

In the Appellate Court of Illinois, First District

Docket Number: 1-18-0572

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| GMAC Mortgage, LLC, Plaintiffs, vs. |) Appeal from the Circuit Court of Cook County, IL) County Department, Law Division) Trial Court No.: 07CR29738 |
| Gordon Wayne Watts, et. al., Defendants. |) (Transfer into Law Division from Chancery) |
| <hr/> | |
| Gordon Wayne Watts, Appellant/Counter-Plaintiff, vs. |) Trial Judge: Hon. James P. Flannery, Jr. (#1505)) Notice of Appeal date: Friday, 16 March 2018) Judgment Date: Thursday, 01 March 2018) Date of Post-judgment Motion: None) Order: #6 |
| Hon. Diane M. Shelley and Hon. James P. Flannery, Jr., Counter-Defendants. |) Supreme Court Rule(s) which confer(s) jurisdiction) upon the reviewing court: Ill.Sup.Ct. R.301, 303 |

Motion for Summary Judgment

Appellant, Gordon Wayne Watts, gives judicial notice to Reviewing Court that the appeal in this case was on 16 March 2018, and Rule 326 mandates that the Record on Appeal “shall be filed in the reviewing court within 63 days after the filing of the notice of appeal,” making Friday, 18 May 2018 the due date for the Record on Appeal. However, as the matter being appealed (1-18-0572, the instant appeal) is the circuit court's refusal to prepare the Record on Appeal in the sister case, 1-18-0091, due to 'alleged' lack of rights to Intervene, and subsequent lack of rights to Fee Waiver, the preparation of **any** preparation of the record in these case is moot: The trial court refuses to comply with the law, forcing this appeal. However, as the 7-7-2017 Motion to Intervene (Exhibit A, which was filed with the docketing statement and fee waiver in this case) gives sufficient, even overwhelming, rights to Intervene, no further record is needed, and the matter is ripe for Summary Judgment is favour of movant.

A motion for summary judgment should be granted only when the pleadings, depositions, admissions, and affidavits on file, if any, show that there is no genuine issue of material fact and that the moving party is entitled to judgment as a matter of law. **735 ILCS 5/2-1005 (West 1994)** Summary judgment is a drastic measure and should be used only when the right of the moving party is clear and free from doubt. *Loyola Academy v. S & S. Roof Maintenance, Inc.*, 146 Ill.2d 263, 271, 166 Ill.Dec. 882,586 N.E.2d 1211 (1992). This court reviews summary judgment orders *de novo*. *Zoeller v. Augustine*, 271 Ill.App.3d 370, 374,208 Ill.Dec. 17, 648 N.E.2d 939 (1995); *Demos v. National Bank of Greece*, 209 Ill.App.3d 655, 659,153 Ill.Dec. 856, 567 N.E.2d 1083 (1991).

Appellant, Gordon Wayne Watts, elects to allow his docketing statement & exhibits to stand as his initial brief of the appellant, as no new material facts are needed to decide this appeal—and now moves for Summary Judgment vacating the order being appealed.

Respectfully submitted,

/s/Gordon Wayne Watts

Verification by Certification

I, Gordon Wayne Watts, the undersigned Movant, under penalties as provided by law pursuant to 735 ILCS 5/1-109, Section 1-109 of the ILLINOIS Code of Civil Procedure, hereby certify that the statements set forth in this instrument are true and correct, except as to matters therein stated to be on information and belief, and, as to such matters, the undersigned certifies as aforesaid that he verily believes the same to be true: “Any pleading, affidavit or other document certified in accordance with this Section may be used in the same manner and with the same force and effect as though subscribed and sworn to under oath.” Source: 735 ILCS 5/1-109: <http://www.ILGA.gov/legislation/ilcs/documents/073500050K1-109.htm>

Nonetheless, This Court has on record several of my sworn, witnessed, and notarised affidavits, just to remove any and all doubt hereto.

Date: **Day, DD April 2018**

/s/Gordon Wayne Watts
Gordon Wayne Watts

NO. 1-18-0572

IN THE APPELLATE COURT OF ILLINOIS
FIRST DISTRICT

GMAC Mortgage, LLC,) Appeal from the Circuit Court of Cook County, IL
Plaintiff)
vs.) No. **07CR29738**
) **(Transfer into Law Division from Chancery)**
Gordon W. Watts, et. al.,)
Defendants _____) Hon. James P. Flannery, Jr., Judge Presiding

ORDER

This matter coming on to be heard on the motion of Movant, Gordon Wayne Watts, for Summary Judgment, and, notice having been given, and the Court being fully advised in the premises:

IT IS HEREBY ORDERED that the Circuit Court of Cook County shall vacate its order in *GMAC Mortgage, LLC v. Watts*, case No. 2007-CH-29738 (03/01/2018), denying Gordon Wayne Watts leave to intervene. The circuit court is instructed to grant Mr. Watts a Fee Waiver, and prepare the selected Record on Appeal items listed in Watts' draft order in his 03/16/2018 Motion for Extension of Time to file Record on Appeal in case no. 1-18-0091 and transmit the record to this court by electronic means.

The trial court shall speedily prepare the selected record, so notify this court, and transmit it to this court by electronic means, on accelerated docket.

IT IS SO ORDERED.

Justice

Justice

Justice

Prepared by:
Gordon Wayne Watts
821 Alicia Road
Lakeland, FL 33801-2113
(863) 688-9880 (h), (863) 409-2109 (c)

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NOTICE OF FILING

To: See attached Service List

PLEASE TAKE NOTICE that today, **Day, DD April 2018**, I am causing to be filed with the ILLINOIS 1st Appellate Court my **Motion for Summary Judgment**, copies of which are attached hereto and herewith served upon you.

Respectfully submitted,

(Actual Signature, if served upon clerk)
Gordon Wayne Watts

/s/ Gordon Wayne Watts
(Electronic Signature)
Gordon Wayne Watts

Gordon Wayne Watts, *pro se* [Code: '99500' = Non-Lawer, *pro se*]
821 Alicia Road, Lakeland, FL 33801-2113
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SERVICE LIST

* **CIVIL APPEALS DIVISION: Cook County, IL Circuit Court**, 312-603-5406, Richard J. Daley Center, 50 West Washington St., Room 801, Chicago, IL 60602 – Attention: Deputy Chief, Patricia O'Brien, PAOBrien@CookCountyCourt.com Hours: 8:30a-4:30p, Mon-Fri, Excl. Holidays, **[served by email only, as a courtesy, since they are not a party proper]**

* **Hon. Timothy C. Evans**, Chief Judge (Ph 312-603-6000, 4299, 4259 TTY: 6673) Circuit Court of Cook County, 50 W. Washington St., Room 2600, Richard J. Daley Center Chicago, IL 60602, Courtesy copy via: Timothy.Evans@CookCountyIL.gov **[served by email only, as a courtesy, since he is not a party proper]**

* **Hon. James P. Flannery, Jr.**, Circuit Judge–Presiding Judge, Law Division 50 W. Washington St., Room 2005, Chicago, IL 60602, Ph:312-603-6343, Courtesy copy via: James.Flannery@CookCountyIL.gov **[served in all ways, as Judge Flannery is a defendant]**

* **Law Division and Hon. Diane M. Shelley, Circuit Judge**, Law@CookCountyCourt.com ; ccc.LawCalendarW@CookcountyIL.gov ; Diane.Shelley@CookCountyIL.gov **[served in all ways, as Judge Shelley is a defendant]**

* **Richard B. Daniggelis** [true owner of 1720] 312-774-4742, c/o John Daniggelis, 2150 North Lincoln Park West, Apartment #603, Chicago, IL 60614-4652

* **Richard B. Daniggelis (who receives mail, via USPS mail-forwarding at his old address)** 1720 North Sedgwick St., Chicago, IL 60614-5722

* **Andjelko Galic** Atty for Richard B. Daniggelis (Atty#:33013) C:312-217-5433, Fx:312-986-1810, Ph:312-986-1510, AGForeclosureDefense@Gmail.com ; AndjelkoGalic@Hotmail.com 845 Sherwood Road, LaGrange Park, IL 60526-1547

* **Robert J. More** (Anselm45@Gmail.com) [Note: **More's** name is **misspelled** on docket as: “**MOORE ROBERT**”] P.O. Box 6926, Chicago, IL, 60680-6926, PH: (708) 317-8812 [[Mr. More has made a formal request by email to receive service solely by email, and waives hard-copy service.]]

* **Associated Bank, N.A.**, 200 North Adam Street, Green Bay, WI 54301-5142

* **MERS (Mortgage Electronic Registration Systems, Inc.)** <https://www.MersInc.org/about-us/about-us> a nominee for HLB Mortgage, (703) 761-0694 / (800)-646-MERS (6377) / 888-679-MERS (6377) ATTN: Sharon McGann Horstkamp, Esq., Corporate Counsel, Mortgagee: <https://www.MersInc.org/component/content/article/8-about-us/401-sharon-horstkamp> Senior Vice President, Chief Legal and Legislative Officer, and Corporate Secretary for MERSCORP

SERVICE LIST (continued)

Holdings, Inc. – PH: (703) 761-1270, FAX: (703) 748-0183, SharonH@MersInc.org ;
SharonH@MersCorp.com Cc: Janis Smith, 703-738-0230, VP, Corp. Comm. is no longer with
MersCorp, and Amy Moses (AmyM@MersCorp.com ; AmyM@MersInc.org) has replaced her
as an email contact; Sandra Troutman 703-761-1274, E: SandraT@MersInc.org ;
SandraT@MersCorp.com) Dir, Corporate Communications, Karmela Lejarde, Communications
Manager, Tel~ 703-761-1274, Mobile: 703-772-7156, Email: KarmelaL@MersInc.org ;
KarmelaL@MersCorp.com C/o: **MERS (Mortgage Electronic Registration Systems, Inc.),
1901 East Vorhees Street, Suite 'C', Danville, IL 61834-4512**

* **COHON RAIZES®AL LLP (90192) (Atty for STEWART TITLE ILLINOIS)**

Attn: Carrie A. Dolan, pPh:(312) 726-2252
208 S LASALLE, Suite #1860, CHICAGO IL, 60604

* **Stewart Title, Attn: Leigh Curry**

<http://www.Stewart.com/en/stc/chicago/contact-us/contact-us.html>
2055 W. Army Trail Rd., STE 110, Addison, IL 60101 [ph:(630) 889-4050]

* **Richard Indyke, Esq.** Atty. No. 20584, (RIndyke@SBCGlobal.net ; 312-332-2828 ; 773-593-
1915 most recent “Attorney of record” for LaSalle Bank Natl. Assn.), 111 South Washington
Ave., Suite 105, Park Ridge, IL 60068-4292 [[Mr. Indyke claims to not represent any party in the
instant appeal, but the undersigned can not find any more recent atty of record for defendant,
LaSalle Bank, and reluctantly will keep Mr. Indyke on the service list, unless excused by The
Court.]]

* **Peter King (Atty. for Joseph Younes)** (Atty. No.: 48761)

(312) 780-7302 / (312) 724-8218 / Direct: (312) 724-8221
<http://www.KingHolloway.com/contact.htm> ; Attn: Peter M. King, Esq. PKing@khl-law.com or:
PKing@KingHolloway.com ; One North LaSalle Street, Suite 3040, Chicago, IL 60602

* **Joe Younes**: 2625 West Farewell Avenue, Chicago, IL 60645-4522 JoeYounes@SbcGlobal.net

* **Joseph Younes** (Atty#:55351) Law Offices / <http://ChicagoAccidentAttorney.net>

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RoJoe69@yahoo.com 166 West WASHINGTON ST, Ste. 600, Chicago, IL 60602-3596

* **Paul L. Shelton**, *Pro Se*, (Atty. #15323, disbarred per IARDC)

E: PMSA136@Gmail.com ; PLShelton@SBCGlobal.net – 3 Grant Square, SUITE #363,
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* **Erika R. Rhone** 22711 Southbrook Dr., Sauk Village, IL 60411-4291

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P. Flannery, Jr., Counter-Defendants.) upon the reviewing court: **Ill.Sup.Ct. R.301, 303**

CERTIFICATE AND AFFIDAVIT OF DELIVERY (aka: Certificate of Service)

* The undersigned **Defendant-Appellant, Gordon Wayne Watts**, hereby certifies under penalties of perjury as provided by law pursuant to 735 ILCS 5/1-109, that the above **Motion for Summary Judgment**, copies of which are attached hereto are being herewith served upon you—and upon the parties listed in the attached Service List, above – this **Day, DD April 2018**, via **the Odyssey eFileIL (TylerHost.net) Electronic Filing system** if they're e-file registered.

* I'm concurrently serving all parties via **First Class U.S. Postal Mail** –*except The Appeals Court (which only accepts eFiling), or as otherwise indicted in the Service List.*

* Additionally, I shall, when practically possible, post a TRUE COPY of this filing –and related filings –**online at my official websites, infra** –linked at the “Mortgage Fraud” story, dated Fri. 14 April 2017.

* Lastly, I may, later, cc all parties via **e-mail**, if I am able.

Respectfully submitted,

(Actual Signature, if served upon clerk)
Gordon Wayne Watts

/s/ *Gordon Wayne Watts*
(Electronic Signature)
Gordon Wayne Watts

Gordon Wayne Watts, *pro se* [Code: '99500' = Non-Lawer, *pro se*]
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