

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In the Matter of

GEORGE SASSOWER,

M-2-238

[VLR]

An Attorney.  
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1. This affirmation is made in support of an application (1) to modify the Order of April 24, 1987, insofar as it "suspends" affirmant "from practice in this court pending further order"; (2) alternatively, for a stay of such suspension, as preliminary to an application for a Writ of Mandamus from the Circuit Court of Appeals.

2a. The Act of March 2, 1831 limited the contempt power of the courts that Congress created to fine and imprisonment for criminal contempt (Nye v. United States, 313 U.S. 33; Ex parte Robinson, 19 Wall [86 U.S.] 505).

b. No longer could a Judge James Hawkins Peck disbar or suspend a Luke Edwards Lawless, Esq. from the bar for non-summary criminal contempt.

The jurisdictional power no longer existed in courts which congress created.

3a. His Honor, under the Order of April 24, 1987, has permitted to be done in two (2) or three (3) steps, that which cannot be done in one (1) step.

b. Such suspension, by His Honor, would permit (1) a federal judge to find an attorney guilty of non-summary criminal contempt, without a trial, (b) and then based upon such conviction, and nothing more, not even permitting the attorney to controvert the legality of such conviction, disbar or suspend him from practice of law.

c. In other words, it would permit (1) a Judge Peck to hold Mr. Lawless in contempt, and then, (2) based upon such adjudication, suspending him from practice, without permitting him to controvert same, disbar and/or suspend him!

4a. This, in skeleton form, are the facts at bar, for when affirmant's private prosecutors could not obtain a criminal conviction, employing due process, they simply obtained convictions, without a trial.

b. Affirmant was charged in the disciplinary proceedings with having been convicted four (4) times, each time without a trial.

c. When Sassower v. Sheriff (651 F. Supp. 128) was rendered, the Appellate Division simply omitted that one (1) conviction, although the other three (3) suffered from the same infirmities, including the federal conviction.

d. Affirmant was not permitted to controvert the legality of any of such convictions at the disciplinary proceedings.

e. Thus, affirmant contends, His Honor in suspending affirmant has acted beyond the court's jurisdictional power.

5. Alternatively, affirmant requests a stay, pending application for a writ of mandamus at the Circuit Court of Appeals restoring affirmant to the roll of attorneys in this Court permitted to practice therein.

6. Affirmant affirms the above to be true under penalty of perjury.

WHEREFORE, it is respectfully prayed that this application be granted.

Dated: April 28, 1987

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GEORGE SASSOWER

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x  
In the matter of

:

M-2-238

GEORGE SASSOWER

:

ORDER

51 Davis Avenue

White Plains, New York 10605

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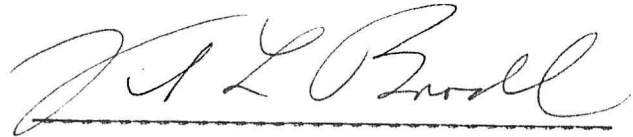
An Attorney.

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VINCENT L. BRODERICK, U.S.D.J.

George Gallantz, Jr., chairman of the panel of attorneys, is designated to present this matter, on behalf of the panel of attorneys, before Magistrate Francis.

SO ORDERED.



Vincent L. Broderick, U.S.D.J.

Dated: New York, New York

April 27, 1987

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In the matter of :

M-2-238

GEORGE SASSOWER :  
51 Davis Avenue :  
White Plains, New York 10605 :

ORDER

An Attorney. :

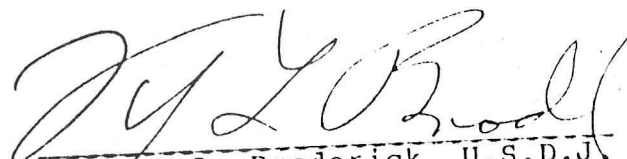
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VINCENT L. BRODERICK, U.S.D.J.

George Sassower was ordered to show cause on this date why an order should not be entered pursuant to Rule 4(d) of this court, "striking his name from the rolls of the members of the bar of this court or imposing such other discipline as the court deems appropriate."

Mr. Sassower appeared this morning and requested a hearing, on the grounds that he was disbarred in state court without due process. The matter is referred to Magistrate James Francis to hold such a hearing, and then to report to the undersigned.

In the interim, on the basis of the action disbarring Mr. Sassower from the practice of law taken by the Supreme Court of the State of New York, Appellate Division, Second Department, Mr. Sassower is suspended from practice in this court pending further order.

SO ORDERED.

  
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Vincent L. Broderick, U.S.D.J.

Dated: New York, New York  
April 24, 1987

**GEORGE SASSOWER**

ATTORNEY AT LAW  
51 DAVIS AVENUE  
WHITE PLAINS, N. Y. 10605

914-949-2169

April 28, 1987

Hon. William H. Rehnquist  
Chief Justice of the United States  
United States Supreme Court Building  
Washington, D.C., 20543

Re: George Sassower  
#D-613

Hon. Wilfred Feinberg  
Circuit Court of Appeals  
for the Second Circuit  
40 Foley Square,  
New York, New York, 10007

#87-8028

Hon. I. Leo Glasser  
United States District Judge  
Eastern District of New York,  
225 Cadman Plaza East,  
Brooklyn, New York, 11201

#87Misc.0107  
[ILG]

Honorable Sirs:

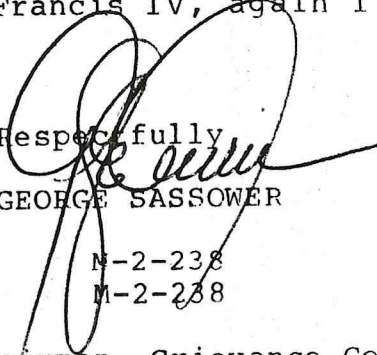
1a. Within the hour I was informed that Hon. Vincent L. Broderick, United States District Judge, appointed George G. Gallantz, Esq., of Proskauer, Rose, Goetz & Menzelsohn, Esqs., 300 Park Avenue, New York, New York, 10019, 19th Floor (212) 909-7000 to represent adversarial interests in the disciplinary proceedings before His Honor.

b. Those hearings are scheduled to commence on Monday, May 4, 1987, at 9:30 a.m., before United States Magistrate, James C. Francis IV, at the Foley Square Courthouse.

2a. If Your Honors or Your Honors' Courts desire to also appoint George G. Gallantz, Esq., subject to his acceptance of such appointment, I would have no objection.

b. If Your Honors or Your Honors' Courts desire to appoint someone else, and have that person participate in such hearings, subject to the acceptance of Hon. Vincent L. Broderick and U.S. Magistrate, James C. Francis IV, again I would have no objection.

Respectfully

  
GEORGE SASSOWER

cc: Hon. Vincent L. Broderick M-2-238  
Hon. James C. Francis, IV M-2-238  
George G. Gallantz, Esq.  
Hon. William H. Booth, Chairman, Grievance Comm.