

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
In the Matter of

GEORGE SASSOWER,

An Attorney.
-----x

M-2-238

[VLB]

Notice of Motion

#5

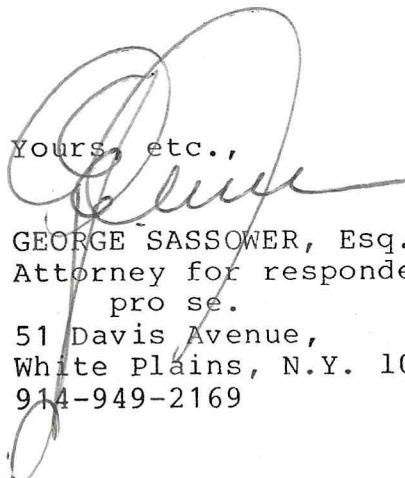
S I R:

PLEASE TAKE NOTICE, that upon the annexed affirmation of GEORGE SASSOWER, Esq., dated May 27, 1987, and all the pleadings and proceedings had herein, the undersigned will move this Court before Hon. VINCENT L. BRODERICK, held at the Courthouse thereof, 40 Center Street, Foley Square, New York, New York, 10007, held at the Courthouse thereof, on the 11th day of June, 1987, at 9:30 o'clock in the forenoon of that day or as soon thereafter as Counsel may be heard for an Order to (1) summarily dismissing this proceedings by reason of the refusal of the Circuit Court of Appeals for the Second Circuit to give federal subpoena power in a state proceeding in order to refute various claims made against the undersigned which occurred in the federal forum; (2) together with such other, further, and/or different relief as to this Court may seem just and proper in the premises.

PLEASE TAKE FURTHER NOTICE, that answering papers,
if any, are to be served and filed in accordance with the Rules
of this Court.

Dated: May 27, 1987

Yours, etc.,



GEORGE SASSOWER, Esq.
Attorney for respondent,
pro se.
51 Davis Avenue,
White Plains, N.Y. 10605
914-949-2169

cc: GEORGE G. GALLANTZ, Esq.
U.S. Magistrate JAMES C. FRANCIS IV (courtesy copy)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In the Matter of

GEORGE SASSOWER,

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Supporting Affirmation

#5

1. This motion for summary judgment is based on the fact that the Circuit Court of Appeals for the Second Circuit refused to give federal subpoena power in the state disciplinary proceeding for the purpose of controverting various charges made against affirmant which supposedly occurred in federal forums (Exhibit "1").

2a. Unquestionably the non-summary criminal contempt conviction by Judge EUGENE H. NICKERSON, without a trial or even a criminal charge, was a nullity, as a matter of basic constitutional law, albeit affirmed by the Circuit Court of Appeals (Windsor v. McVeigh, 93 U.S. 274, 277; Ex parte Terry, 128 U.S. 289, 307; United States v. Lumumba, 741 F.2d 12, 15-16 [2d Cir.]).

b. In addition thereto, there were various claims made against your affirmant in the state disciplinary proceedings, where the conduct complained of occurred in the federal forums.

c. Consequently, affirmant moved for federal subpoena power so that testimony from federal officials and federal documentation could be brought into the state forum (Amendments VI, XIV).

d. Such relief was opposed by ROBERT H. STRAUS, Esq., although affirmant's right to compulsive testimony was constitutionally mandated (Pointer v. Texas, 380 U.S. 400).

e. The denial of such relief by the Circuit Court of Appeals destroyed affirmant's ability to pin the "badge of perjury and corruption" on his accusers.

3a. It is clear that the judiciary, state and federal, were intent on denying to affirmant "due process", even where specific constitutional provisions provided for compulsory process by way of the subpoena power.

b. This was all part and parcel of an attempt to compel affirmant to succumb so as to avoid the filing of an accounting.

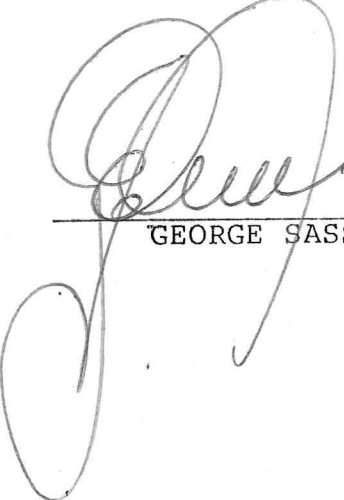
c. It simply failed, as affirmant repeatedly stated it would, since affirmant has no intention of abandoning his professional obligations, although disbarred.

4. This charade on the Constitutional of the United States must be ended.

5. The aforementioned is stated on the penalty of perjury.

WHEREFORE, it is respectfully prayed that this motion be granted in all respects.

Dated: May 27, 1987



GEORGE SASSOWER

United States Court of Appeals
FOR THE SECOND CIRCUIT

use of this form is explained on reverse of
Page 2. Note requirement that supporting
affidavits be attached.

HYMAN RAFFE, individually and on behalf of
PUCCINI CLOTHES, LTD.,
Plaintiffs-Appellants,
-against-
CITIBANK, N.A. et al.,
Defendants-Appellees.

85-7251 85-7471

Docket Number

NOTICE OF MOTION

state type of motion

for Federal Subpoena authority for
state judicial appointee
hearing federal complaint. etc.

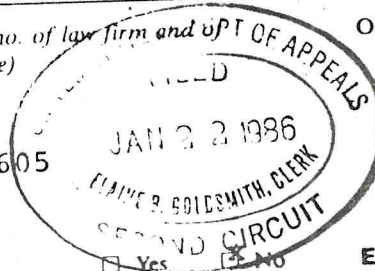
OPPOSING COUNSEL: (Name, address and tel. no. of law
firm and of attorney in charge of case)

ROBERT H. STRAUS, Esq.
10 Joralemon Street,
Brooklyn, New York, 11201
718-624-7851

Use short title

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

GEORGE SASSOWER, Esq.
51 Davis Avenue,
White Plains, N.Y. 10605
914-949-2169



Has consent of opposing counsel:

☐ Yes ☒ No

A. been sought?

☐ Yes ☒ No

B. been obtained?

☒ Yes ☐ No

Has service been effected?

☐ Yes ☒ No

Is oral argument desired?

(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:

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

Brief statement of the relief requested:

(1) Subpoena power (federal) to state referee hearing federally based
disciplinary charges against movant so that federal documents and officials
may be subpoenaed. (2) Prosecute other federal charges against movant at the
same time.

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

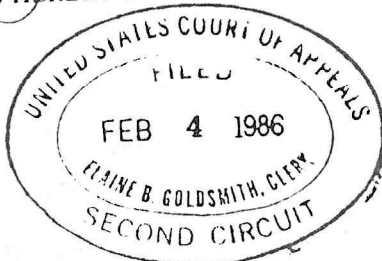
Signed name must be printed beneath
GEORGE SASSOWER

Date
January 19, 1986

ORDER

Kindly leave this space blank

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



WILFRED FEINBERG, Chief Judge

IRVING R. KAUFMAN

THOMAS J. MESKILL, Judge

Circuit Judges

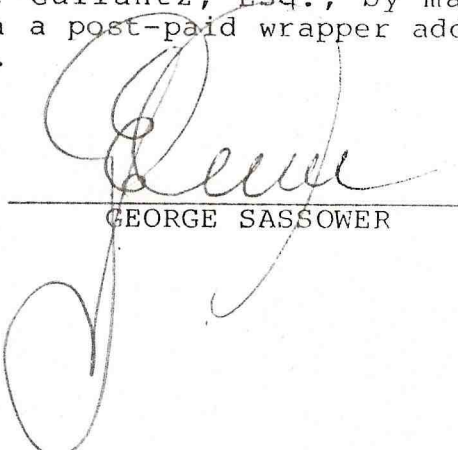
Jan 4, 1986

Exhib. 1/1

GEORGE SASSOWER, Esq., affirms the following to be true under the penalty of perjury.

On May 27, 1987, I served a copy of the within Affirmation on George G. Gallantz, Esq., by mailing a copy of same by enclosing it in a post-paid wrapper addressed to him at their last known address.

Dated: May 27, 1987



GEORGE SASSOWER