

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GEORGE SASSOWER,

Plaintiff,

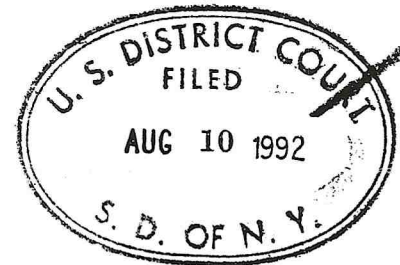
-against-

PUCCINI CLOTHES, LTD.; FRANCIS T.
MURPHY; JAMES L. OAKES; CHARLES L.
BRIEANT; LEE FELTMAN; FELTMAN,
KARESH, MAJOR and FARBMAN; KREINDLER
and RELKIN, P.C.; CITIBANK, N.A.;
EUGENE DANN; ROBERT SORRENTINO,

Defendants.

ORDER

92 CIV. 4484 (TPG)



Plaintiff, pro se, seeks to vacate this Court's order and judgment dismissing his complaint sua sponte under 28 U.S.C. § 1915(d). Plaintiff submits this motion pursuant to Rules 59 and 60 of the Federal Rules of Civil Procedure. For the following reasons, plaintiff's motion is denied.

Plaintiff was permanently enjoined by the Honorable William C. Conner from filing or serving, or attempting to intervene on or initiate any action or proceeding in any federal court or tribunal against most of the named defendants. Raffe v. Doe, 619 F. Supp. 891, 898 (S.D.N.Y. 1985). Plaintiff's recent complaint was prohibited by Judge Conner's injunction. Also, because the remaining defendants had absolute judicial immunity, Stump v. Sparkman, 435 U.S. 349, 356 (1978) the complaint was dismissed under 28 U.S.C. § 1915(d) as frivolous or malicious. Neitzke v. Williams, 490 U.S. 319, 325 (1989). Plaintiff now moves to have the order and judgment vacated "as null and void (28 U.S.C. §§ 144,

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455 and Amendment V of the U.S. Constitution), the result of fraud and corruption, and manifestly unconstitutional."

Nothing in plaintiff's papers justifies the setting aside of the judgment dismissing his complaint. The motion is not based upon any of the grounds enumerated by Rule 60 (b), but rather merely disputes the listing of plaintiff's prior actions and challenges the injunction issued in Raffe v. Doe. The motion also contains many conclusory allegations aimed at maligning the reputation of our Chief Judge, the Honorable Charles L. Brieant. Complaint at ¶¶ 1(c); 1(d); 2(b)(4); 2(b)(6); (4).

Accordingly, plaintiff's motion is denied. We certify pursuant to 28 U.S.C. § 1915(a) that any appeal would not be taken in good faith.

SO ORDERED

AUG 10 1992

Dated: New York, New York


THOMAS P. GRIESA
Acting Chief Judge