Winter deliberately ignored affirmant's statement in his 28 U.S.C. §372 complaint, that:

"Aside from the aforementioned concessions by Chief Judge Newman, the statutes, all cases, and the practices of the Department of Justice confirm the aforementioned to be correct.

Notwithstanding the aforementioned judicial concessions, Chief Judge Newman has the unmitigated gall to continue, to this very day, to defraud the federal purse, violate the federal criminal code, compromise the ability of the Department of Justice to prosecute, and violate the constitutional scheme of the separation of powers."

4. More will follow!

WHEREFORE, it is respectfully prayed that this supplemental recusal statement be accepted and the relief requested be granted.

Dated: September 10, 1993

GEORGE SASSOWER [GS-0512]
Plaintiff, pro se
16 Lake Street,
White Plains, N.Y. 10603
914-949-2169

CERTIFICATION OF SERVICE

On September 10, 1993, I served a true copy of this Recusal Affirmation by mailing same in a sealed envelope, first class, with proper postage thereon, addressed to Chief U.S. Circuit Court Judge Jon O. Newman and U.S. Circuit Court Judge Ralph K. Winter, U.S. Courthouse, Foley Square, New York, NY 10007; Assistant U.S. Attorney Robert W. Sadowski, 100 Church Street, 19th Floor, New York, NY 10007; Assistant Attorney General Angela M. Cartmill, 120 Broadway, New York, NY 10271; Howard M. Bergson, Esq., 21 Technology Drive, East Setauket, N.Y. 11733, and Skadden, Arps, Slate, Meagher & Flom, Esqs., 919 Third Avenue, New York, New York 10022, that being their last known addresses.

Dated: September 10, 1993

GEORGE SASSOWER