***Co.*, 457 U.S. 922 (1982)** ("state action" under Fourteenth Amendment equated with "under color of law" for Section 1983 purposes). Well-established rule that the **Eleventh Amendment** generally does not bar suits for damages against state officers, so long as those officers are sued in their individual capacities. See, e.g., ***Kentucky v. Graham*, 473 U.S. 159, 165-66, 105 S.Ct. 3099, 87 L.Ed.2d 114 (1985).** All government employees are "persons" under §1983 and can be sued for anything they do at work that violates clearly established constitutional rights. ***Hafer v. Melo*, 502 U.S. (1991).** In addition, the Supreme Court has held that the state has immunity from suit in federal court under the 11th Amendment to the Constitution. ***Quern v. Jordan*, 440 U.S. 332 (1979).** As the Supreme Court stated in ***United States v. Classic*, 313 U.S. 299, 326 (1941),** "[m]isuse of power, possessed by virtue of state law and made possible only because the wrongdoer is clothed with the authority of state law, is action taken `under color of' state law."

58. So, that means that This Court can only issue, say, injunctive or declaratory relief against the ILLINOIS state circuit and appellate courts; however, state actors can be sued in their individual capacities for monetary damages: **11th Am.** generally doesn't bar such suits.

59. Preliminary Note: While the list of defendants is great, PLAINTIFF, GORDON WAYNE WATTS is not suing **all** judges who issued adverse orders against him: While some orders may be 'bad' or 'wrong,' some of the 'bad' rulings were on matters in which the court had "discretion" to say 'no,' such as a motion for *amicus*. **This fact is important in showing that Plaintiff, Watts, while not an attorney, does respect the Rule of Law, and isn't seeking to "sue everybody" in a frivolous filing like a vexatious litigant.**

VIII. CAUSES of ACTION / CLAIMS for RELIEF

Count 1: Deprivation of a right without Due Process of Law

60. If you look closely at the state court filings (see online docket link provided by Plaintiff WATTS), there was the term "Jury Demand" or the like all over the docket, but, as the record shows, elderly Richard B. Daniggelis' house, land, AND HUNDREDS OF THOUSANDS OF DOLLARS IN DOCUMENTED EQUITY were taken from him, without even one single jury of his peers. He had a **right** to own and possess his house without theft. **Judge Michael F. Otto is named here,** as he had authority to either prevent the title-theft, or, if he insisted in handing over title, to at least allow Daniggelis his right to a trial by jury. Judge Otto knew that there was fraud (see point #24, above). (Moreover, in subsequent filings, he denied the *Amicus* brief of WATTS, which, while 'bad',' was well-within his rights. However, he read Watts' amicus, where Watts gave additional documented proof of a forgery fraud.) **So, Judge Otto is without excuse.**

Count 2: Deprivation of a right without Due Process of Law – again

61. The Intervention motion filed by Watts (and court-stamped 7-7-2017) is much-too-lengthy to print out and submit in writing to This Court (because it documents in excruciating detail said claims of interests, fees, receipts, costs, and other matters). But please allow CM/ECF or see online docket WATTS has provided above: Even if the court ruled "against" Watts' INTERVENTION motion, that might not rise to the level of a Due Process violation, but the circuit court, **Judge Diane M. Shelley** representing the court, got multiple copies (both printed, emailed, via e-filing, and even posted in WATTS' own docket –see the

certificates of service, mailing receipts, posted email, etc.), and, with clear *mens rea* (criminal intent, not something just done "by accident," mind you), Judge Shelley purposely refused to issue an explicit ruling on the Intervention motion, which gave Judge James P. Flannery an 'excuse' to deny Watts' Application to proceed without Fee Waiver. This, in turn, prevented Watts from ordering the record on appeal, because it was very, very, very huge and lengthy. All this denied Watts a meaningful chance to have his Intervention motion heard on the merits, which is why **Judges Shelley and Flannery** are named in their individual capacities.

Counts 3 and 4: Deprivation of a right without Due Process of Law – again

62. Illinois "Supreme Court Rule 321" acts to deprive a litigant of his or her fair day in court (Procedural Due Process), and is invalid **both 3. facially and 4. as applied:**

> **Rule 321. Contents of the Record on Appeal**
> The record on appeal shall consist of the judgment appealed from, the notice of appeal, and the entire original common law record, unless the parties stipulate for, or the trial court, after notice and hearing, or the reviewing court, orders less. The common law record includes every document filed and judgment and order entered in the cause and any documentary exhibits offered and filed by any party. Upon motion the reviewing court may order that other exhibits be included in the record. The record on appeal shall also include any report of proceedings prepared in accordance with Rule 323. There is no distinction between the common law record and the report of proceedings for the purpose of determining what is properly before the reviewing court. Amended July 30, 1979, effective October 15, 1979; amended December 17, 1993, effective February 1, 1994. Source: http://www.illinoiscourts.gov/supremecourt/Rules/Art_III/artiii.htm

63. First off, Rule 321 is unconstitutional, and thus void, as applied: Remember, both the trial court and the reviewing (appeals) court could have "order[ed] less," and the effect of them refusing to do so was either Watts paid for DECADES of record in a

very "open-and-shut" easy-to-determine case (cost prohibitive), or, in the alternative, Watts simply didn't get his day in court, because of how the courts "applied" this Rule.

64. More-importantly, however, this rule is simply unconstitutional **facially.** Let's look more closely: Besides a trial court or 'reviewing' (appeals) court avenue, there is also the option for stipulation (agreement among the parties). However, getting a whole bunch of lawyers on both sides to agree to ANYTHING (much less something to help a small, non-lawyer outsider) is like "herding cats": It ISN'T happening very often. (And even if it "could" happen, it is very difficult at best.) The effect of this Rule is to make it very difficult to "order less." However, the 1983 violation comes when we see that there is NO provision for a litigant to proceed and get heard on the merits if he or she doesn't have the "complete" Common Law Record, huge in some cases (See **Exhibit-G,** the letter from the Civil Appeals division, admitting that the record was "boxes" in size, or see the Docket in GMAC v. Daniggelis, 2007-CH-29738, in the Chancery Division. The case in the law division by the same number had the same "record" requirements.)

Multiple Counts: Deprivation of a right without Due Process of Law – and – requirement that courts have held to be denial of Equal Protection

– **65.** In his 02/27/2019 "Rule 321 motion to limit Contents of the Record on Appeal," which was filed before Judge Diane M. Shelley's court (and which was an exhibit in the Motion to Extend Time, filed in the appeals court) [see: EXHIBIT-I, proof it was filed multiple ways, electronically, email, online posting, etc.—meaning both CIRCUIT and APPELLATE courts were so-notified], Plaintiff Watts clearly told both courts **the following legal analyses by former Fla. Sup. Ct. clerk, and legal scholar, Robert Craig Waters:**

> "In preventing appellant an opportunity to appeal the actions of the circuit court, both the Illinois circuit and appellate State judges are not protected by Federal Judicial Immunity under the highest FEDERAL standards: "A

> judge thus remains unquestionably immune as long as he does not take actions that intentionally and plainly prevent further review. The duty imposed on a state-court judge, then, is only to recognize that his own decisions may sometimes be in error and to ensure that orders affecting important constitutional rights can be reviewed in another court." **["JUDICIAL IMMUNITY VS. DUE PROCESS: WHEN SHOULD A JUDGE BE SUBJECT TO SUIT?," by Robert Craig Waters, page 473, par.3, cl.4—5, *Cato Journal,* Vol.7, No.2 (Fall 1987). Copyright © Cato Institute.** All rights reserved. The author is Judicial Clerk to Justice Rosemary Barkett of the Florida Supreme Court. Emphasis added in bold, underline, italics, for clarity; not in original.]
> Cite: https://www.cato.org/cato-journal/fall-1987
> File: http://www.cato.org/sites/cato.org/files/serials/files/cato-journal/1987/11/cj7n2-13.pdf
> Cite: https://ideas.repec.org/a/cto/journl/v7y1987i2p461-474.html
> *
> https://econpapers.repec.org/article/ctojournl/v_3a7_3ay_3a1987_3ai_3a2_3ap_3a461-474.htm
> Cite:
> https://EconPapers.Repec.org/RePEc:cto:journl:v:7:y:1987:i:2:p:461-474
> "

66. While some random law clerk's "opinion" is not legally-binding upon this court (especially given that it is merely a clerk in a STATE court), nonetheless, the clerk does this for a living, and must know the FEDERAL law in question, so he could advise his boss (former Justice Rosemary Barkett of the Florida Supreme Court) how to rule.

67. More-importantly, the FEDERAL case-law and statutory law standard within the "Four Corners" of this complaint completely (and then some) show that Robert Craig Waters is quite correct—and, that Watts gave clear notice to the state courts of their violation (and, implicit within that citation, Watts' intent to bring Federal complaints). Therefore, Watts can not be accused of "gotcha!" Legal Tactics: Plaintiff, Watts, gave clear notice of intent to sue, and reasons why ILLINOIS STATE COURTS were ripe for judgment against many victims.

68. COUNT 5 of this violation was the action of the appeals court in their 08/28/2018 ruling (Justices Pierce, Mikva, & Griffin) dismissing **1-18-0572** for "want of prosecution." What's the problem with that you might ask? That case appealed Judge Flannery's denial of a fee waiver (which prevented him from preparing the record). So, the appeals court, conveniently, issued a "Catch-22" ruling: You can't get heard without the record, but you can't get the record without being heard and winning your appeal. The court thought it was slick, and that a litigant so poor as to be unable to pay for a huge record would also be unable to invoke the jurisdiction of This Court, but apparently, they were wrong. The appeals court panel acted with ***mens rea,*** clearly, because to say this was an accident would insult the judges and say they are not intelligent: These judges are very intelligent, making their crime an intentional one.

69. COUNT 6 of this series was the action of the appeals court in their 09/28/2018 ruling (Justices Mason, Lavin, & Hyman) dismissing the mandamus petition **(1-18-0538),** allegedly: "DISMISSED for lack of this Court's jurisdiction." There's just one problem with that: The court clearly has jurisdiction under both the Constitution and under relevant case law: ***Gassman v. THE CLERK OF THE CIRCUIT COURT OF COOK COUNTY*** **(1-15-1738)** and ***Midwest Medical v. Dorothy Brown*** **(1-16-3230),** both of which are examples of that appeals court having authority to issue Mandamus Writs, as Art.6, Sec. 6 of the ILLINOIS CONSTITUTION (sentence 3) clearly says: "The Appellate Court may exercise original jurisdiction when necessary to the complete determination of any case on review," which, of course, includes Mandamus actions. They acted under colour of law to deprive Watts of Due Process.

70. COUNT 7: In their 10/25/2018 order, said appeals court, did extend time to file the record, but again, refused to allow a record which appellant, Watts, could afford: ""Appellant must direct inquiries on the content of [the] record on appeal to [the] clerk of the circuit court of Cook County."" (Justices Mikva, Pierce, & Griffin)

71. COUNT 8: In their 03/08/2019 order (/s/ Justices Mikva, Griffin, & Walker), said appeals court made it a point to extend time to file the record **one last time:** "This is the FINAL EXTENSION that will be allowed for filing the record. If the record is not filed by May 28, 2019, this appeal will be dismissed for want of prosecution." The problem with that? Right before that, the court clearly said that: "Appellant is advised that this court cannot issue an order determining the contents of the record to be provided by the circuit court. All issues regarding the record must be addressed with the circuit court." Does anyone else see the problem with that? Yes, the appeals court is "passing the buck" and making sure to "cooperate with" the circuit court in denying Watts his ability to have meaningful appeals-review of his adverse order—and using, as their excuse, the requirement that the entire Common Law record would be needed. The reputation (think: "the Chicago machine," or more-recently, the Jussie Smollet corruption & meddling) of CHICAGO, ILLINOIS courts (often nicknamed " **'Crook' County,"** ILLINOIS, for being corrupt, a play on words from "**Cook County,** IL"—Google: ""Crook County, Illinois"" if you haven't heard this term) is thus well-earned, **as documented here.** Indeed, "'Chicago-style politics'" is a phrase which has been used to refer to the city of Chicago, regarding its hard-hitting, sometimes corrupt, politics. It was used to refer to the Republican machine in the 1920's run by William Hale

Thompson, as when TIME magazine said, "to Mayor Thompson must go chief credit for creating 20th Century Politics Chicago Style." Source: (***Time Incorporated,*** 1931, volume 17, page 16, Link: https://www.google.com/search?tbm=bks&hl=en&q="Thompson+must+go+chief+credit+for+creating+20th+Century+Politics+Chicago+Style")

72. NOTE on Parties: Justice Carl Anthony Walker, when signing his 03/08/2018 order, had handwriting that was barely legible (see: WATTS' online docket), but "process of elimination" guessed it might be his signature, and a phone call to Hon. Tina Schillaci, clerk for the FIRST APPELLATE COURT, confirmed this was his signature. While bad handwriting slows down justice, **Justice Walker isn't be named for handwriting issues** (no Federal Tort for bad handwriting), and, indeed, he only participated in (read: committed) one single tort, that act done on Friday, 03/08/2018. Moreover, on 08/17/2015, Justice James G. Fitzgerald Smith signed off on an order denying the *amicus* motion filed by WATTS, but **Justice Smith isn't named** in this complaint because Watts' absolute FEDERAL PROCEDURAL & SUBSTENTATIVE DUE PROCESS rights **don't** guarantee the right to come before the courts as an *amicus curiae,* in which they are neither a party to the case, nor have any interests that need to be protected. Neither is Justice Mary Jane Theis (ILLINOIS Supreme Court) who first GRANTED Watts' Motion *In Forma Pauperis* (dated: 05/01/2018, for Case No.: 123481, ***Watts v. Flannery et. al.*)**, and then later participated in **a "hidden vote" denial** of said petition on the merits. **(The IL Sup. Ct. isn't named** as a defendant, because, although they could've easily corrected the violations of Federal Law, about which

they were amply notified, that court is one of discretionary, not mandatory, jurisdiction, thus no absolute right to appeal to the IL Supreme Court—or, for that matter, the U.S. Sup. Court.)

73. COUNT 9: Intentional infliction of pain and suffering by The Courts: Let's take a closer look at the 11/16/2015 ORDER by Hon. Sanjay T. Tailor (Law Division), denying both the *amicus* motion by Lead Plaintiff, Gordon Wayne Watts, and the intervention motion by class plaintiff, Robert J. More, shall we? As stated elsewhere, a litigant has no "Due Process" rights to file an *Amicus Curiae* in any court (lacks standing, no interests, etc.), so Tailor is not named in the complaint. But, look, closely, at his 11/16/2015 order [Exhibit-H], ok? It was a proposed order written by (see caption, bottom-left of order) Atty. Andjelko Galic, who represented Daniggelis in the mortgage fraud aka foreclosure proceeding, which was transferred from Chancery to Law, ok? Now, under both ILLINOIS and FLORIDA state laws, an attorney is an "officer of the court," and thus can act under the "Colour of Law," meaning Galic could be liable if he committed a tort. Indeed, Galic's proposed motion asks Judge Tailor to strike Watts' amicus motion (which was not a guaranteed Due Process right) and More's "intervention" motion. (More was already a named party, and thus needed not intervene, but that is immaterial to this count, here.) ***Our point??*** – Well, it should be obvious to any reader: Galic was on "the same side" as Watts and More, and so his request of Judge Tailor to strike their motions was VERY, VERY unusual, and can **only** be explained by this obvious fact: The courts were so, so corrupt and menacing to Galic that Galic found it necessary to "buddy up" to Tailor, and the only way he could do it was to "bully" both Watts and More. While this is merely an allegation, it is a CORRECT allegation, insofar as **NO**

OTHER explanation under the sun exists to explain Galic's bizarre motion, here. This proves that The Courts intentionally inflicted emotional harm upon all class plaintiffs by intimidation and scaring the pure living daylights out of Galic; who, in turn (chain-reaction), acted against other class plaintiffs. (This may, also, have had an effect on the loss of financial interests, which lead plaintiff, Watts, documented in his intervention notion.) Thus, this **pain and suffering** are yet another 1983 violation of defendants, the trial and appeals courts, and said judges so named. See e.g., ***Lawson 32 v. Dallas County,* 112 F.Supp.2d 616, 636 (N.D. Tex. 2000)** (plaintiff is "entitled to recover compensatory damages for the physical injury, pain and suffering, and **mental** anguish that he has 2 suffered in the past – and is reasonably likely to suffer in the future – because of the defendants' 3 wrongful conduct"), aff'd, 286 F.3d 257 (5th Cir. 2002), (emphasis added in bold and underline for clarity – not in original) which, while a 5TH Cir. holding (and not an 11TH cir. holding, in our circuit) comports to our case and statutory law, all the same—see e.g., other case-law within the "Four Corners" of this complaint, and also: ***Ray v. Foltz,* 370 F.3d 1079, 1083-84 (11th Cir. 2004)** (issue is whether "defendants had actual knowledge or deliberately failed to learn of the serious risk to R.M. of the sort of injuries he ultimately sustained"). Defendants knew (and know) full-well that their actions caused both emotional and financial harm to both Daniggelis and Watts, to say the least.

74. Count 10 –and CONCLUSION on points above: To illustrate, let's revisit point #68, above, ok? Watts' appeal**, 1-18-0572**, was merely of the fee waiver application denial. So, why in the world would the appeals court deem it necessary for Watts to produce the

entire common law record (with decades of filings, which took up boxes and boxes)!? Why would an appeals court (or, for that matter, any court), need reams and reams of filings simply to decide a simple fee waiver matter? ANSWER: They are using this as a tool to deprive due process under the colour of law, and I believe their motives are to protect fellow-lawyers who come before their courts, friends and associates. FEDERAL LAW AGREES: See, e.g., ***Griffin v. Illinois*, 351 U.S. 12, 18-20 (1956)** (holding that requiring indigent defendants to pay for transcript of trial in order to appeal **denies FEDERAL Equal Protection even though there is no absolute right to appeal).** Basically, what was done to Plaintiff, WATTS, was even worse: Griffin, as the court held, did not have an absolute right to appeal. (Ironic that ILLINOIS is the same state in this instant case, but not unexpected.) Watts, however, did have an absolute right **under ILLINOIS State Law: "Rule 301. Method of Review** [] Every final judgment of a circuit court in a civil case is appealable as of right. The appeal is initiated by filing a notice of appeal. No other step is jurisdictional. An appeal is a continuation of the proceeding." Source: http://www.illinoiscourts.gov/supremecourt/rules/art_iii/artiii.htm

So, if Watts did have an absolute right to appeal, his Equal Protection rights were clearly violated even more, thus giving rise to **yet another tort, "Count 10," this Equal Protection cause of action—here.**

IX. MEMORANDUM OF LAW [[R.I.C.O. and Class Action]]

75. ** R.I.C.O.: One definition of R.I.C.O. (the federal Racketeer Influenced and Corrupt Organization provisions as part of the Organized Crime Control Act of 1970) is that

it is **Federal Law that condemns <u>any</u> person** who **<u>conducts or participates</u>** in the affairs of, ***or <u>conspires</u> to invest in, acquire, or conduct*** the affairs of an enterprise which engages in, or whose activities affect, interstate (or foreign) commerce through (a) the collection of an unlawful debt, or (b) the patterned commission of various **<u>state</u> and <u>federal</u> crimes.** Under the law, the meaning of racketeering activity is set out at 18 U.S.C. §1961, and, as currently amended, includes <u>any</u> act of fraud, which, clearly, includes the TEN (10) serious Federal causes of action, cited and documented above. [18 U.S.C. §§1341 (relating to mail fraud) 1343 (relating to wire fraud) come to mind, but are, by no means, limiting to the RICO crimes here.] The U.S. Supreme Court, in ***H.J. Inc. v. NW Bell Tel. Co.*, 492 U.S. 229 (1989)** held that "'"Racketeering activity" means "any act or threat involving" specified state law crimes, any "act" indictable under specified federal statutes, and certain federal "offenses." § 1961(1). A "pattern" requires "at least two acts of racketeering activity" within a 10-year period. § 1961(5)." Moreover, RICO contains a provision that allows for commencement of a civil action by a private party to recover damages sustained as a result of the commission of a RICO predicate offense. (See: 18 U.S. Code §1964, Civil remedies) Without beating a dead horse, it suffices to say that the three (3) circuit court judges and the seven (7) appellate state court judges can not be said to have avoided conspiring to commit acts, under the Colour of Law, to deny Procedural and Substantive Due Process and Equal Protection under the law. (There are, no doubt, more violations, but plaintiff does not have standing to go on a witch hunt or a wild goose chase; however, the "more violations" is mentioned because This Court should ask 'How many other' people will be denied—people who don't have the resources or

expertise that Plaintiff, Watts, possesses?)

76. ** **Class Action:** One more thing—A class of plaintiffs was harmed (and continue to be harmed), so—in the interests of Judicial Economy—Plaintiff, Watts, brings this actions as a class action. The legal strategy allows courts to manage lawsuits that would otherwise be unmanageable if each class member victim were required to be joined in the lawsuit as a named plaintiff. See: ***Hansberry v. Lee,* 311 U.S. 32, 41, 61 S.Ct. 115, 118 (1940).** Since plaintiff lacks standing to go on a witch hunt, as a "single" plaintiff, plaintiff Watts seeks Class certification, as well as R.I.CO. Certification-- with requisite **treble (triple) damages** – to send a message to state courts to tread lightly on the rights:

> Any person injured in his business or property by reason of a violation of section 1962 of this chapter may sue therefor in any appropriate United States district court **and shall recover threefold the damages he sustains** and the cost of the suit, including a reasonable attorney's fee, except that no person may rely upon any conduct that would have been actionable as fraud in the purchase or sale of securities to establish a violation of section 1962. (See: 18 U.S. Code §1964(c))

X. MEMORANDUM OF LAW [[Injunctions / T.R.O.'s]]

77. *Inter alia,* this complaint seeks [1] a preliminary injunction, and [2] a permanent injunction, and may, if it becomes necessary to avoid irreparable and imminent harm, seek a T.R.O. (Temporary Restraining Order)—governed by Rule 65, Fed.R.Civ.P., and local Rules 1.06, 4.05, and 4.06: "The court may issue a preliminary injunction only on notice to the adverse party." **Rule 65(a)(1), Fed.R.Civ.P.**

78. Since plaintiff, Watts, is acting quickly to seek redress of This Court, **it appears that a T.R.O. will probably be unnecessary, but** this is mentioned, to cover all legal bases.

79. Since the stated "dismissal" date given by one of the defendants, of the only live appeal pending, is May 28, 2019, and it might be possible that this case pends beyond that point, Plaintiff, Watts, asks This Court to enjoin, **via a preliminary injunction,** the Appellate Court, so-named, from dismissal of the case until a genuine review, on the merits, of the Federal Equal Protection and Due Process deprivations can be had. Then, if This Court is persuaded, Plaintiff asks This Court to give declaratory relief for this particular complaint, that is, a judgment of a court which determines the rights of parties without ordering anything be done or awarding damages. Then, based upon that holding, plaintiff seeks both permanent injunctive relief and award for damages, including (but not limited to) [[1]] loss suffered when defendants made it impossible for Daniggelis to pay Watts for much (documented) work & research done; [[2]] pain and suffering of all the class parties, not just Watts; [[3]] any attorney fees that may accrue; [[4]] any other damages as This Court deems appropriate ; and [[5]] That in treble, due to RICO requirements. [[6]] Plaintiff asks This Court to permanently enjoin defendants from enforcing the unconstitutional rule, described in these pleadings, ILLINOIS Supreme Court Rule 321, holding it unconstitutional both on the fact and as applied, and thereby striking it. [[7]] Lastly, plaintiff asks This Court to give declaratory relief along the lines of ordering the ILLINOIS state courts (specifically the appellate court) to review the original mortgage fraud pleadings (a Due Process issue), which is permissible because, although there has been much litigation, no courts have reviewed the merits (depriving both Procedural and Substentative Due Process), and, as a result, these torts are not barred by ***Res Adjudicata*** or ***Collateral Estoppel***—and must be heard on the merits to

satisfy Equal Protection, Redress, Civil Rights, and Due Process.

80. This court may, indeed, issue an injunction against ILLINOIS State Courts, so-named in this complaint: Based on the Anti Injunction Act (U.S. federal statute enacted in 1793), and as codified in 28 U.S.C. §2283. Stay of State court proceedings, "A court of the United States may not grant an injunction to stay proceedings in a State court except as expressly authorized by Act of Congress, or where necessary in aid of its jurisdiction, or to protect or effectuate its judgments." However, there are three (3) exceptions to this act: 1. the injunction is expressly authorized by Congress; 2. the injunction is necessary in aid of the federal court's jurisdiction; and, 3. the injunction is to protect or effectuate federal judgments. Among the statutes recognized as express authorization to grant an injunction under the first exception is Section 1983 of the Civil Rights Act: The U.S. Supreme Court, in ***Mitchum v. Foster,* 407 U.S. 225, 237 (1972),** held that a 42 U.S.C. §1983 suit is an exception to §2283 and that persons suing under this authority may, if they satisfy the requirements of comity, obtain an injunction against state court proceedings:

> "[I]n order to qualify as an 'expressly authorized' exception to the anti-injunction statute, an Act of Congress must have created a specific and uniquely federal right or remedy, enforceable in a federal court of equity, that could be frustrated if the federal court were not empowered to enjoin a state court proceeding. This is not to say that in order to come within the exception an Act of Congress must, on its face and in every one of its provisions, be totally incompatible with the prohibition of the anti-injunction statute." ***Mitchum v. Foster,* 407 U.S. 225, 237 (1972).**

81. Since 42 U.S.C. §1983 is just such an exception, This Court may issue injunctive relief—and ***Mitchum*** even went further, holding that an exception need not "on its face and in every one of its provisions, be totally incompatible with the prohibition of the anti-

injunction statute."

XI. Irreparable Injury

82. As stated above, one of the plaintiffs is the elderly Mr. Richard B. Daniggelis, whose house, land, and about ONE HUNDRED THOUSAND ($100,000.oo) DOLLARS of documented equity (documented in the *Amicus* filings by Watts), who is, upon information and belief, about eighty (80) years old. Also, given that the ONLY "live" case in the matter is Watts' case before the First Appellate Court, State of Illinois (in case number 1-18-0091), Daniggelis' attorney having been dismissed due to want (lack) of prosecution, This Court is the "last stop" on the "legal highway," and failure of This Court to redress these grievances would ensure that the Maximum Amount of Harm be done to a host of litigants, and that, by virtue of no remaining remedies, Irreparable Harm would accrue, both financial, emotional, and, no doubt, jeopardy to the physical health of elderly Daniggelis, whose only hope of winning his house back is this lawsuit, which would force state courts to hear Watts' intervention, and review the entire case on its merits.

XII. Related Cases

83. This court will probably ask: "Are there are any related cases.? If you have sued the same defendants in this or any other Court, write down the names of the judge(s) and case number(s)." – ANSWER:

1. ***GMAC MORTGAGE LLC, et al. v. RICHARD DANIGGELIS, et al.,*** Chancery Division Case #: **2007-CH-29738,** Circuit Court of Cook County, ILLINOIS
2. ***Atty. Joseph Younes v. Mr. Richard B. Daniggelis,*** Civil (Municipal) Case #: **2014-M1-701473,** Circuit Court of Cook County, ILLINOIS [This case was simply a "FORCIBLE ENTRY AND DETAINER," i.e., an "EVICTION" case, in which Younes used the holding in the Chancery case, above, as a legal basic to evict

Daniggelis from his own house. Thus, as it was a byproduct of the illegal due process violations in the Chancery case, and not a case where the civil judge appeared to have much "discretion" to "do the right things," the judge in this case, Hon. DIANA ROSARIO, is not being named as a defendant.]

3. ***GMAC MORTGAGE LLC, et al. v. DANIGGELIS, WATTS, et al.,*** Law Division Case #: **2007-CH-29738,** Circuit Court of Cook County, ILLINOIS [Note: This is the same case as #1, above, but was "transferred" to the Law Division.]
4. ***City of Chicago, IL v. 1720 N. SEDGWICK ST., Atty. JOSEPH YOUNES, et al.,*** Municipal (Civil) Division, Case#: **2017-M1-400775** (City of Chicago, IL v. 1720 N. SEDGWICK ST., Atty. JOSEPH YOUNES, et al.) [Note: This case involves Joseph Younes, Daniggelis' former lawyer, who stole his house via title-theft-based Mortgage Fraud. In this suit, The City of Chicago is alleging that Younes purposely allowed the house to fall into disrepair in order to "get around" Historic District & Landmark deed restrictions, that would, otherwise, prohibit him from razing the house to the ground via a demolition crew. Since Younes was allowed title to a house that isn't his, Daniggelis' house was unnecessarily damaged by the title-thief, Atty. Younes.]
5. ***GMAC v. Watts, et. al.,*** **Case #:1-18-0091, ILLINOIS First Appellate Court** [NOTE: This is the only "live" case, not counting the code/housing case above, all others having been dismissed for a number of reasons. But the code case does not address the Mortgage Fraud, so This Court should not put its hopes on that head.]
6. ***Watts v. Flannery, et. al.,*** **Case #:1-18-0538, ILLINOIS First Appellate Court** [A mandamus proceeding, which was illegally dismissed based on alleged lack of authority/jurisdiction to hear the case, a bald-faced lie, and thus deprivation of one's procedural due process.]
7. ***GMAC v. Watts, et. al.,*** **Case #:1-18-0572, ILLINOIS First Appellate Court** [NOTE: This was simply an appeal of Judge Flannery's fee-waiver denial order, nothing more. It, too ,was dismissed for alleged lack of authority/jurisdiction to hear the case, a bald-faced lie, and thus deprivation of one's procedural due process.]

XIII. PARTIES TO THE CASE (detailed)

84. As referenced in paragraph 6, above, there are other parties to this case. This court could go online to get the contact information for the ILLINOIS First Appellate Court, and all parties to state court proceedings were/are enumerated/listed in the "Service List" in all of Watts' filings in the lower court. The filings in the case are available on Watts' online docket (which filings This Court will probably need), but as far as the parties to the case, Plaintiff Watts shall list that within the "Four Corners" of this brief, to help This Court have

necessary information at hand:

* **DEFENDANT, Clerk of the Circuit Court,** Richard J. Daley Center, 50 West Washington - Suite 1001, Chicago, IL 60602, General Information: 312-603-5030, Helpdesk: 312-603-HELP (4357), eFilehelp@cookcountycourt.com

* **DEFENDANT, Hon. Michael F. Otto,** Associate Judge, Law Division (according to clerk's website, even though he was in Chancery when torts occurred) c/o: Daley Center, 50 W. Washington St., Rm. 2505, Chicago, Illinois 60602, (312) 603-4467, Email: Michael.Otto@CookCountyIL.gov
via: http://www.CookCountyCourt.org/JudgesPages/OttoMichaelF.aspx

* **DEFENDANT, Hon. Diane M. Shelley,** Circuit Cudge, Law Division, c/o Daley Center 50 W. Washington St., Rm. 1912, Chicago, Illinois 60602, (312) 603-5940, Christine Marinakis - Case Coordinator, Daniel N. Robbin - Law Clerk, (312) 603-4001, Email: 2 Law@CookCountyCourt.com ; ccc.LawCalendarW@CookcountyIL.gov ; Diane.Shelley@CookCountyIL.gov per: http://www.CookCountyCourt.org/JudgesPages/ShelleyDianeM.aspx

* **DEFENDANT, Hon. James P. Flannery, Jr.,** Presiding Judge, Law Division, c/o Daley Center, 50 W. Washington St., Rm. 2005, Chicago, Illinois 60602, (312) 603-6343, Email: James.Flannery@CookCountyIL.gov via: http://www.CookCountyCourt.org/JudgesPages/FlanneryJrJamesP.aspx

* **DEFENDANT, Appellate Court of STATE OF ILLINOIS, First District,** Clerk's Office, 160 North LaSalle St., Chicago, IL 60601, (312) 793-5484 , Office Hours: 8:30a.m.-4:30p.m., Mon-Fri, Excl. Holidays, per: http://www.IllinoisCourts.gov/AppellateCourt/ClerksDefault.asp

* **DEFENDANTS, Justices listed in caption from IL 1st Appellate court.** No unique mailing address, phone number, name of clerk, or email address given, per: http://www.IllinoisCourts.gov/AppellateCourt/Judges/Bio_1st.asp but may be contacted through the clerk's office, for federal legal purposes.

* **LEAD PLAINTIFF, Gordon Wayne Watts,** 2046 Pleasant Acre Drive, Plant City, FL 33566-7511, Phone: (863)687-6141 (unlimited minutes, but spotty reception) and (863)688-9880 ('Welfare' phone with limited minutes but excellent connectivity/reception), Email: Gww1210@gmail.com and Gww1210@aol.com Web: https://GordonWayneWatts (hosted by HostGator, in Dallas, TX) and https://GordonWatts.com (hosted by GoDaddy, in Mesa, AZ)

* **Class Plaintiff, Richard B. Daniggelis,** based on court comments made by his lawyer, Andjelko Galic (see state court proceedings) may be contacted at 312-774-4742, c/o John Daniggelis, 2150 North Lincoln Park West, Apartment #603, Chicago, IL 60614-4652

* **Class Plaintiff, Robert J. More,** on information and belief, P.O. Box 6926, Chicago, IL, 60680-6926, PH: (708) 317-8812, former tenant of Daniggelis

* **Class Plaintiff, Andjelko Galic,** (Atty. for Richard B. Daniggelis, in state court proceedings—before he lost possession for want of prosecution) (Atty#:33013) C:312-217-5433, Fx:312-986-1810, Ph:312-986-1510, AGForeclosureDefense@Gmail.com ;

AndjelkoGalic@Hotmail.com 45 Sherwood Road, LaGrange Park, IL 60526-1547

* **Class Plaintiffs, John Doe and Mary Jane Doe** – many other unnamed victims exist.

XIV. Prayer for Relief (DEMAND FOR RELIEF)

WHEREFORE, Plaintiffs respectfully request that this Court:

1. Issue Declaratory relief, holding, as a matter of the law of the case, that all the torts named in this complaint have, indeed, occurred, and were committed by the defendants named, against the plaintiff victims named.

2. Issue Declaratory relief, holding, as a matter of the law of the case, Rule 321, of the ILLINOIS SUPREME COURT to be unconstitutional, both on its face and as applied.

3. Issue Declaratory relief, holding that R.I.C.O. applies regarding alleged collusion.

4. Issue Declaratory relief, certifying the class so-enumerated within this complaint.

5. Issue Preliminary Injunctive relief, staying any dismissal of the case in question, 1-18-0091, which is the only "live" case in this series of cases.

6. Issuing Permanent Injunctive relief, not only striking "Rule 321" as unconstitutional, but also permanently barring dismissal of the appeal in question, until both Procedural and Substantive Due Process can be had for class plaintiffs—both Daniggelis' mortgage fraud claims, Watts' intervention interests, and any other damages which This Court deems appropriate.

7. Awarding unspecified monetary damages for both financial and emotional harm suffered by class plaintiffs (loss of house, land, equity, for Daniggelis, loss of interests by Watts in huge, documented, monies owed for research and tech services rendered), and vast emotional pain suffered by all parties) —at least $500,000.oo awarded to Richard B. Daniggelis for loss of house, land, equity, rental fees, costs of storage, and pain/suffering, $7,000.oo awarded to Gordon Wayne Watts for loss of his financial interests, and pain/suffering, and to Atty. Andjelko Galic and Mr. Robert J. More, The Court orders an award of $5,000.oo to each for pain/suffering—and that, in treble (triple) due t o R.I.C.O.

8. Other relief as This Court deems appropriate.

Date: Monday **(Day of Week),** **the** 8th **day of** April**, 2019**

Respectfully submitted,

_____

(Signature of Counsel)

Typed Name of Counsel: Gordon Wayne Watts, ~~non-lawyer, proceeding~~ ***pro se***
Florida Bar Identification Number (if admitted to practice in Florida): – N/A
Firm or Business Name: ***The Register*** (non-profit, online blog: links below)
Mailing Address: 2046 Pleasant Acre Drive
City, State, Zip Code: Plant City, FL 33566-7511
Telephone Number(s): (863)687-6141 and (863)688-9880
Facsimile Phone Number (if available): – N/A
E-mail address(es): Gww1210@Gmail.com and Gww1210@aol.com
Official website(s): https://GordonWatts.com and https://GordonWayneWatts.com

VERIFICATION
A.K.A.:
[Sworn, Witnessed, and Notarised]
AFFIDAVIT OF GORDON WAYNE WATTS

STATE OF FLORIDA } **ss.**
COUNTY OF HILLSBOROUGH }

Before me, the undersigned Notary, on this 8th day of April, **2019,** personally appeared Gordon Wayne Watts, known to me to be a credible person and of lawful age, who first being duly sworn, upon his oath, deposes and says:

AFFIANT STATEMENT: I am Gordon Wayne Watts, and I live at 2046 Pleasant Acre Drive, Plant City, FL 33566-7511.

FURTHER AFFIANT SAYETH: I am the lead plaintiff in this cause, and have both written—and proof-read (for accuracy) the foregoing "VERIFIED COMPLAINT AND REQUEST FOR Declaratory and Inductive relief; For unspecified monetary damages ; Request for Certification as a Class (Class Action); For R.I.C.O. Certification; AND, INCORPORATED MEMORANDUM OF LAW" ; and , have personal knowledge of the facts and matters set forth and alleged ; and , I state that each and all of these matters are true and correct. **FURTHER AFFIANT SAYETH NAUGHT.**

X _____
Gordon Wayne Watts, Affiant

STATE OF FLORIDA } **ss.**
COUNTY OF HILLSBOROUGH }

The foregoing instrument was acknowledged, subscribed, **and sworn** before me this 8th day of April, **2019,** by GORDON WAYNE WATTS, Affiant, who **(is / is not)** personally known to me, who **(did / did not)** produce identification as shown below, ***and*** **who(did / did not) take an oath.**

IDENTIFICATION TYPE: X Florida Driver License

IDENTIFICATION NUMBER: X W320 299 66 1260

Notary Public: X Ralph L. Feola Sr Date: X 4-08-2019

(Notary Stamp)

My Commission Expires: X

RALPH L. FEOLA, SR.
MY COMMISSION # GG 192756
EXPIRES: June 1, 2022
Bonded Thru Notary Public Underwriters