

United States Court of Appeals FOR THE SECOND CIRCUIT

Second Circuit Rule 27(a) governing use of this form is reprinted on reverse of Page 2. Note requirement that supporting affidavits be attached.

93-3041

Docket Number

NOTICE OF MOTION

state type of motion

for Leave to file
233 Appellate

Use short title

George Sassower
Writ of Mandamus

MOTION BY: (Name and tel. no. of law firm and of attorney in charge of case)

GEORGE SASSOWER
16 Lake Street
White Plains, NY 10603-6652
914-949-2169

OPPOSING COUNSEL: (Name and tel. no. of law firm and of attorney in charge of case)

Chief Judge: T. P. Griese
Deputy: Sg.
New York 10007

Has consent of opposing counsel:

- A. been sought? ☐ Yes ☒ No
B. been obtained? ☐ Yes ☒ No
Has service been effected? ☒ Yes ☐ No
Is oral argument desired? ☐ Yes ☒ No

(Substantive motions only)

Requested return date:

(See Second Circuit Rule 27(b))

Has argument date of appeal been set:

- A. by scheduling order? ☐ Yes ☒ No
B. by firm date of argument notice? ☐ Yes ☒ No
C. If Yes, enter date: _____

Judge or agency whose order is being appealed:

Brief statement of the relief requested:

233 Stay (SCUS)

EMERGENCY MOTIONS, MOTIONS FOR STAYS & INJUNCTIONS PENDING APPEAL

Has request for relief been made below? ☐ Yes ☐ No

(See F.R.A.P. Rule 8)

Would expedited appeal eliminate need for this motion? ☐ Yes ☐ No

If No, explain why not:

Will the parties agree to maintain the status quo until the motion is heard? ☐ Yes ☐ No

Complete Page 2 of This Form

By: (Signature of attorney)

Appearing for: (Name of party)

Appellant or Petitioner:

☒ Plaintiff ☐ Defendant

Appellee or Respondent:

☒ Plaintiff ☐ Defendant

Signed name must be printed beneath

George Sassower

Date 9/7/93

ORDER

Kindly leave this space blank

IT IS HEREBY ORDERED that the motion be and it hereby is granted denied

Previous requests for similar relief and disposition:

None

Statement of the issue(s) presented by this motion:

Request 233 stay

Brief statement of the facts (with page references to the moving papers):

*To request
Right Absolute*

Summary of the argument (with page references to the moving papers):

see above

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

-----X
In the Matter of the Application of
 GEORGE SASSOWER,
 Petitioner,
For a Writ of Mandamus & Prohibition
-----X

Docket No. 93-3041
Leave to File
Application and for a
SCUS Rule 23.3 Stay

Affirmant, under penalty of perjury, seeks leave to file this Supreme Court of the United States Rule 23.3 stay application, with respect to affirmant's petition which was denied on August 4, 1993.

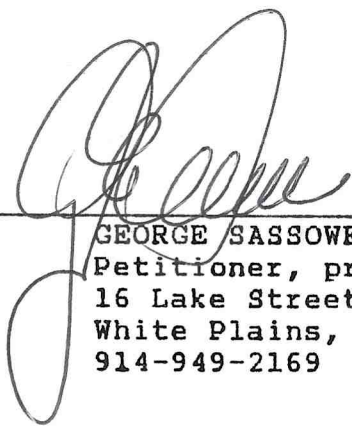
Whether it was the intention to deny affirmant's petition for leave to file, or to deny affirmant's application to estop a 28 U.S.C. §1915 analysis of affirmant's filings is unclear.

In either event the Court's disposition leads to a common law action for money damages, although against different parties.

Assuming, arguendo, that this Court intended to deny affirmant's application for the invocation of judicial estoppel, a Rule 23.3 Stay application is requested herein.

WHEREFORE, it is respectfully requested that the relief sought herein be granted.

Dated: September 7, 1993

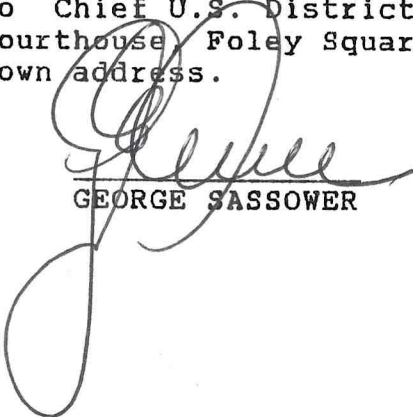


GEORGE SASSOWER
Petitioner, pro se
16 Lake Street,
White Plains, NY 10603
914-949-2169

CERTIFICATION OF SERVICE

On September 8, 1993 I served true copies of this Motion by mailing same in a sealed envelope, first class, with proper postage thereon, addressed to Chief U.S. District Court Judge Thomas P. Griesa, at the U.S. Courthouse, Foley Square, New York, NY 10007 that being his last known address.

Dated: September 8, 1993



GEORGE SASSOWER