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Foreperson & Members of the U.S. Grand Jury
U.S. District Court
Southern District of New York
300 Quarropas Street,
White Plains, New York, 10601

Crime & Corruption in the Courthouse

"The Most Powerful Criminal Racketeering Operation in the United States."

In A Nutshell

1. For the past more than twenty-five (25) years, commencing with *Vilella v. Santagata* (87 Civ. 1450 [SDNY-GLG]), ***the prototype action***, which was filed in the U.S. District Court for the Southern District of New York, at White Plains, on March 4, 1987, Federal judges have been *defrauding* the United States (see, Part IIA, *infra*), while New York State judges & judicial officials have been *defrauding* the State of New York (see, Part IIB, *infra*).

During the intervening twenty-five (25) years, in *all* money damage tort actions, throughout the United States, revolving around "***The Citibank Bribes for Total Immunity Enterprise***" ["***The Enterprise***"], trial & appellate, the same *fraudulent* scenario was followed.

2. Compounding this *fraud* upon the United States & State of New York, these Federal & New York State attorneys *always* comported their activities as desired by "*The Enterprise*", although invariable *adverse* to the legitimate interests of their clients, the United States & State of New York (see, Part III, *infra*).

Part I

Treason & Treachery in the Courtroom

1. Two (2) months ago, on May 29, 2012, there was served on all the interested parties or their attorneys and thereafter filed at the U.S. District Court, Southern District of New York, at White Plains, a motion where *all* the relief requested, financially & otherwise, inured to the legitimate interests of the United States and/or State of New York (*Vilella v. Santagata, supra*).

Since none of the allegations were denied or controverted by, *inter alia*, Attorney General ***Eric Holder***, U.S. Attorney ***Preet Bharara*** or NY State Attorney General ["NYSAG"] ***Eric T. Schneiderman***, whose *only* clients were & are the United States & State of New York, the relief requested should have had their "*zealous*" support.

However, they did not support *any* of the requested relief, financially or otherwise, and they did not articulate any justification for their treasonous & treacherous behavior.

No American lawyer has the "legal power" to "*betray*" his/her client, particularly by those acting on behalf of government, and *only* a "*fixed & corrupted*" jurist would tolerate such misconduct by Attorney General *Eric Holder*, U.S. Attorney *Preet Bharara* and NYSAG *Eric T. Schneiderman* since, *inter alia*, the proceedings are "*null & void*" thereby (*U.S. v. Throckmorton*, 98 U.S. 61 [1878]).

2. Since the "exclusive" control of the federal "purse" is with the Article I Congress, neither Attorney General *Eric Holder* nor U.S. Attorney *Preet Bharara* had the "constitutional power" to betray their client, the United States.

Since, subject to federal law, the NY State Legislature has "exclusive" control of the New York State "purse", NYSAG *Eric T. Schneiderman* did not have the "constitutional power" to betray his client, the State of New York.

3. When the attorneys for the State of Virginia refused to collect monies due their client, the State of Virginia, from a Labor Union, the Court appointed a Special Commissioner to collect such monies on behalf of the State of Virginia (*International Union v. Bagwell*, 512 U.S. 821 [1994]).

Thus, absent articulated justification, the course that *had* to be pursued by U.S. District Court Judge ***Kenneth M. Karas*** has been firmly established by the Supreme Court of the United States.

Part II
Judges Without Their Robes

> "the rule .... is inflexible and without exception .... the first and fundamental question is that of jurisdiction, first, of [the appellate] court, and then of the court from which the record comes. This question the court is bound to ask and answer for itself, even when not otherwise suggested, and without respect to the relation of the parties to it." (*Mansfield v. Swan*, 111 U.S. 379, 382 [1884]).

1. Where "jurisdiction" is absent, the jurist, despite the physical adornment of his/her judicial robe and judicial title, is legally disrobed, is a usurper, a pretender, imposter and impersonator of lawful authority, acting *coram non judice*, rendering the merit dispositions made to be null and void.

2. There is and never was any question that the proceedings before U.S. District Court Judge *Gerard L. Goettel* were "*null & void*" by reason of the *unauthorized* defense representation of federal judges by U.S. Attorney *Rudolph W. Giuliani* & the *unconstitutional* defense representation of New York State judges & officials by NYSAG *Robert Abrams.*

Although *Giuliani-Abrams* and their subordinates *knew* their appearances triggered "*subject matter jurisdictional*" lethal infirmities, rendering the merit dispositions made to be "*null & void*", which they *never* denied, U.S. Attorney *Rudolph W. Giuliani* and Assistant U.S. Attorney *Robert W. Gaffey* defended five (5) Article III federal jurists, while NYSAG *Robert Abrams* & Assistant NYSAG *Jeffrey I. Slonim* defended the NY State judges & officials being sued (see, "Parts IIA-B", *infra*).

Part IIA
Defrauding the United States

> "However much money may be in the Treasury at any one time, not a dollar of it can be used in the payment of any thing not thus previously authorized by Congress" (*Reeside v. Walker, Secy of Treasury of the U.S.*, 52 U.S. 272, 291 [1851]).

1. For the past twenty-five (25) years, commencing with *Vilella v. Santagata* (*supra*), "***The Prototype Action***", in *all* federal money damage tort actions revolving around "*The Enterprise*": (1) federal judges & judicial officials have been defended by federal attorneys, in their "*personal capacities*" and (2) where *no* 28 *U.S.C.* §2675 "notices of claim" had been filed, at *unauthorized* federal cost & expense, which judicial scenario has criminal, civil & disciplinary consequences, with the knowledge, consent and/or participation of Chief Justices of the United States, ***William H. Rehnquist*** and/or ***John G. Roberts*** and *every* Attorney General of the United States, from ***Edwin Meese, III*** to ***Eric Holder***.

In *Vilella v. Santagata* (*supra*), the original submission by the *Giuliani-Gaffey* concludes as follows:

> "Dated: New York, New York
> April 9, 1987
> Respectfully submitted,
> RUDOLPH W. GIULIANI
> United States Attorney for the
> Southern District of New York
> Attorney for Defendants
> 3Feinberg, Kaufman, Meskill,
> Conner and Nickerson
>
> ROBERT W. GAFFEY
> Assistant United States Attorney
> 101 East Post Road
> White Plains, New York 10601"

The *unauthorized* expenditure of federal monies or services, as existed in *every* money damage tort action, revolving around "*The Enterprise,*" during "***The Rehnquist-Roberts Reign***" ["***The R&R Reign***"] is: (1) a *felony*, subjecting the participants to fines & terms of incarceration (31 *U.S.C.* §§ 1341, 1342, 1350); (2) compels a "*public accounting*" for the expenditures made (Article I §9[7] of the *Constitution of the United States*), and (3) obligates "*reimbursement*" in favor of the *United States*. Additionally: (4) when the expenditures are the result of an *unauthorized* federal defense representation, a "*subject matter jurisdictional*" lethal infirmity is triggered, rendering the merit dispositions made to be "*null & void*" (*McNeil v. U.S.,* 508 U.S. 106 [1993]; *Myers v. United States Postal Service,* 527 F.2d 1252 [2nd Cir.-1975]).

2. In the more than twenty-five (25) years, money damage tort actions have been filed in the U.S. District Court in every federal circuit, except the Tenth Federal Circuit, and in several U.S. Circuit Court of Appeals, as well as in the Supreme Court of the United States and, without exception, this "legally impossible" scenario was pursued.

At times this "*legally impossible*" judicial scenario was reduced to "hard published print" (*e.g., Geo. Sassower v. Carlson*, 930 F.2d 583 [8th Cir. - 1991]; *Geo. Sassower v. Abrams*, 833 F. Supp. 253 [SDNY-1993]; *Geo. Sassower v. American Bar Association* (33 F. 3d 833 [7th Cir.-1994]).

3A. *Geo. Sassower v. American Bar Association* (*supra*) was a money damage tort action whose complaint based on the *Racketeer Influenced and Corrupt Organizations Act* (18 *U.S.C.*§1961-1968).

On the title page of *Geo. Sassower v. American Bar Association* (*supra*) there appears, in "*hard published print*", the conclusive fact that the United States was being *defrauded*, since it reads:

> "James B. Burns, Office of U.S. Atty., Chicago, IL, for William H. Rehnquist.
>
> Charles E. Ex, Asst. U.S. Atty., Crim. Div., Chicago, IL, for Janet Reno."

The above "hard print publication", without more, would be sufficient to support Grand Jury indictments of *Rehnquist/Reno, Burns/Ex* & the panel members of the Seventh Circuit Court of Appeals, *to wit., Frank H. Easterbrook, William J. Bauer & Ilana D. Rovner*!

Only the most "*arrogant & stupid*" jurist, such as U.S. Circuit Court Judge *Frank H. Easterbrook*, would reduce the conclusive evidence of his/her criminal activities to "*hard published print*"!

B. *Rehnquist-Reno*, as a Federal jurist & official could *only* be "*sued*", in a money damage tort action, in their "*personal capacities*", and in that capacity they could & can *only* be defended by non-federal attorneys, at non-federal cost & expense.

Thus, the "*hard print publication*" of *Geo. Sassower v. American Bar Association* (*supra*) confirms that *Rehnquist-Reno*, in being defended by *Burns-Ex*, were *defrauding* the United States since Congress, which has "exclusive" control of the federal purse, did *not* authorize such defense representation or the expenditures made by reason thereof!

C. Even if the *United States* had waived "*sovereign immunity*" in actions brought under the *Racketeer Influenced and Corrupt Organizations Act*, and it did not, in *all* instances where the United States waived "*sovereign immunity*", it waived it for itself, *not* for its judges, officials & employees (*Perez v. United States*, 218 F. Supp. 571 [SDNY-1963], per Feinberg, J.).

Consequently, where the United States has waived "*sovereign immunity*", the statute provides that the *Federal Tort Claims Act* ["FTCA"] is the "*exclusive*" remedy (28 *U.S.C.* §2679[b]), and the *United States* is the "*exclusive*" defendant (28 *U.S.C.* §2679[d]).

In actions against the United States, the addition of federal judges, officials or employees triggers "*subject matter jurisdictional*" lethal infirmities, rendering the merit dispositions made to be "*null & void*" (*Myers v. United States Postal Service, supra*).

The Seventh Circuit Court, with <u>incredible</u> "*arrogance & stupidity*" in "*hard published print*" stated (at p. 735):

> "Sassower has peppered this court with motions--motions to disqualify opposing counsel ..."

The Court *never* adjudicated these motions, which were *all unopposed*, permitting this *fraud* on the United States to continue *unabated.*

Nevertheless, a court or judge does not obtain "*subject matter jurisdiction*" by the refusal to address & adjudicate this essential issue (*Crawford v. United States*, 796 F.2d 924, 928 [7th-1986]).

D. Since the *Burns-Ex* defense representation of *Rehnquist-Reno*, at federal cost & expense, had *not* been authorized by the Article I Congress, federal books had to be "*cooked*" in order to conceal these *unauthorized* federal expenditures from Congress & the public, as a response to a *Freedom of Information Act* ["FOIA"] request confirms [FOIA #04-2237].

Such response reveals that there is *no* record of *Geo. Sassower v. American Bar Association* (*supra*) in the Office of the *United States Department of Justice* ["USDJ"] in Washington or the U.S. Attorney's Office in Chicago!

The "cooking" of federal books is also a felony (18 *U.S.C.* §1001).

E. Thus, *every* Article III federal judge, *every* U.S. Attorney, *every* person familiar with federal tort law <u>*knows*</u>, and *every* law student can easily verify (28 *U.S.C.* §2679), simply by looking at the title page of *Geo. Sassower v. American Bar Association* (*supra*), that the judicial scenario was & is "*legally impossible*" since, <u>to repeat</u>, in a money damage tort action, *William H. Rehnquist & Janet Reno* could *only* be "*sued*" in their "*personal capacities*", and in that capacity, they could *only* be defended by non-federal attorneys, at non-federal cost & expense!

4. In my motion of May 29, 2012, returnable June 18, 2012, the relief requested included:

> "(3) compelling *Eric Holder*, the Attorney General of the United States ['AGUS'] to compel *Rudolph W. Giuliani, Robert W. Gaffey* and *Wilfred Feinberg*, to *reimburse* the United States for the *unauthorized* expenditures made;..."

The aforementioned relief in favor of the United States was not supported by either Attorney General *Eric Holder* or U.S. Attorney *Preet Bharara* and they *never* articulated justification for their *treasonous, perfidious & treacherous* behavior!

Part IIB

Defrauding the State of New York

> "[a] federal court *must* examine *each* claim in a case to see if the court's jurisdiction over that claim is barred by the Eleventh Amendment/*Hans v. Louisiana* (134 U.S. 1 [1890])." (*Pennhurst v. Halderman*, 465 U.S. 89, 121 [1984]) [emphasis supplied]

1. In *Vilella v. Santagata* (*supra*), while *Giuliani-Gaffey* were defending five (5) Article III federal jurists from the Second Circuit, at *unauthorized* federal cost & expense, NYSAG *Robert Abrams* & Assistant NYSAG *Jeffrey I. Slonim* defended New York State judges & officials, at *unconstitutional* NY State cost & expense, which also triggered a "*subject matter jurisdictional*" lethal infirmity and also rendered the merit dispositions made to be "*null & void*"!

2. At times this "*legally impossible*" judicial scenario was reduced to "hard published print" (*e.g., Raffe v. Doe*, 619 F. Supp. 891 [SDNY 1985]); *Geo. Sassower v. Sansverie*, 885 F.2d 9 [2nd Cir. -1989]; *Geo. Sassower v. Abrams, supra*).

3. *Raffe v. Doe* (*supra*) was commenced in October 1984, about nine (9) months after *Pennhurst v. Halderman* (*supra*) was rendered and every federal judge & state's attorney *knew* of its holding.

In *Raffe v. Doe* (*supra*), U.S. District Court Judge *William C. Conner*, a seasoned jurist, was openly flaunting, in "*hard published print*", that he was a corrupt, megalomaniac & degenerate federal jurist!

In *Raffe v. Doe* (*supra*), in order to consummate a $5,00,000 "*bribe*" payment from *Citibank, N.A.*, despite the *Amendment XI/Hans* lethal infirmity, U.S. District Court Judge *William C. Conner* enjoined "access" to every federal court in the United States, trial & appellate, by *Hyman Raffe & George Sassower*, who held contractually based, constitutionally protected money judgements against *Puccini Clothes, Ltd* which could not be "*impaired*" by *any* State or Federal judge, official or employee (Article 1 §10[1] & Amendment V of the *Constitution of the United States*).

4. Since I *knew* who "*fixed*" U.S. District Court Judge *William C. Conner* by permitting *Abrams-Slonim* to defend NY State six(6) money damage tort defendants in *Raffe v. Doe* (*supra*), I was reasonable certain who "*fixed*" U.S. District Court Judge *Gerard L. Goettel* in *Vilella v. Santagata* (*supra*).

5. In *Geo. Sassower v. American Bar Association* (*supra*), the *unconstitutional* defense representation of NY State judges & officials by Assistant NYSAG *David Monachino* was concealed in the hard print publication!

6. In my motion of May 29, 2012, returnable June 18, 2012, the relief requested included:

> "(4) compelling *Eric T. Schneiderman*, the Attorney General of the State of New York to compel *Robert Abrams, Jeffrey I. Slonim* and those they purported to defend at *unconstitutional* NY State cost & expense, to *reimburse* the State of New York, for the expenditures made;"

The aforementioned relief in favor of the State of New York was not supported by NYSAG *Eric T. Schneiderman* and he *never* articulated justification for his *treasonous, perfidious & treacherous* behavior!

<u>Part III</u>

<u>The Degenerates</u>

1 An attorney or trustee who *betrays* his client or trust is a legal, moral & ethical "*degenerate*" mandating his/her "*disbarment*"!

In all money tort actions revolving around " *The Enterprise*" the Federal & NY State attorneys <u>*always*</u> conducted themselves to comport to the interests of "*The Enterprise*" although invariably adverse to the interests of the interests of the United States & State of New York.

Two (2) of many examples are here set forth:

2A. *All* monies payable "to the federal court", pursuant to the Order of June 7, 1985 by U.S. District Court Judge *Eugene H. Nickerson* (*Raffe v. Citibank,* 84 Civ 0305 [EDNY-EHN]) were, with his knowledge & consent, "*diverted*" to *Citibank, N.A.* and its "estate chasing attorneys, *Kreindler & Relkin, P.C.* ["*K&R*"], leaving *nothing* for the federal court or the United States.

In 1987, the *Federal Bureau of Information*, confirmed this diversion of Federal monies to *Citibank-K&R,* which after "*laundering*" were dissipated as "*bribes*"!

Since these "*diverted*" federal monies included my monies, affording me "standing" to move for the recapture monies of these monies in favor of the *United States*.

However, whenever I moved to recapture these federal monies in favor of the United States, including in *Vilella v. Santagata* (*supra*), it was never supported by the Federal attorney, including by U.S. Attorneys *Rudolph W. Giuliani* or *Preet Bharara.*

B. As a result of the independent investigation of *United Press, International*, as published in the *NY Village Voice* (June 6, 1989), the following appeared:

> "By signing three extraordinary agreements [*Hyman*] *Raffe* .... In exchange, the court agreed to let him go free. The tab so far has come to more than $2.5 million, paid to both the Feltman (*Feltman, Karesh, Major & Farbman*, Esqs. ["*FKM&F*"] and Kreindler (*Kreindler & Relkin, P.C.* ["*K&R*"] firms. ... Raffe continues to pay with checks from his *A.R. Fuels Co.* business. 'That's outrageous. It's unbelievable. It's disturbing. ... .' Said [NYS] Attorney General [*Robert*] *Abrams* when he saw copies of the checks."

These convictions were for criminal contempt, where the fines & penalties belong to the government. Although NYSAG *Robert Abrams* saw the cancelled checks for these diverted NY State monies, he made no attempt to recover same in favor of the State of New York.

Respectfully submitted,

GEORGE SASSOWER

GEORGE SASSOWER, Esq., an attorney, affirms the aforementioned to be true under penalty of perjury.

Dated: August 1, 2012

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GEORGE SASSOWER