

**IN THE UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Gordon Wayne Watts

,

Plaintiff(s),

v.

Circuit Court of Cook County, Illinois, et al.,

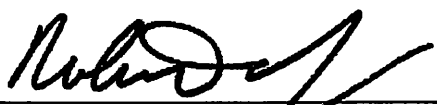
Defendant(s).

Case No. 19-cv-3473
Judge Robert M. Dow

ORDER

Plaintiff's motion to alter or amend the judgment and for other relief from judgment [20] is granted in part and denied in part. Plaintiff's claims for prospective declaratory relief against the individual Defendants—all state judges—are reinstated to the extent permissible under 42 U.S.C. § 1983 and the Ex parte Young doctrine. The caption of the complaint will be deemed to be corrected in two respects: (1) Plaintiff will be listed individually and not on behalf of a prospective class and (2) all seven Justices of the Illinois Appellate Court named in the body of the complaint will be included as Defendants. However, summons shall not issue at this time. Plaintiff is directed to file a supplemental brief no later than March 20, 2020 explaining why he should be permitted to proceed with his complaint given that (1) declaratory judgments “are meant to define the legal rights and obligations to the parties in the anticipation of some future conduct,” and “are not meant simply to proclaim that one party is liable to another.” *Johnson v. McCuskey*, 72 Fed. Appx. 475, 477-78 (7th Cir. Aug. 5, 2003); (2) “a plaintiff may not seek reversal of a state court judgment simply by casting his complaint in the form of a civil rights action.” *Ritter v. Ross*, 992 F.2d 750, 754 (7th Cir. 1993); and (3) “[I]tigators who believe that a state proceeding has violated their constitutional rights must appeal that decision through their state courts and ultimately to the United States Supreme Court.” *Cichowski v. Hollenbeck*, 397 F. Supp. 2d 1082, 1086 (W.D. Wis. 2005) (citing *Garry v. Veils*, 82 F.3d 1362, 1368 (7th Cir. 1996), and *Wright v. Tackett*, 39 F.3d 155, 157-58 (7th Cir. 1994)). Plaintiff's motion for a waiver of PACER fees [23] is denied without prejudice to refile before the Executive Committee of the Northern District of Illinois, which is the entity responsible for ruling on such motions as the waiver would apply to all cases in this district, not just this one. Plaintiff's request in that same motion [23] for expedited summons, summary judgment, and/or show cause order is denied without prejudice to renewal if Plaintiff's supplemental brief overcomes the potential hurdles to proceeding in this Court identified above.

Date: 2/20/2020



Judge Robert M. Dow, Jr.