

Carlos Massey  
c/o3033 Florence Ave.  
Steger, Illinois 60475

Governor J.B. Pritzler  
Office of the Governor  
401 S. Spring St.  
Springfield, IL 62704

Office Of The Governor

NOV 21 2022

Re: Notice Of Intent To File Lawsuit

Dear Governor J.B. Pritzler,

I have contacted you personally as can be shown by United States Postage records, on several occasions to receive Equal Protection of the Law and Invoke the Illinois Guarantee of Remedy and Justice. On 1/21/2022, I sent the attached Letter and as shown on my social media page I presented material showing the Deprivation of Rights Under the Color of Law personally to Lt. Governor Stratton on video with Elitha Brown as witness and fellow victim to the Pattern and Practice Crimes pursuant to Title 18 U.S.C. 2071. It is shown that she stated she would give you the material and as phone record will show, we were contacted before we had a chance to even leave Springfield, Illinois by Levi Bain and no further Remedy and Justice or Equal Protection of the Law has been afforded to My family or Elitha Brown. As of just recently, I have learned that you signed a Governor's Extradition warrant for the 20 year Naval Veteran Grayson Kash Jackson who ran against you for Governor which you are aware by reasonable knowledge standards, that said extradition was unlawful as well as the bail set by Lake County for \$1,000,000.00 which has been determined as Unconstitutional. These pattern and practice acts of aiding and abetting Conspiracy Against Rights and Failure to Intervene violations reflect Incompetence in Office as well as Violation to Your Oath of Office.

It has become apparent to me that You The Governor of the STATE OF ILLINOIS has no intent of Upholding the Laws of the United States or The Illinois Constitution, therefore I have no further options left except to file before the United States District Court in lawsuit and file for a claim against the Surety Bond provider for your Office. By filing a breach of fiduciary duty complaint, I would have to prove that the fiduciary (Yourself as Governor) had duties such as acting good in faith, being transparent with pertinent information, and being loyal to provide the guarantees provided in the Illinois Bill of Rights. I would have to prove that You the Governor of THE STATE OF ILLINOIS failed your duty by withholding or ignoring pertinent information, by omission to act upon knowledge of the misappropriation of state funding, abusing your position of influence and failing in your responsibility to ensure the faithful execution of the law.

Governor J.B. Pritzler As You Can Clearly See By The Attached Material Presented Once Again Before The Officer Responsible For The STATE OF ILLINOIS, Does Show That Barrack Obama, Dick Durbin, Mark Kirk, Robin Kelly, Bobby Rush, Lisa Madigan And Several State Agencies Have All Been Contacted And Responded Yet Have Not Reported Their Fellow State Employee's Violations. This Was Previously A Requirement By Law Which Currently Appears To

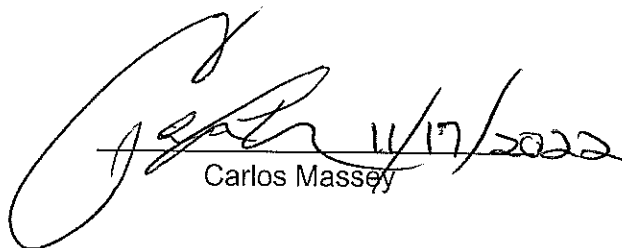
Have Been Removed Or Revised Resulting In THE STATE OF ILLINOIS Being Recognized As The Most Corrupt In The Nation And Basis For A Notice Of Unconstitutionality And Grounds For Investigation For RICO Conspiracy Against Rights. The Sworn Duty Of Your Office Requires You To Now Immediately Respond To The Material Presented. I Have Been Denied Equal Protection Of The Law As Well As Several Other Veterans In Pattern And Practice Crimes Of Deprivation Of Rights Under The Color Of Law As Well As The Illinois Bill Of Rights To Remedy And Justice. Therefore I Am Invoking The Executive Powers Of Your Office To Act Within 10 Days After The Receipt Of This Correspondence To Take Responsibility And Provide 'The Faithful Execution Of The Law' As Your Sworn Oath Of Office Requires Or I Shall File Before The United States District Court For A Summary Judgment Including You As Tortfeasor In Breach Of Fiduciary Duties And Civil Rights Violations Pursuant To Title 42 U.S.C. Section 1986.

The Following Relief Is Requested;

1. Order The Illinois Attorney General To Immediately Retrieve the \$4000.00 Due To Carlos Massey Pursuant to 735 ILCS 5/10-106) (from Ch. 110, par. 10-106, For The Unlawful Denial Of Habeas Corpus Rights Four Times As Records Reflect.
2. Order All Agencies Of The State Contacted By Carlos Massey To Make Available To Carlos Massey All Investigations Initiated By Complaints Submitted By Carlos Massey.
3. Order The Illinois Inspector General To Initiate Investigations Immediately On The State Employee Ethics Violations Made Known.
4. Order Chief Justice Anne Burke To Either Rebut The Filed Affidavit Of Truth in Commerce And Claim For Damages Point For Point And/Or Order The Judges Under Her Auspices To Do The Same Or Issue A Summary Judgement For The Damages and Compensation Claimed In Favor of Carlos Massey Pursuant To 735 ILCS 5/2-1005 from Ch. 110, par. 2-1005.
5. Order The Immediate Restoration Of Civil Rights Currently Denied As A Result Of Fraudulent Void Orders Placed Upon The Court Record Of Carlos Massey As Well As The Record Before The ILLINOIS DEPARTMENT OF MOTOR VEHICLES To Which Carlos Massey Has No Contractual Ties Or Obligations.

Governor J.B. Pritzler, I have lawfully exhausted all remedies available and yet the STATE OF ILLINOIS has deny me both Equal Protection of the Law and the Right to Remedy and Justice, however the law is established that Conduct by persons acting under color of state law which is wrongful under 42 U.S.C. 1983 or 1985 (3) cannot be immunized by state law. A construction of the federal statute which permitted a state immunity defense to have controlling effect would transmute a basic guarantee into an illusory promise; and the supremacy clause of the Constitution insures that the proper construction may be enforced". Because You are the Governor of the STATE OF ILLINOIS, You are responsible for the Faithful Execution of the Law

and Vicarious liability is a form of a strict, secondary liability that arises under the common law doctrine of agency, respondeat superior, the responsibility of the superior for the acts of their subordinate or, in a broader sense, the responsibility of any third party that had the "right, ability or duty to control" the activities of a violator.

  
Carlos Massey

Carlos Massey  
c/o3033 Florence Ave.  
Steger, Illinois 60475

Cynthia A. Grant  
Clerk of the Court  
200 East Capitol Avenue  
Springfield, IL 62701-1721

Re: Notice Of Intent To File Lawsuit

Dear Clerk of the Illinois Supreme Court, Cynthia A. Grant,

On October 14<sup>th</sup>, 2022 Your Office received Carlos Massey's "Emergency Motion for Direct Appeal Under Illinois Supreme Court Rule(a) and Supervisory Order Under Supreme Court Rule 383" and your office claimed that "Your documents are being returned to you unfiled". This is a violation of 720 ILCS 5/3-33, by recklessly failing to perform a mandatory duty and committing an act forbidden by law to perform such as this current violation of title 18 U.S.C. 2071 while using United States Postage, which constitutes Mail Fraud with attached documentation which shows the office of the clerk of court in 'Pattern and Practice' Violations of 'Deprivation of Rights Under The Color of Law" and acts in furtherance of R.I.C.O. Conspiracy Against Rights. Fraud is essentially the knowing or reckless misrepresentation of a material fact for the purpose of depriving someone of a valuable thing. What This means is that you knew that what you represented to Carlos Massey was not true, or that you represented to Carlos Massey something as true that you knew was potentially false or fraudulent. Cynthia A. Grant you can be charged with mail fraud if you use the United States Postal Service to send any materials that are related to a scheme to commit fraud.

Your frivolous justification for the criminal acts you committed were to advise me stating, "Please be advised that under the Constitution of the State of Illinois, the jurisdiction of this Court extends only to cases or controversies properly brought before it from lower courts or from an original action in accordance with the Supreme Court Rules in pending matters before a Court". Take Notice of Law That The Illinois Supreme Court has limited original jurisdiction, hears appeals of right in cases where the constitutionality of laws has been called into question,(Which Carlos Massey's Case Is Denial Of Equal Protection of the Law by the State) and has a docket of discretionary appeal from the Illinois Appellate Court (which Carlos Massey shows docket numbers and video link showing the Clerk of Court in Pattern and Practice crimes of Concealment from Record). Along with the state legislature, the court sets rules for the state judiciary. The court has general administrative and supervisory authority over all courts in the state (Which Carlos Massey has made known for Supervisory Orders to be issued by the Chief Justice Anne Burke). This authority is exercised by the chief justice (except Cynthia A. Burke is knowingly aiding and abetting the casting of a blind eye in Conspiracy Against rights) with the assistance of the Administrative Director and staff appointed by the supreme court. The Illinois Supreme Court hears appeals from lower

courts and may exercise original jurisdiction in cases relating to revenue, mandamus, prohibition or habeas corpus (which Carlos Massey has shown and provided documents showing denial of Habeas Corpus Rights that were not returned to Carlos Massey and has now commence the crime of 18 U.S.C. 2071). In all three Illinois constitutions, the provision conferring original jurisdiction on the court in "cases relating to the revenue" and Carlos Massey has shown this current case is directly related to the Tax Revenue of the Citizens of Illinois fraudulently accessed around \$250,000.00 for the Unconstitutional Deprivation of Liberty of Carlos Massey by the orders of the court under the Auspices of The Supreme Court as well as the 10 million dollars in revenue associated with the lawful compensation to make whole Carlos Massey and his family as filed directly before the Illinois Supreme Court on or around May 7<sup>th</sup>, 2019. Carlos Massey Makes known that Denial of Substantial Due Process occurred in Section 8 Administrative Hearing in which Carlos Massey has been denied Section 8 benefits as a direct result of violations of the Code of Judicial Conduct. This Fraud Upon the Court shall remain a justiciable matter before the Illinois Supreme Court's Sole Jurisdiction until it has been heard and ruled upon with a final order to make appealable to the United States Supreme Court (which has had knowledge previously of the Illinois Judges acting in Conspiracy Against the Rights of the Citizens of Illinois}. Since the Illinois Supreme Court has the exclusive licensing power, it likewise possesses power to discipline and to disbar. This is held to flow naturally from the power to prevent abuse of licenses which the court has granted. It may, and does, permit committees of bar associations, other lawyers, or any class of persons it deems proper, to initiate such proceedings before it, and the legislature cannot restrict this function to persons injured by the lawyer's misconduct. It is the responsibility primarily of the court to maintain high standards, In the case of 'In re McGarry, 380 Ill. 359, 44 N.E. (2d) 7 (1942)', the court said it might discipline an attorney though he might also be a judge, provided his general conduct showed a lack of morality. 95 People ex rel. Wayman v. Chamberlin, 242 Ill. 260, 89 N.E. 994 (1909). CHICAGO-KENT LAW REVIEW among attorneys at law, for they are its officers. As early as 1916, the court remarked that the question as to its jurisdiction in proceedings of this nature was no longer being raised.


Cynthia A. Grant, the grounds for emergency were set forth in the filings before the Supreme Court and it was Made Known that Carlos Massey is the sole care provider for Bernice Webb who is a Blind 105 year old woman and unless the Illinois Supreme Court issues orders immediately, irreparable harm may occur including the Unconstitutional Deprivation of Liberty of Carlos Massey and the Denial of Care and Companionship to Bernice Webb which would occur as a direct result of Your Deliberate Infliction of Emotional Distress upon Bernice Webb and Carlos Massey. Take Lawful Notice that, In those situations involving a temporary restraining order or an injunction, the requirement, that the moving party demonstrate that it will suffer irreparable harm before notice can be given and a hearing held on the merits, comports with the ordinary meaning of "emergency." It is also clear that even in emergency situations, "some notice, however informal, is greatly to be preferred to none at all." Skarpinski v. Veterans of Foreign Wars (1951), 343 Ill. App. 271, 275, 98 N.E.2d 858; see also

Hirschauer, 192 Ill. App. 3d at 201, American Warehousing, 169 Ill. App. 3d at 715, and Sangamo Electric, 42 Ill. App. 3d at 565.

Cynthia A. Grant, You have Deprived Me of My Due Process Rights directly by the commission of 'Fraud Upon the Court' and contumacious conduct shown in the correspondence sent from your office on October 31, 2022. Contumacious conduct consists of verbal or non-verbal acts which, (1) Embarrass or obstruct the Court in its administration of justice or derogate from its authority or dignity (2) Bring the administration of justice into disrepute or (3) Constitute disobedience of a court order or judgment. Cynthia A. Grant you are responsible without State immunity to be afforded in the Deprivation of Rights Under the Color of State Law in denying Carlos Massey the Right to Remedy and Justice by the reckless Failure to Perform Sworn Mandatory Duty as required by law. Take Lawful Notice that in 'Picking v. Pennsylvania Railway, 151 F.2d. 240, Third Circuit Court of Appeals', "The plaintiff's civil rights pleading was 150 pages and described by a federal judge as "inept". Nevertheless, it was held "Where a plaintiff pleads pro se in a suit for protection of civil rights, the Court should endeavor to construe Plaintiff's Pleadings without regard to technicalities." Carlos Massey has clearly filed a claim for lawful redress before the Illinois Supreme Court.

Carlos Massey Now refiles the Material sent back unfiled and Admonishes the Clerk of The Illinois Supreme Court to Cease and Desist the Delay/Denial of Justice being waged upon Carlos Massey by denying Carlos Massey the right to a fair hearing before the Illinois Supreme Court which would allow Carlos Massey the opportunity to file the appropriate complaints or bring forth lawful redress before the Senate for the initiation of impeachment proceedings for all Justices found acting in malfeasance and incompetent in office. The United States Supreme Court has ruled that, "a fair trial in a fair tribunal is a basic requirement of due process." Absent the Supreme Court Issuing the requested Supervisory Orders, the Fair Administration of Justice has been brought into Great Disrepute before the Public as well as before the President of The United States of America in which a certified copy of this correspondence is being sent.

Respectfully Submitted,

 11/17/2022  
Carlos Massey

Carlos Massey  
% 3033 Florence Avenue  
Steger, Illinois 60475

## Illinois Supreme Court Clerk of Court

### Notice to Agent is Notice to Principal

**RE: Material Filed: 10/11/2022** via UNITED STATES POSTAL SERVICE

#7021 0350 0001 2721 7897

Illinois Supreme Court Clerk of Court

200 East Capital Avenue

Springfield, Illinois 62701-1721

### **ORDER TO CLERK OF COURT TO PERFORM SPECIFIC MINISTERIAL ACTS IN ACCORDANCE WITH SUPREME COURT OF THE UNITED STATES MATTER**

**"United States v. Lombardo, 241 U.S. 73, 76-77, 36 S.Ct. 508, 60 L.Ed. 897 (1916)**

- Federal Laws are enforceable in state courts, therefore please refrain from not accepting pleadings under federal rule FPRC 5(d)(2) under the fraudulent claim that federal laws do not apply in state courts, but the Supreme Court of the United States made it clear that federal laws are enforceable in state courts. "Federal law is enforceable in state courts not because Congress has determined that federal courts would otherwise be burdened or that state courts might provide a more convenient forum and although both might well be true but because the Constitution and laws passed pursuant to it are as much laws in the States as laws passed by the state legislature. The Supremacy Clause makes those laws "the supreme Law of the Land," and charges state courts with a coordinated responsibility to enforce that law according to their regular modes of procedure. "The laws of the United States are laws in the several States, and just as much binding on the citizens and courts thereof as the State laws are. The two together form one system of jurisprudence, which constitutes the law of the land for the State and the courts of the two jurisdictions are not foreign to each other, nor to be treated by each other as such, but as courts of the same country, having jurisdiction partly different and partly concurrent." [**Howlett v. Rose, 496 US 356 - Supreme Court 1990**]
- The Clerk of the Court is a ministerial position not having authority of a tribunal. Therefore, the Clerk of the Court is required to carry out its ministerial duties without

acting as a tribunal, and dismissing paperwork based upon legal conclusions that exceed its jurisdiction.

- **Under Full Faith and Credit Clause under Article 4 Section 1** of the U.S. Constitution this court must honor judgments by courts within the territories of the United States of America, especially the highest court on the land The Supreme Court of the United States.
- The Supreme Court of the United States in matter **United States v. Lombardo, 241 U.S. 73, 76-77, 36 S.Ct. 508, 60 L.Ed. 897 (1916)** requires the clerk's office must accept possession and file pleadings regardless of local rules. The provisions of the Federal Rules of Civil Procedure concerning filing supplement, rather than alter, the Lombardo approach: [**"United States v. Lombardo, 241 U.S. 73, 76-77, 36 S.Ct. 508, 60 L.Ed. 897 (1916)**. Lombardo has long been considered as establishing the "physical delivery" rule such that the date of delivery is the date of filing for statutory purposes. See, e.g., *Wiggins v. Internal Revenue Service*, 59 A.F.T.R.2d 87-445, 87-1 USTC P 9180, 1986 WL 15574, \*2 (D.Md.1986). The provisions of the Federal Rules of Civil Procedure concerning filing supplement, rather than alter, the Lombardo approach: The clerk shall not refuse to accept for filing any paper presented for that purpose solely because it is not presented in proper form as required by these rules or any local rules or practices." **Stone Street Capital, Inc. v. McDonald's Corp., 300 F. Supp. 2d 345 - Dist. Court, D. Maryland**] The clerk of the court, like a recorder, is required to accept pleadings and file them.
- The Federal Rules of Civil Procedure was the agreed format for the court proceedings.
- A paper is filed upon delivering it (A) to the clerk. FPRC 5(d)(2)
- The job of the clerk of the court“ is to file pleadings and other documents, maintain the court's files and inform litigants of the entry of court orders.” **Sanders v. Department of Corrections, 815 F. Supp. 1148, H49(N.D. Ill. 1993). (Williams v. Pucinski, 01C5588 (N.D.Ill. 01/13/2004).)**
- The duty of the clerk is to make his record correctly represent the proceedings in the case. **Wetmore v. Karrick, 27 S. Ct. 434, 205 U.S. 141 (U.S. 03/11/1907)** Failing to file documents presented and reflect the documents on the docket is a failure to perform the ministerial duties of the Clerk of Court.
- It is hereby now requested by Carlos Massey that the Clerk of the Court for the Illinois Supreme Court fulfill its obligations under the authority of law and file all documents presented for said purpose.

#### **POTENTIAL VIOLATIONS OF LAWS BY REFUSAL TO ACCEPT PLEADINGS**

- **18 U.S. Code § 2076 - Clerk of United States District Court** “Whoever, being a clerk of a district court of the United States, willfully refuses or neglects to make or forward any report, certificate, statement, or document as required by law, shall be fined under this title or imprisoned not more than one year, or both.”
- **18 U.S. Code § 2071 - Concealment, removal, or mutilation generally** – “Concealment, removal, or mutilation generally – (a) Whoever willfully and unlawfully



conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined under this title or imprisoned not more than three years, or both. (b) Whoever, having the custody of any such record, proceeding, map, book, document, paper, or other thing, willfully and unlawfully conceals, removes, mutilates, obliterates, falsifies, or destroys the same, shall be fined under this title or imprisoned not more than three years, or both; and shall forfeit his office and be disqualified from holding any office under the United States. As used in this subsection, the term "office" does not include the office held by any person as a retired officer of the Armed Forces of the United States."


- **18 U.S. Code § 1512 - Tampering with a witness, victim, or an informant** (a)(1) Whoever kills or attempts to kill another person, with intent to—(A) prevent the attendance or testimony of any person in an official proceeding;(B) prevent the production of a record, document, or other object, in an official proceeding; or(C) prevent the communication by any person to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, parole, or release pending judicial proceedings;shall be punished as provided in paragraph (3).(2) Whoever uses physical force or the threat of physical force against any person, or attempts to do so, with intent to—(A) influence, delay, or prevent the testimony of any person in an official proceeding;(B) cause or induce any person to—(i) withhold testimony, or withhold a record, document, or other object, from an official proceeding;(ii) alter, destroy, mutilate, or conceal an object with intent to impair the integrity or availability of the object for use in an official proceeding;(iii) evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an official proceeding; or(iv) be absent from an official proceeding to which that person has been summoned by legal process; or(C) hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, supervised release, parole, or release pending judicial proceedings; shall be punished as provided in paragraph (3).

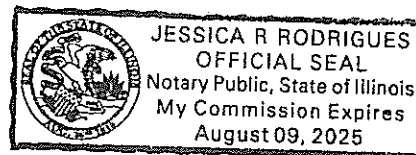
Take Lawful Notice, Carlos Massey has made known facts were previously presented before the Illinois Supreme Court concerning United States Constitutional Rights being deprived with supporting material submitted before the Clerk of Court of the Illinois Supreme Court and Now Makes Known that the currently filed 'Emergency Motion for Direct Appeal Under Illinois Supreme Court Rule 302(a) and Supervisory Order Under Supreme Court Rule 383' has been filed to invoke the guarantees provided in the Illinois Constitution Article I section 1?, seeking relief from the Ongoing Legal Wrongs by Officers of the STATE OF ILLINOIS. Conspiracy Against Rights could be inferred as appears to have been Aided and Abetted by the Clerk of Court for the Illinois Supreme Court as shown in the material stamped "RECEIVED" January 25, 2010. On September 14, 2017 Carlos Massey made known that the Illinois Supreme Court Clerk of Court were to perform pacific acts pursuant to statute of the STATE OF ILLINOIS Supreme Court Rule 604(c)3 and again Carlos Massey's material filed before the Illinois

Supreme Court Clerk of Court was not lawfully heard, depriving Carlos Massey and his family 'Equal Protection of the Law' and 'Remedy and Justice And it is also stamped "RECEIVED". On May 7,2019 Carlos Massey drove to Springfield, Illinois and appeared in person at the Office of the Illinois Supreme Clerk of Court and after great difficulty Carlos Massey was able to file the 'Affidavit of Truth in Commerce and Claim for Damages' and was even told that an investigation would be initiated on the Officers reported. After several months Carlos Massey's filing was returned and Carlos Massey was told, "the wrong heading is on the filing". Months later Carlos Massey was able to amend the aforesaid said filing and while assisting Elitha Brown, Carlos Massey witnessed the Officers in the Illinois Supreme Court Clerk of Court commit Pattern and Practice Violations of Title 18 United States Codes Section 2071 on or about December 18, 2021 and the crime is shown posted before public forum shown in the following link; <https://www.facebook.com/100007592050936/videos/426865775682796/>

Carlos Massey Now Requests Pursuant to the Freedom of Information Act, for the Illinois Supreme Court Clerk of Court to produce clerk certified copies of all the filed material on record before the Illinois Supreme Court, including all supporting documents of said filings. Carlos Massey requests a Stamped Filed certified copy of the filing sent 10/11/2022 as well as the material included with this letter for immediate addition to the filing as there is a 30 day tolling period which must be adhered to.

"It is well settled that notice to the agent acting within the course of his employment and scope of his authority is notice to his principal."

 10/20/2022  
Carlos Massey, Individual Citizen, Sui Juris



State of IL County of Cook  
The foregoing instrument was acknowledged before me  
on 20 day of October, 2022.  
Jessica R Rodrigues Notary Public  
My Commission Expires August 9, 2025

## In The Supreme Court of Illinois

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PEOPLE OF THE  
STATE OF ILLINOIS

V.

Carlos Massey

) Emergency Direct Appeal Under Illinois Supreme  
) Court Rule 302(b) and Supervisory Order Under  
) Supreme Court Rule 383.  
) Declaration of Fraud Upon the Court and Due  
) Process Violation; Will County Circuit Court Case  
) #2021CF1834; Illinois Appellate Court First  
) District Case #1-17-2598; Illinois Supreme Court  
) Case# MD 013968; Breach Of Duty by the  
) Illinois Judiciary, **Respondent Chief Justice Anne**  
) **Burke**

### **Plaintiff's Emergency Motion for Direct Appeal Under Illinois Supreme Court Rule 302(a) and Supervisory Order Under Supreme Court Rule 383**

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Now Comes Carlos Massey, Sui Juris, In the Status before the Court as Individual Citizen pursuant to the rulings in Hale V. Hinkle and files before the Supreme Court of Illinois Justices, Whom are all Sworn by Oath to Uphold both the United States Constitution and Illinois Constitutional Guarantees to Equal Protection of the Law and files this Emergency Motion for Direct Appeal. Take Judicial Notice of Law That, Emergency Motion is a motion that is presented in court without the normal requisite five business days' notice. It is a special motion used for considering a decision quickly in order to avoid irreparable harm. An emergency motion provides immediate relief as the response is delivered quickly than a normal one by the court. Take Judicial Notice of Law that, A motion requesting the exercise of the Supreme Court's supervisory authority shall be supported by explanatory suggestions and shall contain or have attached to it the lower court records or other pertinent material that will fully present the issues. Take Lawful Notice that, Appeals from final judgments of circuit courts shall be taken directly to the Supreme Court in cases in which a statute of the United States or of this state has been held invalid. Carlos Massey Now Makes Known that, the records submitted before the Illinois

Supreme Court does show that Fraud Upon the Court and Deprivation of Rights Under the Color of Law Crimes, and Due Process Violations has occurred. Will County Circuit Court Judges has held invalid the Illinois Bill of Rights Sections 2 and 12 by the intentional and deceptive failure to address the 'Challenge of Jurisdiction' lawfully filed January 6, 2022. The United States Supreme Court has held that, "the allegations, 'however inartfully pleaded,' were sufficient to raise a claim. The Court further stated: We cannot say with assurance that under the allegations of the pro se complaint, which we hold to less stringent standards than formal pleadings drafted by lawyers, it appears "beyond doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief." ( Haines v. Kerner 404 U.S. 519 (1972). Take Judicial Notice of Law that the Judges of Will County Circuit Court violated Carlos Massey's Right to Due Process of law and Equal Protection of the law by Failing to Act. Liability Attaches when the offender commits an act Knowingly, Intentionally, Recklessly or Negligently and the Illinois Supreme Court Rule 201 was held invalid shown by Carlos Massey's filing on July 20, 2022 and Judge Jones Knowingly and Intentionally failing to perform the duty as prescribed by law and denying the Due Process Rights of Carlos Massey. The United States Supreme Court has held that, "Silence can only be equated with fraud where there is a legal or moral duty to speak, or where an inquiry left unanswered would be intentionally misleading. . . We cannot condone this shocking behavior... This sort of deception will not be tolerated and if this is routine it should be corrected immediately." U.S. v. Tweel, 550 F.2d 297, 299. See also U.S. v. Prudden, 424 F.2d 1021, 1032; Carmine v. Bowen, 64 A. 932. "Silence is a species of conduct and constitutes an implied representation of the existence of facts in question. When silence is of such character and under such circumstances that it would become a fraud, it will operate as an Estoppel." Carmine v. Bowen, 64 U.S. 932" Fraud in its elementary common law sense of deceit... includes the deliberate concealment of material information in a setting of fiduciary obligation. A public official is a fiduciary toward the public,... and if he deliberately conceals material information from them he is guilty of fraud." McNally v. U.S., 483 U.S. 350, 371-372, Quoting U.S. v Holzer, 816 F.2d. 304, 307.

Carlos Massey Makes Known that. The Illinois Supreme Court Justices has received Carlos Massey's lawfully filed 'Affidavit of Truth' and legal precedence declares, "Uncontested

affidavit" moved the court to hear the case. *United States v. Lopez*, No. 07-3159 (10th Cir. 03/04/2008). The Justices of The Illinois Supreme Court has been Guilty of Fraud Upon the Court and Deprivation of Rights Under The Color of Law as shown in the filings since January 25, 2010. This Reckless Failure to Perform Mandatory Duty has caused great irreparable harm to Carlos Massey and his family and Carlos Massey Now invokes the duty of Chief Justice Anne M. Burke and Governor J.B. Pritzler whom were contacted June 15, 2021 concerning the current matters before the court shown by U.S. Postal Service Certified Mail Receipts #7020 1290 0000 4325 2740, #7020 1290 0000 2733, to afford Carlos Massey the Due Process Rights and Equal Protection of the Law as the sworn oaths of office require for their positions of trust. The Unrebutted Truths of the Ongoing Legal Wrongs against Carlos Massey and his family were filed May 7, 2019 and again as shown on the following public forum link which shows video of Carlos Massey lawfully filing before the Illinois Supreme Court for Remedy and Justice only to become victim of the crime under the statue of United States Codes Title 18 Section 2071. Will County Circuit Court is currently violating the rights of Carlos Massey by malicious prosecution based upon the fraudulent record made known several times including June 15, 2021 by U.S. Postage Service Mail Receipt #7020 1290 0000 4325 2757 directly to Jesse White which included a Letter to Cease and Desist the harassment due to incorrect and fraudulent records placed upon Carlos Massey.

The Failure Of The Illinois Supreme Court Justices To Address This Filing Expeditiously Could Result In The Unconstitutional Deprivation of Liberty For Carlos Massey And Carlos Massey Makes Known That The Legal Precedence For Civil Action Has Been Established In *Garris v. Rowland*, 717 F.2d 1397 (5th Cir. 1983). Carlos Massey shall be lawfully entitled to \$25,000.00 for every 23 minutes of Unlawful Deprivation of Liberty as a result of the Illinois Supreme Court Justices Reckless Failure to Intervene and Issue the Appropriate Supervisory Orders and Carlos Massey, The Individual Citizen, has the Right to claim the 14th Amendment Guarantees of The United States Constitution pursuant to *Hale v. Henkel*, 201 U.S. 43 (1906).

Carlos Massey Makes Known that filings before the Illinois First District Appellate Court shall also show denial of Due Process Rights and Fraud Upon the Court. Carlos Massey Makes

Known, by the failure of Illinois Officials contacted to Perform Mandatory Duties, which is Breach of Public Trust, all Sworn Illinois Officials shown contacted has by omission directly held invalid Section 12 of the Illinois Bill of Rights.

Take Judicial Notice of Law that, whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined under title 18 U.S.C. 2071 or imprisoned not more than three years, or both. The following link supplied contains the video of the Illinois Supreme Court Clerk of Court Depriving Carlos Massey's lawful right to bring forth redress before the judicial branch of Illinois government while acting under the color of law and committing acts in furtherance of Pattern and Practice RICO Conspiracy Against Rights crimes.

Take Judicial Notice of Law that, controlling case law holds that government bodies whose conduct meets the definitions as applied to non-government entities also applies to them. that would include state judges, federal judges, U.S. Department of Justice, and others. INCLUDES: Aiding and Abetting and Conspiracy Against the Rights of Citizens. A line of cases hold that any governmental agency, court, political office or the like could serve as a RICO "enterprise."

United States v. Thompson, 685 F.2d 993, 999 (6th Cir. 1982)(en banc) cert. denied, 459 U.S. 1072 (1983). Among the government units that have been held to be "enterprises" are offices of governors and state legislators, courts, court clerks' offices. See e.g., United States v. Stratton, 649 F.2d 1066, 1072-75 (5th Cir. 1981); United States v. Clark, 656 F.2d 1259, 1261-67 (8th Cir. 1981) Office of county judge); United States v. Frumento, 405 F. Supp. 23, 29-30 (E.D. Pa. 1975), affd, 563 F.2d 1083 (3d Cir. 1977). cert. debued, 434 U.S. 1072 (1978). Decisions after Frumento expanded government activity to every conceivable government agency, court, or political office. United States v. Thompson, 669 F.2d 1143 (6th Cir), revd 685 F.2d 993 (6th Cir. 1982)(en banc), cert. denied, 459 U.S. 1072 (1983) Each of these criminal acts were compounded by the fact that they were perpetrated by people in positions of trust, who were paid to enforce the law.

<https://www.facebook.com/100007592050936/videos/426865775682796/>

## Procedural History

This is an ongoing legal wrong case brought before the Illinois Supreme Court to receive the Guarantee of Equal Protection of the Law and The Right to Remedy and Justice. Illinois Bill of Rights has been held invalid by the Illinois Circuit and Appellate Courts as a direct result of the Misconduct allowed in the Permissive Environment created by Chief Justice Anne M. Burke's failure to train and supervise the Judiciary under her auspices. The STATE OF ILLINOIS is currently seeking criminal charges against Carlos Massey to unlawfully impose a 6 year imprisonment for the exercise of a free right as ruled by the United States Supreme Court and THE STATE OF ILLINOIS continues to deny the lawful damages due to Carlos Massey and his family as shown by sworn record before the court. Take Judicial Notice that record before the court shall show that Over Several Years, Markham Courthouse Has Denied Habeas Corpus More Than Four Times And pursuant to The Illinois Compiled Statutes which shows Carlos Massey was to Be Paid \$1000.00 Each Time and the STATE OF ILLINOIS Held that statute invalid. That Carlos Massey Has a Judicial Notice Of Law Showing Markham Courthouse Judges Have Obstructed Justice creating a Tort in court for \$2.9 Million Dollars for Warrantless Seizure Of A Child and Settlement is Lawfully Due to Carlos Massey as well as \$4.9 Million settlement for Unconstitutional Separation of Parent And Child, \$30,000.00 For Dog Shot by Robbins Police, \$500,000.00 For Denial of Surgery To Foot, \$8000.00 For the Unlawful Seizure of Carlos Massey's Black Cadillac, \$9000.00 For Unlawful Seizure of Carlos Massey's Ford Explorer, \$10,000.00 For Unlawful Seizure of Carlos Massey's Chevy Van, \$5000.00 For The Unlawful Seizure of Carlos Massey's Grand Am, \$5000.00 For Unlawful Seizure of the Motorcycle belonging to Carl Swift which Carlos Massey was riding and responsible for As Well As Damages for Unlawful Detainment without Bond or Due Process for over 312 days and then most recently 3.5 years Unlawful Detainment denying Carlos Massey the Care and Compassion of his Blind 104-Year-old Grandmother. In RICO Conspiracy Against Rights, Judges And States Attorney's Continue to Fraudulently Conceal Damages Due As A Direct Result Of the Negligence and Incompetence in Office Being Committed In Pattern And Practice federal crimes of Deprivation of Rights Under the Color of Law. Precedence appears in "Owen

v. City of Independence, "The innocent individual who is harmed by an abuse of governmental authority is assured that he will be compensated for his injury."

Carlos Massey has filed lawful Notice of Intent to file lawsuit upon Governor J. B. Pritzker as well as the Illinois Secretary of State and other State Officials/Officers in violation of Oath of Office, Deprivation of Rights under the Color of Law, RICO Conspiracy Against Rights and Failure to Intervene Infractions. Take Judicial Notice that "Where the state's obligation under section 1983 is determined by tort principles, this remedy is uncomplicated; the state will be liable to the same extent as any tortfeasor. Basing the claim on due process, however, implies a somewhat different remedial approach. In tort law, the state would be fully liable because it had a duty to prevent the injury itself; under the due process clause, the state is obliged only to provide procedures that might have prevented the injury by affording state protection". The law precedent is found in 42 U.S.C. § 1983 (1982) (making the injuring party liable "for redress"); Carey v. Phipps, 435 U.S. 247, 257 (1978) ("damage awards under § 1983 should be governed by the principles of compensation")

Carlos Massey and his Family has suffered these 'Ongoing Legal Wrongs' for several years as Record before this Illinois Supreme Court since 2010 does show, as a direct result from some of the aforesaid State Officials and Officers in Breach of Duty. Breach of Duty is by legal definition described as,

"any act which is in violation of the duties or a trustee or of the terms of a trust. Such a breach need not be intentional or with malice but can be due to negligence." THE STATE OF

ILLINOIS Guarantees in Article 1 Section 12 of the Illinois Constitution that, "Every person

shall find a certain remedy in the laws for all injuries and wrongs which he receives to his person, privacy, property or reputation. He shall obtain justice by law, freely, completely, and promptly" and the aforesaid Officers and Officials have sworn an Oath of Office to Uphold the Illinois Constitution. Take Judicial Notice of Law that, In Article V Section 8, It is made known that "The Governor shall have the supreme executive power and shall be responsible for the faithful execution of the laws", therefore The Illinois Governor Shall be receiving a copy of this



filing before this Illinois Supreme Court to exhaust all remedy before filing in clean hands before the United States District Court.

Carlos Massey has shown on video publicly Violations of the Law established pursuant to United States Codes Title 18 Section 2071 intentionally committed in Pattern and Practice by The Illinois Supreme Court Clerk of Court. To Completely submit procedural history before the Justices of the Supreme Court, Carlos Massey has attached the filings filed before this Supreme Court as well as the Courts under its auspices for review and initiation of investigation. Take Judicial Notice of Law that in *Dioguardi v. Durning*, 139 F.2d 774, 775–76 (2d Cir. 1944), It was found that a pro se litigant's inartfully pleaded complaint was sufficient to withstand dismissal on the face of the complaint.

## **Emergency Motion Doctrine**

Emergency motions are legal applications filed by a party seeking urgent relief from the court in the case of an emergency. Carlos Massey and his Family has been suffering Ongoing Legal wrongs Due to the Fraud Upon the Court being committed by the permissive environment created by the failure to supervise and monitor the misconduct of the inferior Illinois Appellate Court and Illinois Circuit Courts. Emergency review requirements exist due to "Unjustifiable delay in court proceedings, particularly in adjudicating the cases which has had a significant impact and directly caused great damages upon Carlos Massey and his family reflecting adversely on the judicial system. Under Canon 3B(8)of the 1990 model code, a judge is required to "dispose of all judicial matters promptly, efficiently and fairly." Commentary to the 1990 model code reminds judges that "in disposing of matters promptly, efficiently and fairly, a judge must demonstrate due regard for the rights of the parties to be heard."

An emergency is a situation where a party may suffer irreparable harm or injury that cannot be cured or fixed in the future. Carlos Massey Makes Known to the Justices of the Supreme Court and the Governor of the STATE OF ILLINOIS that Carlos Massey and his family has already

suffered great emotional distress and financial damages due to the Fraud Upon the Court committed by the Officers of The Judicial Branch of Government of Illinois as shown by the attached material received September 14, 2017 but now due to the intentional Malicious Prosecution being committed by the Will County Circuit Court Carlos Massey will suffer irreparable harm if the Justices of the Supreme Court does not intervene in the Deprivation of Rights Under the Color of Law. Will County Circuit Court prosecutors is seeking to unlawfully imprison Carlos Massey for Exercising a Constitutional Right in opposition of United Sates Supreme Court rulings, disregarding all applicable law in Conspiracy Against Rights as circumstances will lawfully reflect. The sitting Will County Circuit Court Judge has knowingly disregarded a Illinois Rule 201 Notice of Adjudicative Facts and has issued a warrant for the arrest of Carlos Massey. The aforesaid warrant was issued by Judge Jones whom has not lawfully addressed the filed Challenge of Jurisdiction and is thereby wholly responsible for the intentional tort being committed before the court and the ministerial acts being committed upon the bench in Violation of United States Codes Title 18 Section 242.

### **Prayers For Relief**

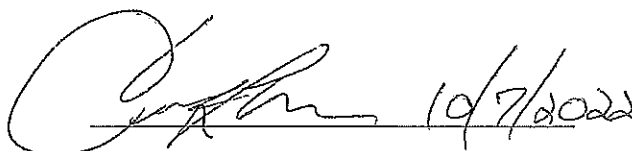
Carlos Massey comes again before the Illinois Supreme Court to receive the Human Right to Equal Protection of the Law and Pursuant to the STATE OF ILLINOIS Guarantee of Equal Protection of the Law and requests this Court to Uphold Section 12 of the Illinois Constitutional Right to Remedy and Justice by Granting the following Lawfully Requested Relief;

1. Issue a Supervisory Order to the Will County Circuit Court to Lawfully Respond on Record and provide copies of said response to Carlos Massey who the filed the attached 'Challenge of Jurisdiction', 'Motion to Compel' and the Supreme Court rule .201 'Judicial Notice of Adjudicative facts' and immediately quash any and all warrants placed for the appearance of Carlos Massey until the alleged misconduct of the court has been reviewed by the Supervisory Court Justices of the Illinois Supreme Court.
2. Admit to the facts presented in the attached Affidavit of Truth Filed Before the Illinois Secretary of State or rebut point for point the facts made known to the Supreme Court of

Illinois and serve Carlos Massey a copy thereof, complete with Judicial Signature and Clerk of Court Certification.

3. Immediately address the law pertaining to the four times Carlos Massey lawfully applied for Habeas Corpus rights and was unlawfully denied, therefore by law, Carlos Massey is entitled to \$1000.00 dollars for each occurrence.
4. Vacate all of the Fraudulent Unjust Orders from the court record of Carlos Massey as provided in 735 ILCS 5/2-1401.
5. Set this Case for Mediation for the Gross Injuries incurred, and Damages delayed as a direct result of the failure and negligence of the courts to perform the duty as mandated by rulings from the United States Supreme Court. Cease and desist the current Denial of Justice.

Take Final Judicial Notice of Law that, "United States Code, Title 28, §476(a)(3) has a "novel process of making public the names of judges" who let cases go too long without decisions or judgment. Reports must be filed if motions and trials are in submission and have been pending more than six months without decision; and cases that have not been ended within three years of filing" and the issues brought forth has been before this court since 2010. The principle is deep in our jurisprudence and was stated long ago in Mitchell v. Overman ... "The rule established by the general concurrence of the American and English courts is, that where the delay in rendering a judgment or a decree arises from the act of the court, that is, where the delay has been caused either for its convenience, or by the multiplicity or press of business, either the intricacy of the questions involved, or of any other cause not attributable to the laches of the parties, the judgment or the decree may be entered retrospectively, as of a time when it should or might have been entered up. In such cases, upon the maxim actus curiae neminem gravabit, which has been well said to be founded in right and good sense, and to afford a safe and certain guide for the administration of justice,-it is the duty of the court to see that the parties shall not suffer by the delay. A nunc pro tunc order should be granted or refused, as justice may require in view of the circumstances of the particular case.'

  
Carlos Massey, Individual Citizen, Sui Juris

VERIFICATION

STATE OF ILLINOIS

SS. AFFIDAVIT JURAT

COUNTY OF COOK

I, Carlos Massey, pursuant to title 28, USC Section 1746 (1) and executed "Without the United States," I affirm under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct, to the best of my belief and informed knowledge.

Signed on this 10 day of October 7, 2022, by the undersigned authority:

Carlos Massey/Affiant

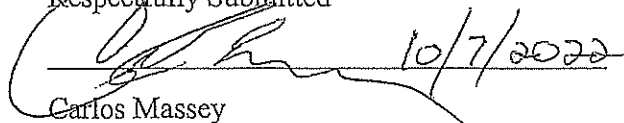


CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been furnished by US Mail to: The Clerk of the Circuit Court of Cook County, 50 W Washington-suite1001, Chicago, Illinois, 60602; the Cook County State Attorney's Office, 69 W. Washington, Chicago, Illinois 60602; the Office of the Illinois Attorney General, 500 South Second st., Springfield, Illinois, 62701; the Illinois Secretary of State, 213 State Capital, Springfield, Illinois 62756; The US Department of Justice 950 Pennsylvania Ave., NW Washington, DC 20530 ; the US Department of Transportation, 1200 New Jersey, SE Washington, DC. 20590; The United States District Court, Illinois Northern District, 219 S. Dearborn, Chicago, Illinois; The Illinois Supreme Court, 200 E. Capital, Springfield, Illinois 62701, Joe Biden White House 1600 Pennsylvania Ave NW, Washington, DC 20006 And Sent To The Person Lawfully Responsible For The Faithful Execution of the Law In Illinois, Governor J. B. Pritzler

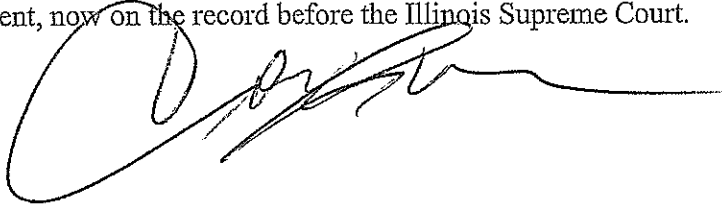
on this 10 day of October 7, 2022.

Respectfully Submitted

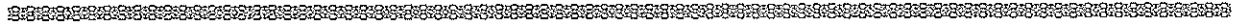


Carlos Massey

Carlos Massey, Sui Juris, who has firsthand knowledge of all of the facts enumerated within this Filing, placed his full Commercial Liability on the record and made his common law claim to the Libellees for damages and settlement, now on the record before the Illinois Supreme Court.

A handwritten signature in black ink, appearing to read 'Carlos Massey', with a long horizontal flourish extending to the right.

**VERIFICATION ON OATH OR AFFIRMATION**



State of Illinois  
County of COOK } ss.

Subscribed and sworn to (or affirmed) before me

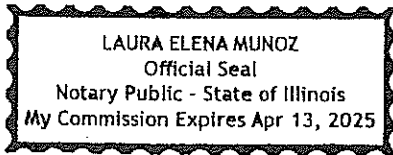
this 7<sup>th</sup> day of October, 2022, by  
Day Month Year

Carlos Massey  
Name of Signer No. 1

N/A  
Name of Signer No. 2 (if any)

[Signature]  
Signature of Notary Public

Apr. 13, 2025  
Any Other Required Information  
(Residence, Expiration Date, etc.)



Place Notary Seal/Stamp Above

**OPTIONAL**

*Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.*

**Description of Attached Document**

Title or Type of Document: Affadavit

Document Date: 10-07-2022 Number of Pages: 11

Signer(s) Other Than Named Above: N/A

**IN THE  
SUPREME COURT OF THE STATE OF ILLINOIS**

|                              |   |                             |
|------------------------------|---|-----------------------------|
| <b>THE PEOPLE OF</b>         | ) |                             |
| <b>THE STATE OF ILLINOIS</b> | ) | <b>case no. M.D. 013968</b> |
|                              | ) |                             |
| <b>V.</b>                    | ) |                             |
|                              | ) |                             |
| <b>Carlos Massey</b>         | ) |                             |
| <b>(Affiant)</b>             | ) |                             |

**Affidavit of Truth in Commerce  
And Claim For Damages**

Now comes the Affiant, Carlos Massey, Private Individual Citizen, Sui Juris, protected by the Section 4 Clause 1 Obligation of the United States, who happens to be a Disabled Marine Veteran and who has firsthand knowledge of all of the facts enumerated within this Affidavit Now Filed before The Illinois Supreme Court. Carlos Massey makes this common law claim for damages, compounding now in excess of ten million silver dollars, makin KNOWN that he has suffered these Damages over \$20 Dollars and Protected by The Guarantees of the 7th Amendment, as a result of Illinois Corporate Public Servant Employees maintaining silence to written Affidavits, Petitions, Motions and other communication. The courts have found such SILENCE to be FRAUD, when there is a duty to speak, and be accountable, as required by Section 2 Illinois Bill of Rights. Other unlawful acts perpetrated by Illinois Corporate Employees acting under "color of law" are all enumerated in the several ignored Affidavits filed before the Court and before the Offices of the named corporate public servants. Carlos Massey makes demand for prosecution and enforcement of law upon all the public servants named and un named co-conspirators in this Affidavit and those Affidavits filed with the Secretary of State and Illinois State and Federal Courts shown in the exhibits attached.

This Affidavit is filed pursuant 18 USC 4 and by the authority of Section 2 Illinois Bill of Rights, and U.S. v. Kis, 658 F.2d 526, (7th Cir. 1981) "Indeed, no more than that, [Affidavit] is necessary to make the prima facie case." Id at 536. The 14<sup>th</sup> Amendment of the United States Bill of Rights is the authority for the instructions and Information demanded by this Affidavit which is in the nature of Claim, 42 USC 1983, 42 USC 1985(3), 42 USC 1988 (a) (b). and nature of Quo Warranto; Ames v. Kansas, 111 U.S. 449; All Libellees are encouraged to study this AFFIDAVIT thoroughly and carefully before making any counter Affidavit This is a lawful NOTICE. It informs you. It means what it says, and says what it means. Note, vicarious liability

imposes liability on one person for a tortious act committed by another for which all libellees are at risk. There are a number of contexts expressed in this instrument in which this joint and several liabilities arise and SILENCE to such revelations is FRAUD.

“US Supreme Court held that state officials acting by ”color of law” may be held personally liable for the injuries or torts they cause and that official or sovereign immunity may not be asserted.”; Scheuer v. Rhodes, 416 US 232 (1974), 94 S. Ct. 1683, 1687 (1974), “When a state officer acts under a state law in a manner violative of the Federal Constitution, he comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. The State has no power to impart to him any immunity from responsibility to the supreme authority of the United States.”; Warnock v Pecos County, Texas, 116 F. 3d 776 – No.96-50869 Summary Calendar. July 3, 1997.

This Affidavit is an offer and agreement with instructions for the libellees to perform their duty, obey their Oaths of Office and enforce the laws of this state. The wrong doers must be prosecuted. Specifically, corporate employee Michelle Pitman, a public servant and her fellow co-conspirators who have committed the criminal Tort of CONVERSION; She is guilty of violating 18 USC 241 & 242 among other statutes. The breached fiduciary duty arises from and is in consequence of the silence and bad faith of all subordinate municipal public servants ignoring their fiduciary duty, which includes, non-performance, nonfeasance, and refusal to be accountable to the Illinois Bill of Rights and by their deliberate and collective silence to Affidavits filed, by this Affiant and recorded with the Secretary of State. These facts remove all controversy from the matter at hand, thus meaning there is no longer any recourse to a court of law since this Affidavit is a PRIMA FACIE CASE. This Affidavit addresses the crimes and violation of OATHS of all subordinate public servants acting under the Illinois Supreme Court Judges’ supervision and includes specifically, all identified in the Affidavits by their ignoring their moral and fiduciary duty. The following stare decisis apply; Hafer v. Melo, 502 US 21 (1991): “US Supreme Court held that state officials acting by color of law” may be held personally liable for the injuries or torts they cause and that official or sovereign immunity may not be asserted.” **It is stipulated that all exhibits, ESPECIALLY THE LAWFUL FILINGS SUBMITTED DIRECTLY BEFORE THIS ILLINOIS SUPREME COURT SHOWING THIS COURT HAD KNOWLEDGE AND CAST A BLIND EYE TO THE ISSUES WHICH IS TO BE BROUGHT FORTH IMMEDIATELY ADDRESSED DUE TO THE PREVIOUS FAILURE TO PERFORM MANDATORY DUTIES AND NEGLIGENCE is the DIRECT CAUSE of the ONGOING LEGAL WRONG AND DAMAGES CURRENTLY BEING INCURRED AND DISPUTE TO THE MATERIAL SHOWN FILED OR FACTS BROUGHT FORTH THEREIN ARE TO BE RESPONDED TO WITHIN 30 WORKING DAYS IN WRITTEN REBUTTAL. The attached MATERIAL is to be understood as being incorporated herein as if written within this affidavit verbatim.**

The following facts are itemized point for point and in the pure Maxims of Laws of Commerce, the eternal and unchanging principles are;

1.) -A WORKMAN IS WORTHY OF HIS HIRE. Exodus 20:15; Lev. 19:13; Mat. 10:10;



Luke 10:7; II Tim. 2:6. Legal maxim: "It is against equity for freemen not to have the free disposal of their own property."

2.) - ALL ARE EQUAL UNDER THE LAW. "Equality before the law" Exodus 21:23-25; Lev. 24: 17-21; Deut. 1:17, 19:21; Mat. 22:36-40; Luke 10:17; Col. 3:25. "No one is above The Law".

3.) - IN COMMERCE TRUTH IS SOVEREIGN. (Exodus 20:16; Ps. 117:2; John 8:32; II Cor.13:8 )."Truth Rules, Your Word is your Bond".

4.) - TRUTH IS EXPRESSED BY FORM OF AN AFFIDAVIT. (Lev. 5:4- 5; Lev. 6:3-5; Lev. 19:11-13; Num. 30:2; Mat. 5:33; James 5: 12)

5.) - AN UNREBUTTED AFFIDAVIT STANDS AS TRUTH IN COMMERCE. (12 Pet.1:25; Heb. 6:13-15;) Affidavit is the highest form of truth. Legal Maxim: "He who does not deny, admits."

6.) - AN UNREBUTTED AFFIDAVIT BECOMES THE JUDGMENT IN COMMERCE. (Heb. 6:16 17. Nihil Dicit

7.) - IN COMMERCE FOR ANY MATTER TO BE RESOLVED MUST BE EXPRESSED. (Heb. 4:16; Phil. 4:6; Eph. 6:19-21). Legal Maxim: "He who fails to assert his rights has none."

8.) - HE WHO LEAVES THE BATTLEFIELD FIRST LOSES BY DEFAULT Mat. 10:22; Legal Maxim: "He who does not repel a wrong when he can, occasions it".

9.) - SACRIFICE IS THE MEASURE OF CREDIBILITY (NO WILLINGNESS TO SACRIFICE = NO LIABILITY, RESPONSIBILITY, AUTHORITY OR MEASURE OF CONVICTION). (Acts 7, life/death of Stephen), Legal Maxim: "He who bears the burden ought also to derive the benefit".

10.) - SATISFACTION OF A LIEN (Gen. 2-3; Mat. 4:). In commerce a lien or claim can be satisfied by rebutting the affidavit, with a counter affidavit, point by point. It is stipulated that in case of non-resolution, doctrine of estoppel will automatically prevail. If non-payment is encountered, the Sheriff will convene a common law jury, based on the Seventh Amendment, concerning a dispute involving a claim of more than \$20.00. The only other way to satisfy a lien is to pay it.

Rebuttal Issue Challenges to Be Answered By The Illinois Supreme Court Justices;

#### Issue#1

Carlos Massey, the affiant, Makes Known and States as Facts to be Rebutted, that Carlos Massey, Shiretta Massey, Loretta Massey and Bernice Webb, have all suffered damages as a direct result by the failure of the ILLINOS SUPREME COURT to uphold the Supreme Law of the Land as Prescribed by the United States Constitution Supremacy Clause. The **Judiciary of Illinois is the unified court system of Illinois responsible for applying the Constitution and law of Illinois.** It consists of the Supreme Court, Appellate Court, and circuit courts. **The Supreme Court oversees the administration of the court system.** **Vicarious liability** is a form of a strict, secondary liability that arises under the common law doctrine of agency, respondeat superior, the responsibility of the superior for the acts of their subordinate or, in a broader sense, the responsibility of any third party that had the "right, ability or duty to control" the activities of a violator. It can be distinguished from contributory liability, another form of secondary liability, which is rooted in the tort theory of enterprise liability because, unlike contributory infringement, knowledge is not a requirement to be met. Made Known Before the Justices of the Supreme Court, Carlos Massey, the Private Individual Citizen, has the Right to Stand Upon the

Rights Guaranteed in the United States Constitution to which the Justices of the Illinois Supreme Court Are Bound By. In the United States Supreme Court ruling in "Hale V. Henkel, 201 U.S. 43 (1906)" it was determined that, "The individual may stand upon his constitutional rights as a citizen. He is entitled to carry on his private business in his own way. His power to contract is unlimited. He owes no duty to the State or to his neighbors to divulge his business, or to open his doors to an investigation, so far as it may tend to criminate [sic] him. He owes no such duty to the State, since he receives nothing therefrom beyond the protection of his life and property. His rights are such as existed by the law of the land long antecedent to the organization of the State, and can only be taken from him by due process of law, and in accordance with the Constitution. Among his rights are a refusal to incriminate himself and the immunity of himself and his property from arrest or seizure except under a warrant of the law. He owes nothing to the public so long as he does not trespass upon their rights." Sole Jurisdiction exists due to Fraud Upon The Court committed by Illinois Appellate Court that Denied Carlos Massey's Human Right Equal Protection of the Law and allowed Illinois Circuit Courts to convict Carlos Massey by the use of mental and physical torture as well as violations of Illinois Bill of Rights that Guarantee Bail. The Previous Willful Negligence of the ILLINOIS SUPREME COURT to lawfully grant United States Constitutional Habeas Corpus Guarantees and address the Deprivations of Rights Under the Color of Law and Conspiracy Against the Rights of Carlos Massey, Shiretta Massey, Jannet' Massey and Bernice Webb is now directly the cause of the current ongoing legal wrongs and Breach of Trust violations committed under Quid Pro Quo contracts created by Oaths of Office and acceptance of salary. The Affiant, Private Individual Citizen, Carlos Massey NOW Claims The 7<sup>th</sup> Amendment Rights Guaranteed by The United States Constitution to Settle the Damages Caused by the STATE OF ILLINOIS CORPORATION acts in violation of the Articles of Incorporation.

## Issue #2

Carlos Massey, the affiant, Makes Known and states as fact to be rebutted, that "Notice of Intent to File Commercial Lien" Has been Filed in this Court Record against Several Judges and Illinois Corporate State Officials whom have all swore an Oath of Office AND CORRESPONDED with Carlos Massey in these matters before the Court yet has not provided Honest Services nor followed the Illinois State Employee Ethics Act which required the officials to report the misconduct shown on record. Issue Carlos Massey, the affiant, Makes Known and states as fact to be rebutted, that J.B. Pritzker is the current Illinois Governor who is responsible for the faithful execution of the law and prior to his recent election, \$13.00+ worth of certified mail showing crimes against the United States Constitution, Illinois Compiled Statutes and Humanity was sent to his office as C.C.D.O.C. mailroom records will reflect. Upon receiving this currently filed material, which shows that Michelle Pitman committed ADA violations, and unlawfully forfeited \$500.00 Bond and had an unlawful warrant issued for Carlos Massey arrest on September 20, 2018 allegedly for missing court when there are filmed witnesses which show the court date was the 21<sup>st</sup> of September. On September 26, 2018 Michelle Pitman gave Carlos Massey an Unconstitutional \$40,000.00 Bond which Carlos Massey could not Afford, but when brought to the attention of the Court Carlos Massey had been on house arrest and in custody almost three years and was entitled to release under category B Bond, Michelle Pitman had Carlos Massey brought to court on the 22 instead of his court date on the 23 of October, and she PLACED A NO BOND ON CARLOS MASSEY WHO HAD ALREADY NEARLY SERVED

TWICE THE SENTENCE FOR CLASS 4, IN VIOLATION OF LAW AND PURSUANT TO SECTION NINE ILLINOIS BILL OF RIGHTS. Michelle Pitman committed Acts of Treason by denying Carlos Massey the 6<sup>th</sup> amendment right to have assistance of counsel in his defense and this overt act was witnessed by Kash Jackson, Lex Anderson and Bryant Jackson. The Governor and Illinois Attorney General are now invoked to conduct an immediate investigation to verify all the facts enumerated in this Affidavit and all Affidavits filed with the Secretary of State by this Affiant, convene a Grand Jury to present the verified facts and upon receipt of a "True Bill", prosecute all co-conspirators and wrong doers.

**Issue #3**

Carlos Massey, the affiant, Makes Known and states as fact to be rebutted, that the Presiding Judge Tommy Brewer gave Carlos Massey a court date for January 22, 2019 after persistent resistance from his secretary and Carlos Massey appeared in court and the aforesaid ALLEGED Presiding Judge refused to hear all the filings even after having been shown documentation showing Carlos Massey had been threatened to be murdered in his sleep. This alleged Presiding judge had KNOWLEDGE by the supporting documentation Carlos Massey had been denied medical attention, denied the right to bond and denied DUE PROCESS RIGHTS by the violations of Cook County Circuit Court Rules 2,2, 2.3, refusal to hear filings since June 2018, as well as this same said alleged Presiding judge had responsibility to know by reasonable knowledge standards Michelle Pitman did not have jurisdiction over Carlos Massey and yet proceeded to act in Conspiracy Against Rights, as can inferred by the circumstances, and Failed to Lawfully Intervene in the Violations of Civil Rights which is in violation of 720 ILCS 5/33-3.

**Issue #4**

Carlos Massey, the affiant, Makes Known and states as fact to be rebutted, that; Silence, fraud, and judicial fraud "Silence can only be equated with fraud where there is a legal or moral duty to speak or where an inquiry left unanswered would be intentionally misleading". . . . 24. See *United States v. Scalfani* 265 F.2d 408(2d Cir.), cert. den.,360 U.S. 918, 79 S.Ct. 1436, 3L.Ed.2d 1534 (1959); c.f., *Avery v. Clearly*, 132U.S. 604, 10 S.Ct. 220, 33 L.Ed. 469 (1890); *Atilus v. United States*, 406 F.2d 694, 698 (5th Cir. 1969); *American Nat'l Ins. Co., etc. v. Murray*, 383 F.2d 81 (5th Cir. 1967)." *United States v. Prudden*, 424 F.2d 1021 (5th Cir. 1970). "Fraud in its elementary common law sense of deceit — and this is one of the meanings that fraud bears in the statute," see *United States v. Dial*, 757 F.2d 163, 168 (7th Cir.1985) — includes the deliberate concealment of material information in a setting of fiduciary obligation. A public official is a fiduciary toward the public, including, in the case of a judge, the litigants who appear before him, and if he deliberately conceals material information from them, he is guilty of fraud. . . ." Justice Stevens (dissenting) in *McNally v. United States*, 483 U.S. 350, 371 (1987), quoting Judge Posner in *United States v. Holzer*, 816 F.2d 304 (1987). Ongoing silence of all the corporate municipal employees all named as corporate public servants in the several Affidavits recorded by Secretary of State, are guilty of FRAUD and demand is made for prosecution.

**Issue #5**

Carlos Massey, the affiant, Makes Known and states as fact to be rebutted, that Michelle Pitman rescinded another judge's orders which was to provide care for his blind 101 year old blind, Grandmother because he appeared on the news to expose the corruption and racial profiling as shown on Channel 5 Investigates May 19, 2016, in the Markham area, which directly caused criminal neglect to the handicapped or disabled.

**Issue #6**

Carlos Massey, the affiant, Makes Known and states as fact to be rebutted, that Carlos Massey lawfully submitted MULTIPLE Complaints pursuant to 725 ILCS 107-9 and Michelle Pitman did not put Carlos Massey upon the bench and swear the complaint in or hear the complaint pursuant to law which was Official Misconduct and Obstruction of Justice.

#### **Issue #7**

Carlos Massey, the affiant, Makes known and states as fact to be rebutted, that Michelle Pitman was aware and is inferred to be in 'Conspiracy Against Rights' with Joseph Claps who issued a warrant unlawfully and had Carlos Massey picked up on December 2, 2016 holding Carlos Massey under No bond even after several requests for habeas corpus, directly responsible for the infliction of emotional distress of missing Christmas with his blind elderly Grandmother and not getting released until January 14<sup>th</sup>, 2017 where on January 17<sup>th</sup>, 2017 Michelle Pitman tried to force Carlos Massey to trial even though having reasonable knowledge that I had not had opportunity to prepare for trial because Joseph Claps had unlawfully detained Carlos Massey, stating either I go to trial or she was removing my house arrest, where she then detained me in custody of Cook County jail until November when I was able to get released from detention of C.C.D.O.C. by the Chief Judge orders demanding constitutional bail orders in September 2017. Michelle Pitman did not hear the Complaint Carlos Massey filed against Joseph Claps for removing from the record of the clerk of court on May 8, 2017 that Carlos Massey filed May 3<sup>rd</sup>, 2017. Removing records from the clerk of court is a federal crime under title 18 USC 2701 stating, "whoever willfully and unlawfully conceals, removes, mutilates, obliterates, or destroys, or attempts to do so, or, with intent to do so takes and carries away any record, proceeding, map, book, paper, document, or other thing, filed or deposited with any clerk or officer of any court of the United States, or in any public office, or with any judicial or public officer of the United States, shall be fined under this title or imprisoned not more than three years, or both". Carlos Massey Makes known records were removed by the Bailiffs of Michelle Pitman courtroom 103 unlawfully took custody of Carlos Massey's property and Legal Case Documentation and material which was not turned over to the First District Illinois Appellate Court.

#### **Issue #8**

Carlos Massey, the affiant, Makes Known and states as fact to be rebutted that the same 'Judicial Notice of Law' filed which has been filed before multiple judges, Congressman Bobby Rush, Senator Dick Durbin, Mark Kirk, Barrack Obama and the previous Markham Presiding judge Margorie Laws has been FRAUDULENTLY CONCEALED and the Damages where once again brought before the Court and are filed on record which Michelle Pitman DENIED THE STATES ATTORNEY TO SHOW AN ADMISSION OF FACTS AND GENUINENESS OF DOCUMENTS filed pursuant to Illinois Supreme Court Rule 216. November 14<sup>th</sup>, 2018 'Petition for Review of Supreme Court Rule 216 Motion' was submitted as exhibit #7 before the alleged Presiding Judge Tommy Brewer on January 22, 2019 who did not perform the sworn duty of a judge to protect Carlos Massey's Constitutional Rights.

#### **Issue #9**

Carlos Massey, the affiant, Makes Known and states as fact to be rebutted that the Justices of the Illinois Supreme Court Whom Has Not Addressed the same damages and issues which has brought this case before the court since 2005 and the ongoing legal wrongs which has also been before Northern Illinois District Court, Illinois 1st District Appellate Court and The 7<sup>th</sup> Circuit United States Court Of Appeals as well as the Administrative Office Of United States Courts and The Senate Judiciary Committee whom all have in R.I.C.O. Conspiracy Against Rights by the

members of the Illinois B.A.R. Association Attorneys that refused to answer to the filings submitted to the perspective Offices and has refused to provide representation on the issues Carlos Massey has filed before the court. Carlos Massey cites as truth in currently adjudicated caselaw that, “Regardless of what decision it might ultimately have reached on the merits of the Question Presented, decisions of this Court dating back to the dawn of our Republic make clear that the course chosen by the Indiana Supreme Court—declining to address a fairly raised and fully preserved defense grounded in the Eighth and Fourteenth Amendments to the U.S. Constitution—was indefensibly wrong. Indeed, as Chief Justice Marshall explained in *Marbury v. Madison*: [I]f a law be in opposition to the constitution; if both the law and the constitution apply to a particular case, so that the court must either decide that case conformably to the law, disregarding the constitution; or conformably to the constitution, disregarding the law; the court must determine which of these conflicting rules governs the case. This is of the very essence of judicial duty. *Marbury*, 5 U.S. at 178. The Indiana Supreme Court failed to honor this principle.” (Case no. 17-1091 United States Supreme Court 09/12/2018)

#### **Issue #10**

Carlos Massey, the affiant, Makes Known and cites as truth in law to be rebutted that “...The Oath of office is a quid pro quo contract of [U.S. Const. Art. 6, Clauses 2 and 3, *Davis Vs. Lawyers Surety Corporation*, 459 S.W. 2nd. 655, 657., *Tex. Civ. App.*] in which clerks, officials, or officers of the government pledge to perform (Support and uphold the United States and state Constitutions) in return for substance (wages, perks, benefits). Proponents are subjected to the penalties and remedies for Breach of Contract, Conspiracy of [Title 18 U.S.C., Sections 241, 242]. Treason under the Constitution at Article 3, Section 3., and Intrinsic Fraud of [*Auerbach v Samuels*, 10 Utah 2nd. 152, 349 P. 2nd. 1112,1114. *Alleghany Corp v Kirby*., D.C.N.Y. 218 F. Supp. 164, 183., and *Keeton Packing Co. v State*., 437 S.W. 20, 28]. Refusing to live by their oath places them in direct violation of their oath, in every case. Violating their oath is not just cause for immediate dismissal and removal from office, it is a federal crime. Federal law regulating oath of office by government officials is divided into four parts along with an executive order which further defines the law for purposes of enforcement. 5 U.S.C. 3331, provides the text of the actual oath of office members of Congress are required to take before assuming office. 5 U.S.C. 3333 requires members of Congress sign an affidavit that they have taken the oath of office required by 5 U.S.C. 3331 and have not or will not violate that oath of office during their tenure of office as defined by the third part of the law, 5 U.S.C. 7311 which explicitly makes it a federal criminal offense (and a violation of oath of office) for anyone employed in the United States Government (including members of Congress) to “advocate the overthrow of our constitutional form of government”...”] Carlos Massey also makes Known Congressman Bobby Rush Has the stamped received ‘Judicial Notice of Law’ Showing the Fraud Upon The Court, Treason And Damages Including the ‘Unconstitutional Separation of Parent and Child’ and ‘Warrantless Seizure of Children’ which occurred as a direct result of Markham 6<sup>th</sup> District Municipal Courthouse Judges and Cook County Courts Negligence and Misconduct.

#### **Issue #11**

Carlos Massey, the affiant, Makes Known and states as truth in law that “A municipality has no immunity from liability under § 1983 flowing from its constitutional violations, and may not assert the good faith of its officers as a defense to such liability. Pp. 445 U. S. 635-658.

(a) By its terms, § 1983 "creates a species of tort liability that, on its face, admits of no immunities." *Imbler v. Pachtman*, 424 U. S. 409, 424 U. S. 417. Its language is absolute and unqualified, and no mention is made of any privileges, immunities, or defenses that may be asserted. Rather, the statute imposes liability upon "every person" (held in *Monell v. New York City Dept. of Social Services*, 436 U. S. 658, to encompass municipal corporations) who, under color of state law or custom,

"subjects, or causes to be subjected, any citizen of the United States . . . to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws."

And this expansive sweep of § 1983's language is confirmed by its legislative history. Pp. 445 U. S. 635-636.

Page 445 U. S. 623

(b) Where an immunity was well established at common law and where its rationale was compatible with the purposes of § 1983, the statute has been construed to incorporate that immunity. But there is no tradition of immunity for municipal corporations, and neither history nor policy supports a construction of § 1983 that would justify the qualified immunity accorded respondent city by the Court of Appeals. Pp. 445 U. S. 637-644.

(c) The application and rationale underlying both the doctrine whereby a municipality was held immune from tort liability with respect to its "governmental" functions but not for its "proprietary" functions, and the doctrine whereby a municipality was immunized for its "discretionary" or "legislative" activities but not for those which were "ministerial" in nature, demonstrate that neither of these common law doctrines could have been intended to limit a municipality's liability under § 1983. The principle of sovereign immunity from which a municipality's immunity for "governmental" functions derives cannot serve as the basis for the qualified privilege respondent city claims under § 1983, since sovereign immunity insulates a municipality from unconsented suits altogether, the presence or absence of good faith being irrelevant, and since the municipality's "governmental" immunity is abrogated by the sovereign's enactment of a statute such as § 1983 making it amenable to suit. And the doctrine granting a municipality immunity for "discretionary" functions, which doctrine merely prevented courts from substituting their own judgment on matters within the lawful discretion of the municipality, cannot serve as the foundation for a good faith immunity under § 1983, since a municipality has no "discretion" to violate the Federal Constitution. Pp. 445 U. S. 644-650.

(d) Rejection of a construction of § 1983 that would accord municipalities a qualified immunity for their good faith constitutional violations is compelled both by the purpose of § 1983 to provide protection to those persons wronged by the abuse of governmental authority and to deter future constitutional violations, and by considerations of public policy. In view of the qualified immunity enjoyed by most government officials, many victims of municipal malfeasance would be left remediless if the city were also allowed to assert a good faith defense. The concerns that justified decisions conferring qualified immunities on various government officials -- the injustice, particularly in the absence of bad faith, of subjecting the official to liability, and the danger that the threat of such liability would deter the official's willingness to execute his office effectively -- are less compelling, if not wholly inapplicable, when the liability of the municipal

entity is at issue. Pp. 445 U. S. 650-656. 589 F.2d 335, reversed.

#### **Issue #12**

Carlos Massey Makes Known That Markham 6<sup>th</sup> Municipal District Cook County Court Has Caused Carlos Massey, Bernice Webb, Shiretta Massey and Jannet' Massey Grievous and Irreparable Damages including, Loss of Property, Loss of Companionship, Alienation, Un Constitutional Separation of Parent And Child, Warrantless Seizure of Children, Unlawful detention, Intentional Infliction of Emotional Distress, ADA Violations, Torture/Physical Damages and Property Losses and Michelle Pitman DID IN FACT IGNORE FILINGS which showed these Constitutional violations which is directly Depriving Carlos Massey Rights Under the Color of Law which is an undeniable violation of federal criminal statute. Under Illinois Legal Guidelines an omission to act can be a criminal act, but CRIMINAL LIABILITY ATTACHES PURSUANT TO THE ILLINOIS COMPILED STATUTES for Having Knowledge, Intent, Recklessness and in some instances NEGLIGENCE. Michelle Pitman Knowingly and Intentionally denied a filed Motion to Disclose, which is an Illinois Supreme Court Rule 412 made Known in the motion. This Violates both 'Brady' and 'Agurs' and deprives Carlos Massey Substantive Due Process Rights and the ability to prepare for a trial, the Presiding judge Tommy Brewer has become Party after the Fact to these criminal acts and is liable for damages aiding and abetting Michelle Pitman whom he knowingly attempted to have rule over Carlos Massey when he was required by reasonable knowledge standards to recuse Michelle Pitman from Carlos Massey's case for lack of jurisdiction.

#### **Issue #13**

Carlos Massey, the affiant, Makes Known and states as fact to be rebutted that on December 15, 2015 'Constructive Notice of Right To Travel' WAS FILED BEFORE THE STATES ATTORNEYS OFFICE AND CLERK OF COURT, trespass was given Notice and Common Law Jurisdiction has been DEMANDED. Carlos Massey Makes Known the plea made on November 14<sup>th</sup>, 2018 was void and a plea cannot be made to a crime that did not exist and as established pursuant to Illinois Appellate Court rulings in 'People V. Relerford', 'Mens Rea' must be met as a requirement of Due Process of Law,' and Carlos Massey was lawfully relying on the decisions of the Supreme Court as shown is the Motion to Dismiss and Supporting Brief filed before the court as well as the unanswered FILED CONSTRUCTIVE NOTICE, therefore there is NO CRIME TO BE CHARGED LAWFULLY for the free Exercise of an Established Right. On 01-22-2019, Carlos Massey filed an 'Affidavit to Invoke the Right to Travel' before the Presiding Judge of Markham 6<sup>th</sup> Municipal District Cook County Court and before the parties shown on page 7 of said instrument including the Secretary of State, only the United States District Court Clerk responded stating, "that the wrong heading was on the sent filing" and the Clerk took that as an excuse to ignore the copy of the Circuit Court filed 'Affidavit of Truth' Showing Misconduct and violations of United States Codes including 18 USC 2071. Carlos Massey makes known that ALL OF THE RESPONDENTS WHOM HAS FAILED TO REBUTT THE AFFIDAVIT, SHALL BE NAMED IN LIABILITY CLAIMS ARISING FROM ANY STATE CORPORATE PUBLIC EMPLOYEE INTERFERENCE OF FUTURE RIGHT TO TRAVEL ENCOUNTERS.

This affidavit is stipulated to be accurate and unconditionally proved if not countered by Affidavit with documented proof, point for point by the Justices Of The Supreme Court and all Libellees Named in the PREVIOUSLY filed 'Notice of Intent to File Commercial Lien' within

30 days from the date Filed stamped by the Secretary of State office. Any rebuttal must be addressed to the Secretary of State's office for acceptance and recording. Silence will be Nihil Dicit judgment by acquiescence, and refusal to perform. Such Silence will prove the acceptance, admission and confession of the facts and truth herein expressed. Estoppels will automatically toll and prevail. This Affidavit consists of 12 pages plus exhibits and is made in Good faith, without ill will, vexation or frivolity. All rights Reserved ~~None waived~~.

 10/20/2022  
Carlos Massey, Private Individual Citizen,

Sui Juris, Affiant

VERIFICATION


STATE OF ILLINOIS

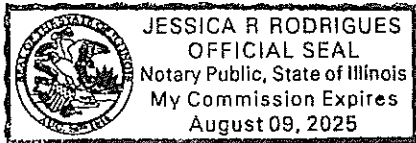
SS. AFFIDAVIT

COUNTY OF COOK

I, Carlos Massey, pursuant to title 28, USC Section 1746 (1) and executed "Without the United States," I affirm under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct, to the best of my belief and informed knowledge.

Signed on this 10 day of October <sup>CLM</sup> 2022, by the undersigned authority:

 10/20/2022



State of IL County of COOK  
The foregoing instrument was acknowledged before me  
this 20 day of October, 2022.  
by Jessica R. Rodrigues Notary Public  
My Commission Expires August 9, 2025



Carlos Massey/Affiant

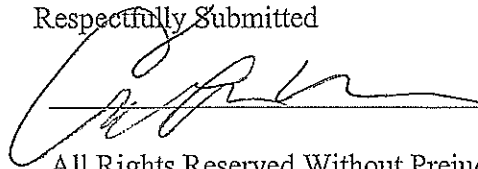
All Rights Reserved Without Prejudice  
U.C.C. 1-207/1-308, U.C.C. 1-103

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been furnished by US Mail to: The Clerk of the Circuit Court of Cook County, 50 W Washington-suite1001, Chicago, Illinois, 60602; the Cook County State Attorney's Office, 69 W. Washington, Chicago, Illinois 60602; the Office of the Illinois Attorney General, 500 South Second st., Springfield, Illinois, 62701; the Illinois Secretary of State, 213 State Capital, Springfield, Illinois 62756; The US Department of the Treasury, 1500 Pennsylvania Avenue, NW Washington, DC 20220; the US Department of Transportation, 1200 New Jersey, SE Washington, DC. 20590; The United States District Court, Illinois Northern District, 219 S. Dearborn, Chicago, Illinois; and The Illinois Supreme Court, 200 E. Capital, Springfield, Illinois 62701.

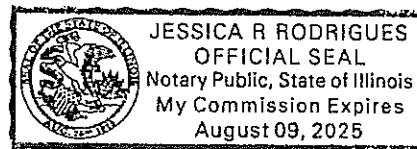
on this 10 day of October, 2022 <sup>CLM</sup>

Respectfully Submitted

 10/20/2022

Affiant/, Carlos Massey

All Rights Reserved Without Prejudice;  
U.C.C. 1-207/1-308, U.C.C. 1-103.



State of IL County of COOK

The foregoing instrument was acknowledged before me  
this 20 day of October, 2022.

by \_\_\_\_\_  
Jessica R. Rodrigues Notary Public  
My Commission Expires August 9, 2025

August 30, 2017

Carolyn Toft Grasball Clerk of Court  
Supreme Court of Illinois  
Supreme Court Building  
200 East Capitol Avenue  
Springfield, Illinois 62701-1721

RECEIVED

SEP 14 2017

CLERK  
SUPREME COURT

Carlos Massey # 20160103100  
Division 2 Dorm 2 M-18  
P.O. Box 089002  
Chicago, Illinois 60608

RE: To make known on record in case # M.D. 013968  
'Massey V. People', that certified copies of filings  
currently and previously presented before sworn and  
elected state officials and federal officials are now  
presented before the Supreme Court of Illinois as well as  
the Illinois Appellate Court First District. Now filed on  
record and this correspondence sent before all parties  
and Authorities liable for Failure to Intervene, the Illinois  
Supreme Court can afford Carlos Massey the Human  
Right to Equal Protection of the Law according to the  
treaties and conditions of the United Nations.

On Court Record Carlos Massey Makes Known Before  
The Justices of the Illinois Supreme Court that; section  
12 of the Illinois Constitution in Article 1, guarantees the Right  
to Remedy and Justice; this Illinois Bill of Right guaranteed

Carlos Massey the right to find a certain remedy in the law for all injuries and wrongs which he receives to his person, property or reputation. All of the contacted state officers were bound by oath to ensure Carlos Massey obtained justice by law, freely, completely and promptly.

Carlos Makes known that there has been a gross injustice and continuing wrong committed against him and his family since before 2005 when a Markham Courthouse judge intentionally Deprived Rights Under the Color of Law and state Officials have in Conspiracy Against Rights fraudulently concealed from justice the Unconstitutional Separation of Parent and Child, the Warrantless Seizure of Children and several accounts of Asset Forfeiture Abuse and Official Misconduct committed by police departments as made known and previously filed before this Court Carlos Massey has been tortured, both mentally and physically, and his family has been subjected to child abuse and elder abuse and State and Federal Officials have been made known,

Carlos Massey does show before the Illinois Supreme Court Justices that;

- ① Barack Obama, has had several contacts and correspondence and the U.S. Attorneys Office, and the Judicial Inquiry Board were contacted in 2007, on these same issues.
- ② Currently, these same issues were brought forth before the United States District Attorney's Office for the Mandatory Federal Duty and Enforcement of the United States

Constitutional Rights guaranteed in the 14<sup>th</sup> Amendment. This same said Office has failed to intervene or afford Crime Victims Rights as required in the Federal Act of 2004.

③ The United States Department of Justice U.S. Attorneys office did receive the complaint for the second time against Markham Judges and States Attorneys of Cook County practicing Pattern and Practice Public Corruption and crimes including Conspiracy Against Rights and Deprivation of Rights Under the Color of Law and on July 26, 2016 the Special Agent - in - charge was faxed/sent material and the complaint showing public corruption crimes which it is Mandatory Federal Duty for the Federal Bureau to Investigate. This federal agency also failed to provide Crime Victims Rights.

④ The United States Attorney General was sent material which made known these crimes were being committed and now the current administration is being sent material which does show that in Illinois, Judicial Corruption and Prosecutorial Misconduct has insurpatated the guarantees of the United States Constitution and Carlos Massey has on file before the Administrative Office of United States Courts a complaint that Class Action may be sought and initiated under the Clayton Act for Public Corruption against Individual Citizens denied Human Rights.

⑤ The Illinois Attorney General Assistant Jonas Harger corresponded on July 8, 2016 and It was Clearly Made Known crimes which were committed against Carlos Massey and his family and the Office of the Illinois Attorney General has repeatedly cast a blind eye refusing to investigate to facilitate and condon

misconduct, acting knowingly and deliberately with reckless indifference to the mental and physical irreparable injuries that are being inflicted or the financial damages which has been fraudulently concealed and are being currently denied by this continuing wrong and R.I.C.O. Conspiracy Against Rights.

The Band of the Illinois Attorney General Officer is subject to lie

⑥ The Office of the Executive Inspector General was sent documentation PROVING that crimes had been committed against my family and I in complaint # 10-00502, yet this agency under the Governor Pat Quinn stated that, "... the outcome of our investigation will not be reported to you. Additionally, this office is precluded from advising you and the PUBLIC of any finding we reach in this case." Pat Quinn the governor at the time, was once a Cook County States Attorney who was scathingly criticized for misconduct during trials by the judges of the Appellate Court, Clearly there is no Individual Citizen who could have any faith in the integrity of the Government lead by a man whom has been known to commit acts of treason violating his oath as a sworn States Attorney. Worse even still, is the fact that the Judges had a sworn duty to report this and committed acts of Misprison of Treason, while Individual Citizens Suffered.

⑦ Take Notice Supreme Court of Illinois, near the same time the complaint was recieved by the Illinois Attorney General, the Inspector General for the Health and Human Services and the Office of the Executive Inspector General, the Supreme Court of Illinois had been made KNOWN of Great Violations of United States Constitutional Guarantees to the Individual

Citizens whom reside within this State. Multiple documents were submitted showing officials sworn in office committing violations of Oath and Ethics Act of Illinois affecting ALL the Individual Citizens entitled to Equal Protection of the Law pursuant to the articles and provisions set forth by the United Nations.

On January 25, 2010 The Supreme Court of The State of Illinois Stamped Received a Petition for Writ of Habeas Corpus and in the filing for Remedy and Justice before the Supreme Court of Illinois, State Agencies and Officials were shown in Pattern and Practice in commission of Conspiracy Against Rights and Deprivation of Rights Under the Color of Law, both subject to criminal liability pursuant to Illinois Legal Guidelines, Acts of Treason and Major Fraud Against the United States were Made Known and as a direct result of the recklessness and intentional failure to perform mandatory duties in furtherance of the conspiratorial objective, to cast a blind eye and hold harmless State Officials and Employees. It was shown that United States Constitutional Rights and Privileges had been abridged by the State of Illinois Officials and it's Agencies violating Article VI and directly affecting ALL OF THE INDIVIDUAL CITIZENS IN ILLINOIS.

The law pursuant to 735 ILCS 5/10-118 required the offenders, (which included individuals to be brought forth for forced drugging foreign citizens from another country in violation of International Law) and for the offenders to be apprehended and dealt with according to Law. The failure to perform Mandatory Duties has

Caused great injury and damages to Carlos Massey and his family as well as countless other Individual Citizens whom has been victimized by the aforesaid said State Agencies and Officials held harmless by the Judicial Branch of Government which has shown it's ineffectiveness to self police as reports and articles reflect,

Before all Officials, copies of this filing is being sent and documents which show the crimes being committed and acts of Treason by the Officials in Breach of Trust and in violation of Oath of Office, Now Made Known Before The Justices of the Illinois Supreme Court;

1.) Carlos Massey and his family has suffered a 'Continuing Wrong' since 2005, documentation presented and which shall be presented before the Justices of the Court that shows Fraudulent Concealment of Justice has occurred for the common venture to Deprive Rights and Compensation Under the Color of Law.

2.) The Illinois Governors Office is responsible for the faithful execution of the law pursuant to Article 5 Section 8, Carlos Massey sent forth Material before the Governors Office and the Lt. Governor contacted **Carlos Massey** on Tuesday, November 4, 2014 stating, "Thank you for contacting the Office of Lt. Governor Sheila Simon"... "We will respond soon". On April 6, 2015 documentation before the Governor made known State Officials and Agencies of the Governor's Office were shown incompetent and there has been negligence of duty by officers appointed by the Governor. In Illinois Constitution, which ALL STATE OFFICIALS are bound by, Article 5 Section 10 states the Governor "MAY" remove any said state official for 'Malfeasance in Office' (State Felony 720 ILCS 5/33-3)

6.)

Pursuant to Article 5 Section 12, the governor may grant reprieves commutations and pardons after conviction and now that the Governor **HAS BEEN MADE KNOWN** before this Illinois Supreme Court Filing, **LET THE COURT RECORD REFLECT** that Carlos Massey is now **INVOKING** the Supreme Executive Power of the Illinois Governor to **IMMEDIATELY INTERVENE** in this ongoing wrong and grant a reprieve of the unlawful convictions against Carlos Massey by **use of torture and insurpation of the United States Constitution** as required by the Illinois Constitution in Article 5 section 8. By law, **"SHALL BE** responsible for the faithful execution of the law", clearly places the Duty of the Governor to be "Accountable for the Conduct of a Corporation" and therefore any negligence of duty which caused damages or the **Furtherance of Damages**, burden of proof has been met.

3.) Before the Parties receiving this correspondence, it is **Now Made Known** the **Principles of Criminal Liability**, as law provides in **720 ILCS 5/4-1** Voluntary Act. The element of every offense is a voluntary act, which includes an omission to perform a duty which the law imposes on the offender and which he is physically capable of performing. Carlos Massey shall show before the Supreme Court Several Officials, all of which has committed **"Official Misconduct" 720 ILCS 5/33-3** ignoring the Illinois State Employee Ethics Act and **"Recklessly or Intentionally failing to perform Mandatory Duties"**. Take Judicial Notice of Law, Notice is now given to **ALL RECIEPIENTS** that the requirement that **"Knowledge" 720 ILCS 5/4-5** is established, has now been documented on filed court record. These reciepients



now knows, and acts knowingly and with knowledge of material facts, including awareness of the substantial probability that such facts exist and has "Recklessness" 720 ILCS 5/4-6 acted recklessly when he **Consciously Disregards a Substantial and Unjustifiable risk** that circumstances existed and as a result, the disregard constituted a Gross Deviation from the standard of care which a reasonable person would exercise in their position. Their responses or lack thereof has been a **Breach of Duty of Care.**

4.) To be liable as a conspirator you must be voluntary participant in a common venture, although you need not have agreed on the details of the conspiratorial scheme or even know who the other conspirators are. It is enough if you understand the general objectives of the scheme, accept them, and agree either explicitly or implicitly, to do your part to further them. **'Bell v. City of Milwaukee,' 746 F. 2d 1205, 1255 (7<sup>th</sup> Cir. 1984)** The recipients of this filing have all been made known about the misconduct and have facilitated it and knowingly with deliberate reckless indifference allowed Carlos Massey and his family to suffer great injuries, damages and intentional infliction of emotional distress.

5.) Carlos Massey has filed multiple times for Habeas Corpus and Illinois Compiled Statutes required the Attorney General to take action for recovery of fines to be paid directly to Carlos Massey pursuant to **735 ILCS 5/10-133.** Carlos Massey has now been granted leave to file Habeas Corpus before this Court and gives notice that pursuant to Article 6 section 4 The Illinois Supreme Court may exercise original jurisdiction as may be necessary to the complete determination on an case on review and since the Attorney General

Lisa Madigan was contacted by the Illinois Supreme Court on July, 11, 2017, Carlos Massey Makes Known that Diane Salton The Inspector General for the Illinois Attorney General's Office did receive a complaint and documentation showing that Lisa Madigan requested \$2000.00 for a processing fee from Carlos Massey to investigate why Sheriff Thomas Dart Intentionally held Carlos Massey for 6 1/2 months denying the reconstructive surgery in his foot until Markham Judge told Carlos Massey, "if you want your foot fixed why don't you accept a plea deal?" Perhaps The Justices can now answer on record why come the current Habeas Corpus filed with 'Emergency' circumstances and with two persons to be apprehended and charged with causing the illegal restraint, has taken over 60 days and Carlos Massey whom has filed three criminal complaints has not been afforded the Illinois Bill of Rights to be Protected from the Accused pursuant to 735 ILCS 5/10-118 and Article 1 section 8.1 'Crime Victim's Rights'.

Carlos Massey makes known, that the Clerk of Court for the First District Appellate Court of Illinois sent back the material which was filed pursuant to Illinois Supreme Court Rule 604 (c)(1), It is shown in the supplied material that Tina M. Schillaci has again Deprived Rights Under the Color of law, by sending the material back unfiled instead of recognizing the U.S. Supreme Court Ruling which declares **Non-Represented Individuals and Non-licensed Litigants** are not to be held to the same stringent filing guidelines as a licensed Attorney. The Issues Brought Fourth Before the Appellate Court were Valid and before the proper

The September appearance after 9/14/2017 in room Joseph Claps Criminal Courts 26<sup>th</sup> Carlos Massey made known on court transcribed record, that the States Attorneys office was knowingly Maliciously Prosecuting because Mens Rea cannot be met if a citizen is relying on the decision of the U.S. Sect.

jurisdiction for the 'Review of the Unconstitutional Bond' and to provide the 'Right to Remedy and Justice.' Carlos Massey makes known, Illinois Supreme Court Rule 604 (c)(3) States that, "Upon receipt of the motion, the clerk shall immediately notify the opposing party by telephone of the filing of the motion, entering the date and time of the notification of the docket and promptly thereafter present the motion to the court."

Carlos Massey finally makes known to the Illinois Supreme Court Justices, the current case is shown to be Malicious Prosecution insofar as State Circuit Court cases must follow State Appellate Court rulings and "People V. Pelerford, 2016 IL App. (1<sup>st</sup>) 132531 June (June 24, 2016)" ruled that, "... under the due process clause of the 14<sup>th</sup> Amendment, the Mens Rea requirement must be met." It is known that on December 15, 2015 "Constructive Notice" was filed in the Markham Court house clerk of court AND BEFORE THE MARKHAM STATES ATTORNEYS OFFICE". This stamped received said constructive notice which has not been shown as requested, this "Brady Material" was required to be surrendered pursuant to "United States V. Agurs, 427 U.S. 97 (1976) and this is a common form of Prosecutorial Misconduct. Carlos Massey Makes Known that all States Actors shall be held liable for any continued Breach of Duty of Care.

Respectfully

Carl 9/7/2017



FILED B - 5

2010 MAY 21 PM 2:53

SUPREME COURT OF ILLINOIS

SUPREME COURT BUILDING  
SPRINGFIELD  
DOROTHY BROWN  
CLERK OF THE CIRCUIT COURT  
700 COOK COUNTY, IL

**JULEANN HORNYAK**  
CLERK OF THE COURT  
(217) 782-2035

TELECOMMUNICATIONS DEVICE  
FOR THE DEAF  
(217) 524-8132

January 26, 2010

**FIRST DISTRICT OFFICE**  
20TH FLOOR  
160 N. LASALLE ST.  
CHICAGO 60601  
(312) 793-1332

TELECOMMUNICATIONS DEVICE  
FOR THE DEAF  
(312) 793-6185

Mr. Carlos Massey  
Chester Mental Health Center  
P. O. Box 31  
Chester, Illinois 62233

Dear Mr. Massey:

This will acknowledge receipt of your "petition for writ of habeas corpus" on January 25, 2010.

We are returning your unfiled motion to you because you reference federal court docket numbers. Since the Illinois Supreme Court has no jurisdiction in the federal court system, it is suggested that you consider presenting your request for relief to the appropriate federal court.

Very truly yours,

*Juleann Hornyak*  
Clerk of the Supreme Court

JH/jak  
Enclosure

# Supreme Court of The State of Illinois

RECEIVED

JAN 25 2010

CLERK  
SUPREME COURT

Carlos Massey  
(Plaintiff)

V.

The People of the  
State of Illinois  
(Respondent)

Circuit court case no: 09500351201  
Information no: 09CS50290

District court case no: 09CV5006

U.S. Court of Appeals Caseno: 09-4025

FILED B - 5

MAY 21 PM 2: 44

DOROTHY BROWN  
CLERK OF THE CIRCUIT COURT  
OF COOK COUNTY, IL

## Petition For Writ OF Habeas Corpus

I Carlos Massey, petitioner of this application pursuant to 735 ILCS 5/10-1c brings forth this complaint for relief from unlawful detainment, for the addressing of State and National Constitutional violations and to bring forth charges upon state officers, employees and Officials as well as give sworn testimony on the same on behalf of the Citizens of the United States of America, denied fourteenth amendment rights. The petitioner has been restrained of his liberty at the Chester Mental Health Center since 8-25-09 due to the Official Misconduct of Officer K. Krolak on 5-18-09. The petitioner can show upon grant of this petition before court crimes of; perjury; official misconduct; misprison of treason; treason; obstructing justice; communicating with jurors and witnesses and deprivation of rights under the color of law, by the individuals

of public trust. Before this Supreme Court of Illinois the petitioner will show state agencies in collusion and Pattern and Practice acts. Accordingly the petitioner prays to the court to proceed with the writ of habeas corpus pursuant to the provisions in 735 ILCS 5/10-118, as there are individuals to be apprehended and dealt with according to law. These are the individuals that are responsible for the unlawful restraint here as follows; Pat Kelley, the director that was made known void orders, medical neglect and physical abuse; Dr. Nageswara Vallabhaneni, who is guilty of malpractice and Treason in that as records will show he threatened me if I sought to exercise my 1st amendment rights he would have me tied down and drugged, "...you don't know how things work around here, you can write who you want to..." also stated, "I can put you on something where you can't concentrate on the Constitution..." (TREASON); Emily Ballmann, therapist who has monitored all my legal activity, reading privileged mail, intentionally withholding filings to delay deadlines in case before district court against the state and with willful and wanton intent to abet and hold harmless state workers. She has stated out right, "law doesn't mean anything here and you can contact whoever you want, you're not getting out of here unless you cooperate with the Dr. and the P.D."... She has been aware of the crimes against me and is guilty of "Obstruction of Justice" and possibly "Misprison of Treason"; Mark Truee, who is the chairman of the Human rights committee has with willful and wanton intent, denied my rights and the rights of several citizens stating (with witnesses to support), "...we had a man in here for 9 years, and he knew the law better than you, you are here unless we say you can go..." He admitted boastfully, "...there are a lot of people the court send here that nothing is wrong with them..." This is admission to "Misprison of Treason" and U.S.C. "Major Fraud Against the United States".

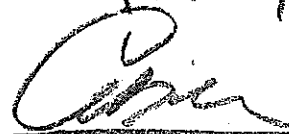
Mark is guilty of stating to my face, "...well are you willing to except a plea deal, like maybe time served?..." (I told him Hell NO!!! I want a 12 man jury trial so I can expose that Crestwood that has previously been sued by me and had 4 harassment complaints on them, had now cost the Illinois tax payers \$250,000 for driving a car less than 250 feet from his home for the purpose of repair) At this point he stated, "well then get comfortable, you're gonna be here for awhile..."! All these things and more, including reports of physical abuse, have been made known to the D.H.S. - O.I.G. investigator and even reported that there was retaliation and more because of my complaint, but James B. Long denied me and the other Illinois citizens with, willful and wanton intent, as I can show by evidence and by witnesses before the court, section 12 Bill of Rights were violated. This is "Official Misconduct". The Advocacy Commission were informed but their attorneys will not give help against the State of Illinois, however pursuant to 5ILCS 430/, State Officers and employees are required to report violations.

The Judicial Branch of Government, ~~small~~ important to the civilians, citizen who believe America is a free county, but it is 'We the People', who established justice to ensure domestic tranquility. It is 'We the People' of the State of Illinois that assured legal, social and economic justice, but it is the Judges that must step forth in truth and make the Illinois Constitution more than a bunch of words on paper and deliver this justice the Preamble speaks of.

Before the Supreme Court of The State of Illinois, the Petitioner can show by evidence, witnesses as well as court and agency record, that his United States Constitutional Rights and Privileges have been abridged by the State of Illinois and its agencies, violating Art. VI.

The petitioner is being held for driving on suspended license allegedly, but will show before the court these are void orders and court error. The petitioner is not committed due to Treason or felony out of State; is not by virtue of a final judgement of any circuit court and the order to have me restrained by the individuals having custody of the petitioner is void, having no jurisdiction. Said order was made against the amendments of the State and National Constitutions, by ex parte communications denying the petitioner due process. No jurisdiction can be had from said court as a case was opened against said court and charges against the Judges, the public defenders office, states attorney and the witness called by the state are pending before United States court. There is no chance of an impartial hearing before said court again and now being forced by threats of drugging, or continued captivity if he don't take a plea deal. The Petitioner thereby prays that a Writ of Habease Corpus be issued directed to Pat Kelley, petitioner commanding him to have said petitioner before said Court at a time and place therein to be specified, to do and receive what shall then and there be considered by said Court, concerning the person so restrained together with the time and cause of the detention, and said Writ. The petitioner also submits supporting documents, A-D. The petitioner humbly submits this petition and requests this court to restore all rights due.

Respectfully



1-18-10

---

Carlos Massey  
P.O. Box 31  
Chester, IL 62233



\* Demand copy of Report pursuant to 725 ILCS 5/104-15 (No bonafide doubt to be had)

STATE OF ILLINOIS )  
COUNTY OF )

\* I have a right to a copy of the report against me. made after 30 days of this order

IN THE CIRCUIT COURT OF COOK COUNTY  
COUNTY DEPARTMENT - CRIMINAL DIVISION

PEOPLE OF THE STATE OF ILLINOIS )

-vs-

Carlos Massey

Indictment No. 09CS0290  
Information No.

ORDER

This cause having been heard pursuant to a petition filed alleging that the above named defendant is unfit to (plead)(stand trial) and how in this cause is charged with the offense of Dr. J. J. L. C. and, further, the (Court)(jury), having heard the evidence adduced concerning said petition, and having returned a (finding)(verdict) that the defendant is not fit to (plead)(stand trial) on the charge of LA. J. J. L. C. and a hearing having been conducted in accordance with the procedures set forth in Illinois Compiled Statutes, Chapter 725, par. 104-16, and having returned (findings)(verdicts) that the defendant is now not fit to (plead)(stand trial) because of a (mental)(physical) condition, and there (is)(cannot be determined whether there exists) a substantial probability that the defendant, if provided with a course of treatment, will attain fitness in one year.

IT IS HEREBY ORDERED AND ADJUDGED:

1. That the defendant shall be placed in the custody of the State of Illinois Department of Human Services on an (in-patient) (out-patient) basis; and
2. Said Department shall provide appropriate treatment for the defendant; and
3. Said Department shall, within thirty (30) days, indicate an opinion as to the probability of the defendant's attaining fitness within a period of one (1) year from date; and
4. If there is such probability that the defendant will attain fitness within one year, the Department shall also file a treatment plan which shall include:
  - a. A diagnosis of the defendant's disability;
  - b. A description of treatment goals with respect to rendering the defendant fit, a specification of the proposed treatment modalities, and an estimated time table for attainment of the goals;
  - c. The name and position of the person in charge of or who is supervising the defendant's treatment.

The plaintiff to show that via abuse of court process, the Judicial officers of the State are warring against the United States Constitutional 14<sup>th</sup> Amendment. The plaintiff was denied rights guaranteed throughout 725 ILCS 5/ Article 104 with intent. This is Denigration of Rights Under the Color of Law.

5. If the Department believes that either the defendant has attained fitness or there is not a substantial probability that the defendant will attain fitness with treatment within one year from the date hereof, it shall so notify the Court and a hearing to determine fitness shall be set forthwith.

6. That the above-entitled matter shall be set on the 29 day of October, 2007 (a date not more than 90 days from the date hereof), for a hearing to re-examine the issue of defendant's fitness, and the Department of Human Services shall submit a written report to the Court at least seven (7) days prior to the above hearing date.

*Did not happen, and I had a Right to be present*

7. A discharge hearing pursuant to 725 ILCS 5/04-25 has been requested and therefore a hearing is set for the 11/11/07 day of November, 2007.

A verified copy of this Order shall be delivered to the Department of Human Services of the State of Illinois and shall be attached to the defendant's record upon remand to the Department facility. A copy of this Order shall be delivered to the Sheriff of COOK County.

ENTER:

DATED: 8.3.09

*[Signature]*  
JUDGE

ENTERED  
AUG 03 2009  
DOROTHY BROWN  
CLERK OF CIRCUIT COURT

SHEET No. \_\_\_\_\_

LINE No. \_\_\_\_\_

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
CRIMINAL DIVISION/MUNICIPAL DEPARTMENT-DISTRICT 5

PEOPLE OF THE STATE OF ILLINOIS

2010 MAY 21 PM 2:45

No. 09255029001

DOROTHY BROWN  
CLERK OF THE CIRCUIT COURT  
OF COOK COUNTY, IL

v.  
Carlos Massey

IR

ADDENDUM TO PREVIOUS ORDER SETTING BAIL AND COMMITTING THE DEFENDANT TO THE COOK COUNTY DEPARTMENT OF CORRECTIONS FOR FAILURE TO DEPOSIT BAIL.

ORDER

THIS MATTER COMING BEFORE THE COURT AND THE COURT BEING FULLY ADVISED IN THE PREMISES, IT IS HEREBY ORDERED:

*\* 725 ILLCS 9/04-16  
After 45 days I had  
right to be present at the  
hearing. Kathryn Vahney  
Malpractice willful & wanton  
Misconduct*

*A to be placed  
w/ the Dept of HUMAN  
SERVICES for treatment of his to start  
90 day  
inpatient  
treatment*

ENTERED  
DOROTHY BROWN  
CLERK OF CIRCUIT COURT  
10-24-08

DISPOSITION(S) MUST REFLECT WHICH COUNT(S) THE ORDER(S) IS/ARE APPLICABLE TO.

ENTERED: 8.309

DEPUTY CLERK: Mc TM

JUDGE [Signature]  
No. \_\_\_\_\_  
ROOM/BRANCH: 110

PAGE \_\_\_\_\_ OF \_\_\_\_\_ PAGES

AT: 930 AM/PM

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS



D.2 in Support of habeas

State of Illinois Department of Human Services

PROGRESS NOTES

I lied and I would plea to time served, never had not been calm.

Each note must be dated and signed including title of recorder.

FILED B-5

1-4-10 Therapist Note 2:15p Mr. Massey was present and did participate in his treatment plan review meeting. He was calm and cooperative. He is able to provide insight into the judicial process as it relates to his situation. There have been no behavioral issues or incidents since admission and there are no symptoms of psychosis reported or observed. Mr. Massey will be recommended as fit to proceed at this time. ———— Amy Ball ———— LSW 8N11

N.N. 1.6.10 - 2100 Requested prn medication for c/o facial pain. Stated pain is a '4' on scale of 1-10. Naproxen 250 mg po is given. ———— M. Heisler, RN

N.N. 1.6.10 - 2200 Stated pain is now a '1'. ———— M. Heisler, RN  
1-7-10 0830 C/o facial pain severity a '7-8' on scale of 1-10 ———— M. Heisler, RN

1/7/10  
F/u 1c3

Prostate 2.2

Fu DRW

TURNICK

1-7-10 NN 0930 Referred remarks pain is down to around 5

|               |                |
|---------------|----------------|
| Individual    | MASSEY, CARLOS |
| Date of birth | 04/01/1965     |
| ID #          | 886-8          |
| Facility      | CHESTER MHC    |
| Subunit       | A              |

Enter individual's identification above

12/08/09 TREATMENT PLAN

them.

FILED B - 5

If Mr. Massey requires the use of restraint or seclusion as a result of his behavior, he must be awake to determine his ability to meet release criteria prior to release.

MAY 21 PM 2:15  
DOROTHY BROWN  
CLERK OF THE CIRCUIT COURT  
OF COOK COUNTY

Hold upon Court

INDIVIDUALIZED TREATMENT/HABILITATION GOALS:

| Problem #1: Unfit to Stand Trial  |  |  |            |  |
|---|--|--|------------|--|
| Goal: To restore to a level of fitness to stand trial by 01/01/2010.  |  |  |            |  |
| Hypothesis: If he takes medication prescribed to treat psychosis, he will be able to achieve fitness to stand trial.  |  |  |            |  |
| Objective   | Treatment Intervention & Staff Responsible   | Progress this Reporting Period   | Start Date | Status<br>A (Accomplished)<br>C (Continued)<br>DC (Discontinued)<br>H (On Hold)<br>R (Revised) |
| Will cooperate with an evaluation of fitness by 01/01/2010.   | Therapist will evaluate to determine what is needed to achieve fitness.<br><i>Never happened</i>   | Emily Bollmann, LCSW, SW IV: Mr. Massey remains fixated on his rights being violated and filing law suits.   | 09/15/09   | C  |
| Will participate in fitness education by 01/01/2010.  | Therapist will refer to Rehab for enrollment in "Introduction to Court Procedures."  | Emily Bollmann, LCSW, SW IV: There has been no progress made toward fitness.   | 09/15/09   | C  |
| Will demonstrate the ability to cooperate with treatment regimen and comply with unit rules and routine. Will attend in at least 3 activity programs or leisure opportunities per week. | AT Staff will provide group structured and individual activity programs and leisure opportunities to assist in decreasing psychotic thought process and aggressive behavior, maintain physical health, and improve energy and motivation. AT Staff will monitor for appropriate behavior, attendance and participation, and progress toward goals. | Adam Emling, AT: Mr. Massey is very active both on and off of the unit. He is very sociable and outgoing. Off the unit he was involved in gym, yard, courtyard, inter-unit movie, movie, game room, and inter-unit activity. On the unit he plays pool, watches tv, plays cards and board games. He has attended 33 (+10) off unit activities this reporting period, and is making good progress toward his goals. | 09/15/09   | C  |

Problem #2: Psychotic Symptoms

Medical Malpractice

Illinois Department of Human Services

CMHC-144 (Clerical)  
Reformatted 07/28/05 TREATMENT PLAN

|               |                |                   |          |
|---------------|----------------|-------------------|----------|
| Name          | MASSEY, CARLOS |                   |          |
| Yr. of birth  | 1965           | Sex               | M        |
| DMHDD ID      | 886448         |                   |          |
| Facility Name | CHESTER MHC    | Facility File No. |          |
| Unit/subunit  | A              | Adm. Date         | 08/25/09 |

Enter recipient's identification above

Exhibit B.1  
Supporting Habeas Writ

**MEMORANDUM**

**DATE:** September 29, 2009

**TO:** Carlos Massey  
Unit A

**FROM:** Pat Kelley, LCSW *PKelley/Im*  
Acting Hospital Administrator

**SUBJECT:** OIG Case No: 6610-032

Pursuant to PPD 01.05.06.03 effective July 1, 1999, you are being notified that an investigation is being conducted into your behalf concerning an allegation of verbal abuse. You will be notified of the results of this investigation when the case has been closed.

PK/Im

*Take Judicial Notice:  
Pat Kelley has submitted this affidavit  
admitting the issues of complaint.  
Fraud & Fraudulent Statement by statute  
I believe, but evidence she was made known  
the abuse and misconduct. This reflects  
negligence to impart duties to outside non responsible  
party.*

*CPK 12-28-09*

Exhibit B.2  
Supporting Habeas

With Answer to:

Findings Response : unsubstantiated finding  
Clarification of Reconsideration Request

From: Office of the Inspector General Illinois D.H.S.  
South Bureau of Investigations  
1000 North Main Street  
Anna, Illinois 62906

Submitted in  
support of Habeas Corpus  
1-18-10

Completed  
Investigation after  
I wrote Chairman  
Mark Truse

Re: Case no: 6610-031 (after 4 months no action, an investigator had me re-write claim  
This is what I wrote the Inspector General after 4 months of enduring crimes  
against me, showing evidence, bring forth complaints for individuals not  
capable of expressing themselves (ex: there is an africa man here non-citizen that  
is non-violent, non-mentally challenged who stopped eating after cafeteria staff  
insulted his country and dignity, stating, "boy you like this free food, it better than  
chasing them warhogs in Africa) This man is in here for poor communication skill  
and an evaluation for court, now he is being attacked given shots, force drugs  
having no history of ever taking drugs. This is United Nations violations. There  
are examples of people held here until they comply to public defenders and  
Illinois States Attorneys deals, Musilums harassed and humiliated due to the  
way they pray and multiple counts of racial slander and abuse. This is an  
American Request for the Government to Enforce Laws and stop  
this Misconduct. Illinois Governor had certified mail sent and letters  
requesting him faithfully uphold the law pursuant to the Illinois  
Constitution to no avail. Just as previous Governor found corrupt, the  
Unites States citizens are still subject to corrupt agencies, as I answered  
and filed my 2<sup>nd</sup> Motion for Relief before Northern District Illinois court

Exhibit B.3  
Supporting Habeas Writ

December 11, 2009

To: Chairman, Human Rights/Ethics Committee

From: Carlos Massey, A-1

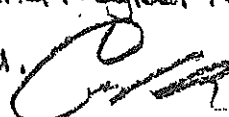
Re: Civil Rights Violations and Statutory Rights Violated  
pursuant to Illinois Administrative Code 2060 & Statutes

Once again I am corresponding with you, without being given acknowledgement of issue's directly brought to your attention. Your common tatic of omitting key elements of my complaints, have solidified my allegation of willful and wanten intent. This removes state immunities from actions for Negligence on you in your official and individual capacities. I have requested by right, material I am entitled by law in order that I may exercise my right guaranteed in the 7<sup>th</sup> Amendment of the U.S. Constitution. On 12-8-09 I made you aware that I wanted copies of my health care information and duties & titles of staff, I now in specific am requesting that said health care information include all meetings, notes and sessions claimed to be given by the individual who's duty it was to restore me fit for court in the shortest time as stated in the Vision of CMHC, As stated in the contents of the "patient guide to Chester Mental Health Center," this is a "maximum-security hospital" and thus some restrictive rules are warrant



However this facility has a responsibility to the citizens of this state and to the federal government to provide to contracted service as stated. In order to provide any effective treatment, it depends on a safe and nonthreatening atmosphere and as I can show by witnesses, records or testimony, this facility does not even attempt to provide either atmosphere or treatment. This Human Rights/Ethics Committee, under your auspices 'Chairman', claims to "take seriously complaints and claims to want patients to be satisfied with their care here...", that is one of the 'Biggest Lies' to touch Paper.

My complaints on more than one occasion have been altered by omission, ignored and systematically covered up. Not one issue has been made known resolved by the O.I.G., in over three months and I have documentation. On 12-7-2009, I received the memo stating "the issues of the compensation, staff titles and copies of my healthcare information was received. These issues are being passed along to Vanessa Broussard, ... Well 'Chairman', what about the violation of the Illinois Administrative code I brought to your attention or the fact I have been having my civil rights violated by the neglect I'm enduring? What about the right to have access to legal entities for appropriate representation and my issues being faxed to them for filing? What about the violation of my certified mail or subsequent 'obstruction of justice'?

Mr. Reuel Smith, is listed on the 'Patient's Rights and Ethics Committee' and as many times he has seen my plight and claimed he doesn't have anything to do with it. More than Pat Kelley is included in these violations of my Civil Rights, Obstruction of my Civil Rights, and Neglect to Prevent " Again I request to speak with you, thank you.  12-14-09

Carlos Massey  
CMHC  
P.O. Box 31  
Chester, IL. 62233

Exhibit C  
Support of Habeas Writ

10 Pg Complaint  
attached  
CLM

received  
9/28/09  
cm/mw

Melissa Gross  
Chester Mental Health Center  
Administration Bldg.  
1315 Lehman Drive,  
Chester, IL. 62233

September 24, 2009

Dear Ms. Melissa Gross,

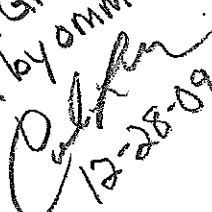
I am corresponding with you today concerning issues in which you may not be aware of. I am aware that your functions on a day-to-day basis may leave you somewhat oblivious to the daily happenings in this semi-large facility, as owner of a business myself I know what it is like to be blindsided by the actions of one of your employees. Yet in the matter before us now there are several employees. Employees that I notice are all in the same state worker's union, I am aware of your position.

However, I am afraid that ultimately you are the responsible individual that would bare the burden before Court in these issues as Reul, has identified you as the maker of these UnConstitutional policies. Policies that has denied me United States Constitutionally guaranteed rights. In this complaint you will see what I mean and Emily had this complaint a week by me trying to get copies to properly file before court, I'm sending proof of this 'Obstruction of Justice'. She has done this since my last complaint 01.09.09.66

Maam I have already sent copies to the four listed parties. My case was already before federal court before I got here, United States exrel Carlos Massey V The State of Illinois - 09CV5006, and I explained all of this before the "Committee". I asked the psychiatrist could anyone tell if you were crazy in onetime seeing them and he said no. He hasn't sent me back or tried to see me, so it is clear your staff is holding me here to scam money from the Government. You are the one that stated "allegedly" my commissary had to be thrown away. If this is the case, State and National Constitutions State I must be reimbursed. I am asking to meet with you in person to discuss matters of my release or your position as a State agent, State Officer or contracted agency and whether Civil or Capital issues are before Court. Personally I wish to make known to you my mental before capital charges are sought and civil actions placed due to negligence.

Thank you Maam,  
have a nice day.

 9-24-09

Take Judicial Notice,  
Requested material has been presented  
in fraudulent form. This letter is missing great  
legal content before the court, Carlos Massey  
Makes known this copy is the first and last page  
to correspondence to Melissa Grass, and thereby  
is a fraud with intent by omission  
 12-28-09

# The Supreme Court of The State of Illinois

People of the State  
of Illinois  
(and the nominal parties and respondents  
listed on the attached page)

V.

Carlos Massey

cases: 09500351201,  
09C550290-01

Fifth Municipal District Cook County

YM-224860, YG-904538, YG-904539,  
YG-904680, YG-709701, 2006D630503

Sixth Municipal District Cook County

2008CF000223

Circuit Court Boone County

01DT 127, 01TR3133-37

17<sup>th</sup> Judicial Winnebago County

05JA 1135, 05JA 1136

Circuit Court of Cook County

Children Protection Division

## Motion For Leave to File

## Habeas Corpus

Now comes Carlos Massey, American citizen, and appears before the Supreme Court of Illinois pursuant to Article VI, section 4(a), of the Constitution of Illinois. This case is related to the states unlawful denial of Habeas Corpus, issues of law that are both covered in Illinois Compiled Statutes and Article one Bill of Rights of the Illinois Constitution as well as to correct judicial errors and to file all complaints to exercise the Right to Remedy and Justice.

# Attached Page

Listed below are the nominal parties and respondents with charges

Judge Sterba (presiding)

Judge Kunkle

Judge Hynes

Judge Felice

Officer Kevin Koolak - 720 ILCS 5/33-3, "Official Misconduct"

States Attorney Aisha Cornelius - 720 ILCS 5/33-3, "Official Misconduct"

Public Defender Katherine Vahey - 720 ILCS 5/33-3, "Official Misconduct"

States Attorney Micheal O'Brien - 720 ILCS 5/33-3, "Official Misconduct"

Dr. Neu (forensic clinical services) - 720 ILCS 5/31-4, "Obstruction of Justice"

Dr. Valibihini - 720 ILCS 5/31-4, "Obstruction of Justice"

Pat Kelley (Director CMHC) - 720 ILCS 5/33-7, "Public Contractor Misconduct"

Emily Bollman (therapist CMHC) - 720 ILCS 5/8-21(a) "Conspiracy Against Civil Rights"

Nancy Guthrie (nurse CMHC) - 720 ILCS 5/8-21(a) "Conspiracy Against Civil Rights"

Mark Truhee (human right CMHC) - 720 ILCS 5/31-4 "Obstruction of Justice"

Sheriff Thomas J. Dart -

Judy Atherton (Illinois Guardianship Commission) - "Official Misconduct"

John Blong (O.I.G. D.H.S.) - 720 ILCS 5/33-3, "Official Misconduct"

Judge Patrick Murphy

Judge Michelle Jordan

Judge Maxwell Griffen

Judge Patricia Bishop (presiding)

Bryan Samuels (D.C.F.S.) -

Sidney Shinall (D.C.F.S. caseworker) - 720 ILCS 5/31-4, "Obstruction of Justice"

Joy Osayande (D.C.F.S. caseworker) - 720 ILCS 5/32-2, "Perjury"

Richard Durbin (Senator)

Governor Pat Quinn

Kathy D. Twine (executive director Judicial Inquiry) - 720 ILCS 5/33-3, "Official Misconduct"

Judge Young (courtroom C Boone County) -

Desiree B. Sierens (Boone County States Attorney) - 720 ILCS 5/33-3, "Official Misconduct"

James A. Wright (O.E.I.G.) - 720 ILCS 5/33-3, "Official Misconduct"

Before the Honorable Chief Justice of the Supreme Court of Illinois Thomas L. Kilbride and Justices Honorable Charles E. Freeman, Honorable Robert R. Thomas, Honorable Rita B. Garman, Honorable Lloyd A. Karmeier, Honorable Anne M. Burke, and Honorable Mary Jane Theis, Carlos Massey makes known that American citizenship rights are not to be abridged by Illinois.

Pursuant to section one of the fourteenth Amendment of the United States Constitution; "All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within it's jurisdiction the equal protection of the laws."

Pursuant to Article VI of the United States Constitution, Judges shall be bound by Oath or Affirmation to support this Constitution, anything in the Constitution or Laws of any State to the contrary notwithstanding.

Carlos Massey prays before this Honorable court, to honor the duties declared by the Supreme Court, to protect all rights that are guaranteed in the United States Constitution and uphold all laws of the United States as well as the State of Illinois Bill of Rights. Both in State and Federal Constitutions the right to exercise, the privilege of the writ of habeas corpus shall not be suspended except in cases of rebellion or invasion when the public safety may require it.

Carlos Massey makes known before this honorable court that in the case before the Fifth Municipal District of Cook County no: 09500351201-09550290-01, four times habeas corpus rights were denied. One of those said times were before the Supreme Court of Illinois as the supporting material does reflect. Illinois law states that such denial entitles the citizen to receive \$1000.00 from fines for penalty. Carlos Massey also makes known to each of the Honorable Justices of the Supreme Court of Illinois, that on January 25, 2010, the clerk of the Supreme Court of Illinois acknowledged the receipt of my Habeas Corpus and recklessly failed to perform a mandatory duty as required, offering me an example of fraudulent concealment of justice and poor legal advice.

This denial of Habeas Corpus rights resulted in the complete and final breakdown in the faith of the judicial branch of government ethics. Carlos Massey makes known to the Honorable Justices of this court that the actions and conduct of state employees, appointees, and officials are essential to maintaining the public's trust in state government, and can have important economic and social consequences for the citizens of Illinois. This is covered in the State Officials and Employees Ethics Act 5 ILCS 430 et seq., and thus intended to ensure that the functions of state government are conducted with fairness, honesty, and integrity. Carlos Massey makes known that he is An American Citizen who was unlawfully detained around dangerous mental individuals, subjected to many forms of cruel and unusual punishment, denied medications for seizures, mentally and physically abused, yet after reporting these Human Rights violations and crimes against State Law, State employees whose duties were to report these acts, failed to report in complete negligence and caused damages to be incurred by Carlos Massey and according to the previous ruling by this court in Hodge V. State, Carlos Massey is eligible for mediation for settlement for said damages (35 Ill. Ct. Cl. 50) in action before this court against all State Officials shown to be negligent. Carlos Massey makes known that he is an indigent, non-attorney litigant and files this complaint before Illinois Supreme Court Justices seeking all the appropriate relief that he is entitled to for the equal protection of the law guaranteed in State and Federal Constitutions. Carlos Massey makes known that he is entitled to justice by law pursuant to Illinois Bill of Rights section 12 as well as after this Honorable court initiates proper criminal prosecutions for the crimes committed and conspired to commit, against Carlos Massey and his family, Carlos Massey seeks all rights covered in Section 8.1.

Carlos Massey makes known to the Justices of the Supreme Court of Illinois that, Illinois Bill of Rights section twenty-three prescribe that; "A frequent recurrence to the fundamental principals of civil government is necessary to preserve the blessings of liberty. These blessings cannot endure unless the people recognize their corresponding individual obligations and responsibilities." As an issue of law covered in Illinois Bill of Rights, Carlos Massey now makes known that in the cases brought forth in this motion before court,

that the Judicial Notices of Law were unlawfully ignored and the charges set forth in the previous Writ of Habeas Corpus were not placed or enforced according to law pursuant to the provisions in 735 ILCS<sup>5</sup>/10-118.

Carlos Massey invokes the duties of the Honorable Justices of this court to read and acknowledge the supplied pertinent material, and thoroughly read and make constitutionally compliant rulings to correct the known violations of the citizenship rights of Carlos Massey. On the case that Carlos Massey was deprived of his liberty for over 300 days, a motion for A Certificate of Innocence was unlawfully denied on November 1, 2010 and due to the Deprivation of Rights Under the Color of Laws currently under investigation by the Department of Justice, Carlos Massey requires this court to correct errors and submit the Petition of Innocence to the Illinois Court of Claims so that Carlos Massey may receive the payment lawfully due.

Carlos Massey humbly requests that the void orders that are denying the citizenship rights to have drivers license be immediately rescinded as well as the orders denying the rights of Carlos Massey and his children the bonds and affection which represents the most urgently value of American liberty.

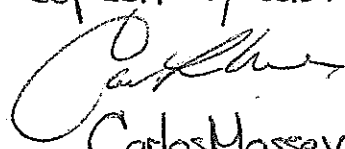
Carlos Massey makes known that the United States Supreme Court has stated in 'Scheuer V. Rhodes', 416 U.S. 232, 94 S.Ct 1683, 1687, when a state officer acts in a manner violative of the federal Constitution, he is in conflict with the Superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of the individual conduct. The state has no power to impart to him any immunity from responsibility to the Supreme authority of the United States. Pursuant to United States law, U.S.C. Title 18 > part 1 > chapter 115 > subsection 2382, it is a federal crime of 'Misprison of Treason' to not report judges in violation of the Supreme Law of the Land which would be acts of treason. Also made known to the Honorable Justices of this court, pursuant to the rulings in 'Glasser V. United States', 315 U.S. 60, 80, 86 L.Ed. 680, 62 S.Ct. 45 ... "a RICO conspiracy like all conspiracies, does not require direct evidence of agreement, an agreement can be inferred from the circumstances", so in the previously referenced federal court docket numbers where Carlos Massey brought forth charges for crimes by these judges, public defenders and State prosecutors; made known now Carlos Massey has submitted charges, by the provisions of 18 U.S.C. § 1962(d) for providing protection for



the "criminal enterprise", known as Cook County judicial circuit courts as stated in the "Greyford" case by the United States Supreme Court, before the criminal civil rights division of the Department of Justice in Washington, D.C.

Carlos Massey now respectfully, humbly submits this motion pro-se before the Supreme Court of Illinois and the Honorable Justices of the court and prays that the Right to Remedy and Justice be upheld finally by this State's Supreme authority. Law provides that no judge in Illinois has jurisdiction over or can issue a court order against an American citizen if that court and/or judge; (a) do not provide due process of law; (b) do not provide equal protection under the law; (c) do not respect the constitutional rights of American citizens; (d) act with sufficient force so as to deny the powers of the National and State Constitutions. Therefore Carlos Massey prays that all the aforementioned cases orders be vacated and the public officers be brought before court for charges pursuant to Illinois Compiled Statutes 720 ILCS 5/2-18 and 720 ILCS 5/33-3. Carlos Massey is an indigent non-attorney litigant, any filing requirements not met due to financial duress Carlos Massey prays this court relax its standards in the interest of fairness and justice, however Carlos Massey can produce hundreds of pages of documents and witnesses, to show before court upon direction of this court.

Respectfully submitted Pro-se,

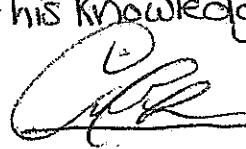
 11-01-2010

Carlos Massey (708) 439-0998

13739 Keeler Ave.

Robbins, Illinois 60472

Under penalties as provided by law pursuant to section 1-109 of the code of Civil Procedure, Carlos Massey has now sworn that the statements set forth in this material attached and this instrument are true and correct to the best of his knowledge.

 1-11-2010

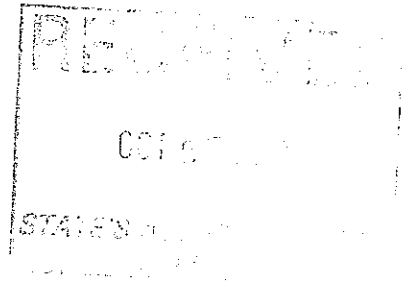
# Circuit Court of Cook County Fifth Municipal District

People of the State  
of Illinois

V.

Carlos Massey

case.no. 09C55029001



## Motion to Correct Errors

Comes now Carlos Massey and hereby moves this court pursuant to the General Orders of the Circuit Court of Cook County (No.4)(No.12) and part 18.3 of the Rules of the Circuit Court of Cook County, acknowledging the the oaths sworn by the Presiding Judge and the attending public officers, to uphold the Constitutional rights of Carlos Massey and correct the judicial errors committed in the case before the court. Carlos Massey wishes to convey that in accordance to United States Codes, Title 18 > part 1 > chapter 115 > sub section 2382, it is a federal crime of 'Misprison of Treason' to not report judges in violation of the Supreme Law of the Land, for these are acts of Treason. Carlos Massey now gives 'Judicial Notice of Law' that judicial immunity does not exist for judges who engage in criminal activity, for judges who connive with, aid and abet the criminal activity of another judge, or to a judge for damages sustained by a person who has been harmed by the judges connivance with aiding and abetting another judges criminal activity. Before the Fifth Municipal Circuit Court of Cook County, Carlos Massey files in writing, with a sworn affidavit in support, and prays this court correct the judicial errors and state and federal constitutional violations committed before the court October 20, 2010 in room 203. On this date Carlos Massey appeared with witnesses to receive the equal protection of the law guaranteed in state and federal constitutions and have heard the lawfully filed motions presented 5-3-2010 before the clerk of court in room 119 of aforesaid courthouse.

Carlos Massey requires this court to acknowledge that it is bound to take ex officio notice of the general law, the facts of the case to which the said notice presents and the special laws which arise out of the facts and events that occurred before the court October 20, 2010 in room 203 as follows;

- 1.) Pursuant to Illinois law, a 'Petition for Certificate of Innocence' must be heard before a Presiding Judge, Illinois law states that Judges lose their subject-matter jurisdiction when they do not follow Illinois law. The attending judge made a ruling out jurisdiction and without immunity
- 2.) Pursuant to Illinois law, all state officers are required to subscribe to the oath in Illinois Constitution article 13 section 3. Therefore on 5-21-2010 Carlos Massey submitted the 'Motion to Claim and Exercise Constitutional Right to Require Presiding Judge to rule upon this Motion and all Petitions the Defendant files before this court', Presiding Judge Sterba was aware of this motion on July 21, 2010, as well as the fact that Constitutional rights of Carlos Massey had been denied since 8-14-09. No Judge other than the Presiding Judge was to rule upon any motions presented by Carlos Massey until after this motion was heard on court record.
- 3.) On October 20, 2010 the States Attorney had reasonable knowledge of the malicious prosecution committed against Carlos Massey as well as the denial of 5<sup>th</sup> and 6<sup>th</sup> amendment United States Constitutional rights and yet with willful and wanten intent she 'Conspired to Interfere with Civil Rights' and committed the federal crime 'Deprivation of Rights Under the Color of Law'. On July 21, 2010 the court admonished this Attorney stating, "the court has it's filings, why dont you have yours?", the court (Judge Sterba) stated to me, "Mr. Massey I will allow them a continuance this time..." and then delayed my 'Right to Remedy and Justice for yet another 3 months. I made this known before the court and pointed out the States Attorney still did not have the material ordered by Judge Sterba to have on this date. This is "Official Misconduct". Malicious intent is shown by her objection to the granting of my petition stating fraudulently, "failure to comply with the statutes of 735 ILCS 5/2-702, "having now fully colluded in "Conspiracy Against Rights in the 'Fraudulent concealment of Justice'. Besides violating the rulings

of the Supreme Court and 3.8 I.R.P.C.; these are State and Federal crimes.

4.) The attending Judge delivered to the clerk an order denying certificate of innocence at first with no boxes checked on said order and after I declared that this was not sufficient for me to take before the U.S. Attorney, she went back and bring me another order with the following boxes checked on form CCCR 0242:

Box (1) which claims, "the petitioner, did not serve all or any part of the sentence..." Take notice as the documentation presented before court shows, I served over 300 days and was subjected to cruel and unusual punishment on a charge that carried 1-3 years. This is more time than I would have served had I been found guilty with I.D.O.C. calculations.

Box (2) which states, "... Petitioner's judgment or conviction was not reversed or vacated, and the indictment or information was not dismissed..." Take notice, records before the court and statements before court made known to the court that the case was "Nolle Proseute", thus the officers of the court were aware that makes this case dismissed according to law. By Illinois law, this is the crime of "Obstructing Justice", "Official Misconduct and the federal crime of "Deprivation of Rights Under the Color of Law.

Box (5) which states, "... Petitioner is not innocent of the offenses charged in the indictment or information..." Take notice, all judges are bound by Article VI of the United States Constitution to support said constitution, therefore as the most basic principle of the citizenship rights of an American is to be innocent of any crime unless found guilty in a court of law. Therefore the attending judges reasoning that because I was not found not guilty before a judge due to the States Attorney Nolle Proseute the case, this ruling is notwithstanding pursuant to Article VI of the United States Constitution. This is a violation of section 1 of the 14<sup>th</sup> amendment of the above stated constitution.

5.) Carlos Massey made known before the court that there were other motions to be heard before court on October 20, 2010 lawfully filed and held up in open court before court attending witnesses the Judicial Notice of Law and the small claims Pro-se complaint, yet the attending judge declared he didn't have

anything before his records except for the Petition for the Certificate of Innocence. There are charges to be placed on individuals, constitutional violations to be addressed and due to the fact that NO one showed up in court for the Village of Crestwood after being served in person on 9-13-2010, then as it states on line 5 court form CCM 0138, I am entitled to the amount requested in the small claims complaint.

\* Due to intentional or reckless failure of the public officers of the court to perform mandatory duties as required, I have been made a victim of the crime of "Official Misconduct" pursuant to 720 ILCS 5/33-3. This is a class 3 felony, and pursuant to the Illinois Bill of Rights, I am entitled to the equal protection of the law for this act which now has denied me my Right to Remedy and Justice.

Carlos Massey now makes known before this court that no State shall deny any person within it's jurisdiction the equal protection of the laws as guaranteed in the 14<sup>th</sup> Amendment of the United States Constitution and for the Judges to continue to try to hold harmless the fellow judges of the Fifth Municipal and Judges and public officers made known to this court stated would be acts of treason. In Bulloch v. United States, the court stated "fraud upon the court" is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury... it is where the impartial functions of the court have been directly corrupted. Under federal law which is applicable to all states, the U.S. Supreme Court stated that if a court is without authority, it's judgments and orders are regarded as nullities. They are not voidable, but simply void and form no bar to recovery sought even prior to a reversal in opposition to them. They constitute no justification and all persons concerned in executing such judgments or sentences, are considered in law, as trespassers. "Elliot v. Piesol"

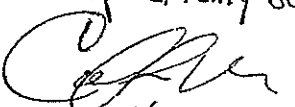
Carlos Massey now makes known before the court that the United States Supreme court has declared it is the duty of State and Federal judges to protect the constitutional rights of citizens and established principals of Illinois law declare that pursuant to the rulings of 'Hodge v. State', 35 Ill Ct. CL 50, 'In action for damages, the claimant is required to show duty and violation of duty in order to recover. Made known before this court the burden of proof has been met by the 'Negligence' of the officers of the court to protect the constitutional right of Carlos Massey, and the perjury to the oath of office committed by the sworn public officials of this court. Now made known before this court, Presiding Judge Sterba received the filings of Carlos Massey, including the Petition for Certificate of Innocence on July 21, 2010, at which time the State Attorney claimed they did not have the files before court to proceed.

For justice the court should have made the copies available to them at that time as opposed to violating the Bill of Rights section 12, Right to Remedy and Justice which states that Illinois citizens shall obtain justice by law freely, completely and promptly.

Due to the delay previously objected to in writing filed before court, Carlos Massey makes known before this court that financial damages suffered by his family continue to add up and the continued delay of the lawful duty of this court would be willful and wanton acts against the Supreme law of the land. Before the Presiding Judge Sterba, issues were brought forth involving the rights of parent and child and such issues demand court scheduling priority.

Now made known before the court, Carlos Massey claims constitutional rights and requires this court to hear the filings presented before the court and make the constitutionally compliant rulings as the law prescribes. Pursuant to provision: in the Illinois Constitution article 6 section 4 and the issues of Habeas corpus denials brought forth before the Presiding Judge Sterba, Carlos Massey reserves the right to claim original jurisdiction of the Illinois Supreme Court, to present the complaint directly for the willful misconduct in office, persistent failure to perform lawful duties and the previously complained of conduct that is prejudicial to the administration of justice and has now brought forth this judicial office into disrepute. The United States Supreme Court has correctly recognized Cook County Circuit Courts as the criminal enterprises that thus far the events before this court has shown true, however based on constitutionally compliant law or caselaw all judicial rulings must be based.

The ruling upon this motion before the court will initiate the long overdue justice guaranteed in State and Federal Constitutions or investigations of public corruption will be demanded by the F. B. I. as presently these matters are also submitted before U. S. District Attorney McKinsey and Patrick Fitzgerald. Carlos Massey has made known Judicial Errors committed on October 20, 2010 and constitutional violation committed against citizenship rights and hereby invokes the sworn duty of this judge and brings forth charges against the public officers for the crimes against Carlos Massey in formal complaint before this court. The indigent non-attorney litigant requests a signed written answer to this Motion.

Respectfully submitted pro-se  
  
Oct. 26, 2010  
13739 Keeler ave.  
Robbins, Illinois 60472.

Carlos L. Massey  
13739 Keeler ave.  
Robbins, Illinois 60472

October 26, 2010

Affidavit of the events October 20, 2010  
Before Fifth Municipal District of Cook County, Room 203

On 9:00 am October 20, 2010, I appeared in courtroom 203 along with Tara Wheeler and Vincent Gillum on continuance from the proceedings on July 21, 2010 before Presiding Judge Sterba. On 7-21-2010 the Presiding Judge Sterba did receive the filings and documents filed before the court including a 'Petition for Judicial Notice of Law', a 'Pro-se Complaint', a 'Motion for Relief from Judgments' and a re-filed 'Motion to Claim and Exercise Constitutional Right to Require Presiding Judge to Rule Upon all Motions and Petitions filed Before the Court', and because States Attorney claimed she didn't have the files, Judge Sterba denied me my right to prompt justice guaranteed in the Illinois Bill of Rights, and granted the States Attorney a three month continuance to appear before the court with my filings. On the 9:00am court call October 20, 2010, we attended the proceedings as another attending judge heard and ruled over several expungement cases. Around 10:00am this judge was finishing his cases and he asked me, "... what I was here for and the clerk of court answered "... Mr. Massey is here to be heard before Judge Sterba ..." (basically) The sitting judge then returned around 10:30 am and after a while called me before the bench and proceeded to hear my "Petition for Certificate of Innocence". The States Attorney alleged that I did not meet the requirements of 735 ILCS 5/2-702 and without addressing or investigating the State and Federal crimes as her oath of office requires, she intentionally or recklessly failed to perform her duty as prescribed by law of the United States Supreme Court. The attending judge then stated to me that he was denying the "Petition for Certificate of Innocence" because the case was Nolle Prosequi and I was declared not found not guilty by a judge ... I made known to this judge that my Constitutional rights were being violated since I am aware that my citizenship rights as an American guarantee that I am innocent of any crime unless I am

found guilty in a court of law. This judge stated if I felt my rights were being violated, well then sued in a District Court... I then made known to this judge that I had lawfully filed other matters before the court and that on 7-21-2010 the Presiding Judge Sterba had ordered the States Attorney to have the material they were required to have to proceed on October 20, 2010 and I pointed out that once again they did not have my filings and again were not ready to proceed, which again was a violation of state law by recklessly failing to perform a mandatory duty as required as well as the federal crime of Deprivation of Rights Under the Color of Law. The sitting judge then stated to me that all he had before him was the 'Petition for a Certificate of Innocence' and I waived my court stamped copies of my other filings in the air before this judge and court officers and stated the small claims proceedings were due to be heard on this date, habeas corpus, and Judicial Notice of Law was required to be heard. This judge with willful and wanton intent, ignored my United States Constitution right to equal protection of the law in complete disregard to Article VI of same said Constitution as well as denied my Illinois right as a citizen to Right to Remedy and Justice as well as recklessly failed to perform duties as required and enforce Illinois laws as charges were brought before the court even on the Petition for Certificate of Innocence before this judge. This attending judge and the States Attorney were required by law and sworn oath to protect my constitutional rights yet on October 20, 2010 both of these public officials committed the federal crime of 'Deprivation of Rights Under the Color of Law' and 'Governmental Enforcement Misconduct'. Before I left the courthouse I went back to retrieve a copy of the order of denial and I went to the Deputy Clerk's office and he then confirmed that all court files were in fact delivered to room 203 and that no one from his office was guilty of Official Misconduct. I then refiled my case before the Presiding Judge which the states it must be filed and they stated the next court date would be in March 2011, which is unlawful due to parent and child issues and criminal charges related to this case. I Carlos Massey declare these writings of the events in this affidavit true under the penalties of perjury pursuant to 735 ILCS 5/1-109.

Respectfully submitted

 10-26-2010



10/25/10

To whom it may concern

I have read affidavit of the events prepared by Carlos Massey, and I am prepared to testify under oath that these writings are true to as I witness before court on 10/20/10

sworn to before Vincent D'Ilum  
on this 26th day  
of October 2010

OFFICIAL SEAL  
MAPLE L. SPEARMON  
Notary Public - State of Illinois  
My Commission Expires Apr 22, 2014

Notary *Maple L. Spearmon*

STATE OF ILLINOIS  
CLERK OF THE CIRCUIT COURT  
DISTRICT 5  
DOROTHY BROWN  
CLERK

FILED - 5  
2010 OCT 27 PM 12:10  
CLERK OF THE CIRCUIT COURT  
DISTRICT 5  
DOROTHY BROWN  
CLERK



10-25-10

To Whom it may concern;

I have read the affidavit written by Carlos Massey and I am willing to testify under oath that these written is true as I am a witness that what happened in court on 10/20/10

Tara Wheeler

Given to before me  
this 26th day of October  
2010.

OFFICIAL SEAL  
MAPLE L. SPEARMON  
Notary Public - State of Illinois  
My Commission Expires Apr 22, 2014

Notary Public  
Maple L Spearmon

OFFICIAL SEAL  
MAPLE L. SPEARMON  
Notary Public - State of Illinois  
My Commission Expires Apr 22, 2014

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2010

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CLERK OF THE CIRCUIT COURT  
DISTRICT 5  
DOROTHY BROWN  
CLERK

10

Circuit Court of Cook County  
Fifth Municipal District

2010 MAY 21 PM 2:43

People of the State  
of Illinois

ROTHY BROWN  
CLERK OF THE CIRCUIT COURT  
OF COOK COUNTY, ILL.  
Case No. 09 CS 0290-01

v.

Carlos Massey  
(defendant) (petitioner)

Petition for  
Judicial Notice of Law

Comes now Carlos Massey, American citizen, appears before this court pro-se, a non-licensed attorney litigant and gives notice to the court. Noticed this court is subject to federal law and must abide by federal rules, accordingly federal court rules state that judges must bear judicial notices of law before the court. State judges and federal judges fiduciary duties are to protect the Constitutional rights of citizens and said defendant is a citizen and retains full Constitutional rights and enjoys the full benefits thereof. Any Judge who does not comply with his oath to the Constitution of the United States, wars against that Constitution and commits acts of treason. The U.S. Supreme Court in "Scheuer v. Rhodes", (416 U.S. 232, 94 S.Ct. 1623, 1627 (1974)), stated that, "...when a state officer acts in a manner violative of the federal Constitution, he comes into conflict with the Superior authority of that Constitution and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of the individual conduct.

The state has no power to impart to him any immunity from responsibility to the Supreme authority of the United States of America. By law, a judge is a state officer. U.S. Codes provides that "judges that have knowledge of criminal activities of other judges and fail to act,

become principle in the criminal activity themselves. Previously, before the court's of The Fifth Municipal of Cook County, the defendant makes known on record by filed written notice, before this honorable court, that;

① Barbara J. Smith, the official court reporter, furnished false information before the defendant which obstructed the defense in this case. The report of the preliminary hearing on the 29<sup>th</sup> day of May has omissions and has been falsified, these acts support collusion in "Conspiracy to commit treason," obstruction of justice," as well as "official misconduct", by her recklessly failing to perform a mandatory duty as required by law accordingly pursuant to Illinois compiled statutes.

② The defendant did not witness the Officer Kevin Krolak sworn in before the court nor did the defendant arrive into the courtroom until after hearing and seeing Officer Kevin Krolak state, "...I was driving solith on Keeler". This is known by defendant because the first thing he did when he walked in the courtroom is, he called Krolak a lie and was told to be quiet by David Colario. After this, as court records reflect, the States Attorney did in fact violate the United States Constitutional rights of the defendant by the unlawful leading examination that was allowed by the judge William Kunkle and unchallenged by object of the defense, which is an act that has been shown as ineffective assistance of counsel under the "Strickland" guidelines, denying the defendant "Due Process". Before these officers of the court, there has been conspiracy and collusion, as well as aiding and abetting violations of state and federal laws including "Conspiracy to commit treason," obstruction of justice," "official misconduct". As these officers are currently charged in federal court for federal crimes including "Deprivation of Rights Under the Color of Law," Carlos Massey v. The People of the State of Illinois-09CS006, and United States ex rel Carlos Massey v. The People of the State of Illinois-09-CV5006, the defendant had not yet been afforded the opportunity to bring forth complaint before court for state crimes due to this courts abusive discretion and abuse of court procedures.

③ "Fraud Upon the Court" is defined by law as anything against the machinery of Justice itself, and vitiates any court proceedings.

②

④ Page 4 is/was fraudulently concealed, from the report of proceedings made available to the defendant, however line 1 and line 7-10 is the extent of representation shown on record by the public defender. Line 1 (pg 5) The court shows it's biased position by answering sustained and allowed the Prosecution the baseless objection to the significant question of, "... were your emergency lights on when Mr. Massey was pulled over?" Widest latitude is to be allowed in court for cross-examination, yet these officers of the court aided and abetted the intentional misconduct under color of state law by virtue of conspiratorial actions amongst these officials denying the defendant federal rights, as in *Tower V. Glover* 104 S. Ct. 2830 (1984). David Colaric did in fact bring forth the question, "... why did you pull him or stop him over?" Shown on record is a baseless objection by the states attorney which shows the actions by Aisha Cornelius were intentional, Line 3, pg(5) serves no purpose other than to deliberately maliciously prosecute the defendant in violation of T.R.P.C. rule 38, in complete collusion and clearly against the United States Constitutional rights of the defendant. It was established by the Public defender in lines 7-10 pg(5), that, "it was determined his license had been suspended after being stopped for no apparent reason". Line 11 pg(5) shows judge Kunkle abused discretion and made a ruling of a finding of probable cause contrary to established principles of law and against the Supreme law of the United States, denying equal protection of law guaranteed in State and National Constitutions.

⑤ Line 4-6 pg(5) shows the judge's statements on ~~record~~<sup>CLM</sup> record, reflects the bias and judicial misconduct before the court. This judge speaks plainly, "stating, we are finding probable cause or not on a felony." "Nothing to do with the misdemeanor traffic charges or traffic charge", this shows the court's own admission that grounds exist to charge that, "two or more persons conspired for the purpose of impeding, hindering, obstructing or defeating, in any manner, the due course of justice in any state, with the intent to deny to any citizen the equal protection of the law. U.S.C. title 42 section 1985 Conspiracy to interfere with civil rights, section (2) which pertains specifically to those court officers "Obstructing Justice"

⑥ Lines 16-20 pg. (5), is evidence on record of the preliminary hearing, that the defendant was denied the legal right to defend himself as well as present a complaint before the court, which was filed 5-3-2010 on record.

⑦ On 7-30-2009 before Judge John D. Hynes, Circuit Court of Cook County Fifth district, the defendant was denied rights guaranteed in State and National Constitutions. Gary B. Tallon the official court reporter did in fact submit the report to the defendant in altered form, thus obstructing the defense of the defender by false information furnished.

⑧ Katherine Vahey was appointed to represent the defendant, even as the defendant protested against total representation and requested that he be allowed to proceed as *Faretta* (1988), with P.D. as co-counsel and Judge Hynes ignored the established Illinois law granting the defendant the right to defend himself. Illinois law states that judges lose their subject-matter jurisdiction whenever they do not follow Illinois law. Judge Hynes is without immunity and he intentionally or recklessly failed to perform mandatory duty as required which is a felony pursuant to law, Judge Hynes furnished false information intentionally obstructing the defense of the defendant, also a felony along with the crimes of "violation of oath of office", "Conspiracy" and federal crimes against the defendant.

⑨ Judge Hynes stated plainly, "...he does not allow defendants the opportunity to defend themselves with P.D. as co-counsel," stating, "it will be two many chiefs before his court". Judge Hynes intentionally intimidated the defendant, forcing him to allow Katherine Vahey to speak for him in court and after the illusion of "due process" was portrayed before court, the judge and the public defender were successful in keeping the filings and pleadings of the defendant off court records by the conspiratorial actions between the court and Forensic Clinical Services. As reflected in the record of proceedings 7/30/09 on lines 5-10 pg. (3), Katherine Vahey shows that she was appointed on 6/22/09 to represent the defendant and on the same day of appointment she ordered a BCX. She states that the clerk of court rendered her a copy of the return indicating the defendant was 'unfit to stand trial', and she asks the court to proceed based on that.

⑩ In these same records of proceedings 7/30/09, lines 16-18 pg(3), it is shown that the BCX return was faxed to the judge, lines 11-15 pg(3), show that there were errors in filings before the court and that the judge conspired with Katherine Vahey and Micheal O'Brien against Circuit Court Rules of Cook County filing procedures. Had the ex-parte communication not been allowed, improperly filed by attorney, then the defendant's right to file pro-se could not be inhibited. (It shown on lines 7-9 pg(5), the defendant had such intention to file)

1. Lines 19-24 pg(3) show that the judge without reviewing the BCX return, was prepared to deny the defendant's rights before court of law. This judge's decision was against the defendant's Constitutional right to confront and challenge the alleged findings of the BCX, as the witness was not in court, nor could there had been any verifiable seal or certification of authenticity as said report was faxed to court. Lines 18, 22, 23 pg(3), shows that there is conspiracy between Katherine Vahey and the judge as it is stated, "we will make a copy available to you", "we'll determine what the next line of - - where we're going". The judge is supposed to be sole decider of proceedings and HE is supposed to base all decisions on law and Supreme court caselaw.

⑪ Katherine Vahey is shown to after knowing the defendant only minutes, she ordered a psych-exam. There was no ground for 'Bona fide doubt', nor was the plea of "not guilty by reason of insanity" a consideration. The law demands grounds for 'Bona fide doubt', as well the law provides that the defendant is a citizen of the State of Illinois and entitled to the rights guaranteed in the Bill of Rights in the Constitution this court judge is bound by law to uphold. Article I, section 2, provides that "no person shall be denied equal protection of the laws", as also stated in section 13, "Every person shall find a certain remedy in the laws for all injuries and wrongs which he receives to his person, privacy, property, or reputation. He shall obtain justice by law, freely, completely, and promptly." By the United States Constitution, in validation of this petition the defendant requires the court to acknowledge that any individual sitting in the Constitutional capacity of a judge or officer of the court,

You are bound to take *ex officio* notice, judicial Notice, of the general law, the facts of the case to which the said notice presents and the special laws which arise out of the facts. Kathryn Vahey, the public officer, appointed to defend the defendant did in fact commit acts of misconduct when she intentionally ~~did~~ or recklessly failed to perform the mandatory duty she was prescribed. Kathryn Vahey knowingly performed acts which she knew she was forbidden by law to perform. This is the class 3 felony crime of "Official Misconduct" committed against the defendant, Carlos Massey, a United States American (720 ILCS 5/33-3). As aforementioned in this Petition, Barbara J. Smith (official court reporter), Gary R. Tallon (official court reporter), William Kunkle (judge), John J. Hynes (Judge) and Kevin Krolak (Crestwood Police officer), all are public officers by definition provided in 720 ILCS 5/2-18, and all of the aforesaid individuals did in fact commit the crime of "Official Misconduct" against the defendant.

immunity oked { The aforesaid judges can be held liable for their crimes and are without immunity due to the fact that they were absent subject matter jurisdiction in this case. Law provides that no judge in Illinois has jurisdiction over or can issue a court order against an American citizen if that court and/or judge; (a) do not provide due process of law; (b) do not provide equal protection under the law; (c) do not respect and uphold the constitutional rights of American citizens; (d) act with sufficient force so as to deny the powers of the National and State Constitutions. }

Kathryn Vahey, obstructed the defense of the defendant along with the De Neu and staff of Forensic Clinical Services, Barbara J. Smith, Gary Tallon, William Kunkle, John J. Hynes, Dr. Valibihino, Pat Kelley and Staff of the Chester Mental Health Center, all have committed the class 4 felony of 720 ILCS 5/31-4, "Obstructing Justice." A person obstructs justice when, with intent to prevent the apprehension or obstruct the prosecution or the defense of any person, he knowingly commits any of the following acts: Destroys, alters, conceals, or disguises physical evidence, plants false evidence or furnishes false informations. Before court, officer Kevin Krolak committed "Perjury", a class 3 felony against the defendant and thereafter the afore named individuals have all committed crimes against Illinois



and specifically the defendant, an American citizen. It is the duty of the State and Federal judges to protect the Constitutional rights of the American citizens, yet due to the capricious acts by the officers of the Circuit Court of Cook County, Fifth Municipal District, public officers and public contractors of the State of Illinois, justice is being denied for We the People of the United States of America. Noticed, the Presiding judge is now made known and it is the duty of this court to uphold the rights of equal protection of the law guaranteed in Illinois Bill of Rights and grant the defendant the section 8.1 Crime Victim's rights due as result of the criminal acts against the defendant, Carlos Massey, petitioner of this Judicial Notice of law. The defendant/petitioner, makes known that three Habeas Corpus' were lawfully filed before this court and pursuant to Illinois law \$1000.00 fines payable to the defendant/petitioner is due for denial. The defendant/petitioner makes known to this judge that due to the criminal acts of public officers of the Fifth Municipal District, the defendant's 1995 Oldsmobile Delta 88 was unlawfully towed and has now been destroyed, as well as due to the 312 days of unlawful detainment, an entire 4 bedroom home of furnishings (to be listed) and personal wardrobe has been lost. (witnesses and pictures to verify). The defendant makes known to this judge that the Fifth Municipal District Circuit Court ordered the defendant to be detained at the Cook County Dept. of Corrections where there were violations of prisoner's rights and public safety, American Citizens are not to be subject to cruel and inhumane punishment. Sheriff Thomas J. Dart has the mandatory duty to ensure that defendants are delivered to and from court from C.C.D.O.C. in a way that is safe for the public, humane for the detainee and timely for court proceedings. Carlos Massey as well as hundreds of other citizens were herded into holding cells grossly overcrowded pursuant to public safety codes and regulations for fire and safety hazards, spending over 3 to 4 hours standing with no room to even sit on the floor at times. Individuals spend 6 to 9 hours locked in these safety hazards causing individuals to pass out and also act out in violence. The defendant suffers from seizures and was denied medication several days.

State employees at the C.C.D.O.C., violate Illinois law, in that administrative order #6 of the employee ethnics act is ignored and thereby the citizens of Illinois suffer great social and economic consequences. The actions and conduct of state employees, appointees and officials are essential to maintaining the public's trust in state government and made known before this court, it is the duty of this Judge to uphold the equal protection of the law rights guaranteed in state and National Constitutions. Furthermore, the judge as state officer, is obligated to report any violations of laws, rules, regulations and policies made known to them pursuant to 5 ILCS 430. Failure to investigate the "Official Misconduct" by Sheriff Thomas Dart and initiate full inspection of the conditions and policies of C.C.D.O.C., would be a federal crime of Governmental Enforcement Misconduct. The defendant wishes to convey that in accordance to United States Codes, Title 18 > part 1 > chapter 115 > subsection 2382, it is a federal crime of 'Misprison of Treason' to not report judges in violation of the Supreme law of the land, for these are acts of treason. Acts under "Color of Law" include acts done by federal, state, or local official's within their lawful authority, but also acts done beyond the bounds of that official's authority, if the acts are done while the official is pretending to act in the performance of his/her official duties. Persons acting under Color of Law within the meaning of this statute include police officers, prison guards and other law enforcement officials, as well as Judges, care providers in public health facilities and others who are acting public officials. Pursuant to Title 18 section 242, the federal crime of "Deprivation of Rights Under the Color of Law" occurs when a person acting under color of any law, statute, ordinance, regulation or custom, willfully subjects any person in any state to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States. Noticed, each of the aforementioned individuals in this petition and individuals still to be brought forth and exposed, upon investigation, review by court commission and/or trial by jury, have in fact committed this federal crime against the defendant and as newly discovered in records, against several U.S. citizens.

The defendant makes known that after over 312 days of having the United States Constitutional right of freedom/liberty denied, the public defender who was appointed by the court, who is the one who had the defendant subjected to the "suspect" psych-exam (which denied the defendant's right to defend himself, in conspiracy against constitutional rights with judge Hynes, Dr. Neu and Dr. Valibihini), who denied the defendant the constitutional right to effective assistance of counsel pursuant to rulings in People V. Barry, 202 Ill. App. 3d, and who in "collusion against rights" with judge Hynes, against I.R.P.C. rule 1.16, withdrew from appointment without delivering to the defendant all papers and property needed to represent himself in court, instead Kathryn Vahey was allowed to withdraw unlawfully and Scott Lipinski assumed representation. Noticed Kathryn Vahey never presented the motion to dismiss, quash arrest or even interviewed any of the defendant's witnesses including the defendant's son. Noticed, judge Hynes has a duty to protect the defendant's rights in court, before granting an order for an attorney to withdraw, the judge must insure that the attorney has fully and properly complied with I.R.P.C.. Illinois law states that judges lose their subject-matter jurisdiction whenever they do not follow Illinois law. Further noticed, the defendant did in fact file properly before this Presiding Judges court (via the clerk of court), the States Attorney and Abishi C. Cunningham, along with the required certification of Service, a motion making known before the Presiding Judge, that judge Hynes was in fact without jurisdiction and was facing charges before federal court, therefore the proceedings before judge Hynes in March 2010 were void. Judicial Notice of law was rendered and the defendant requires this court to read and acknowledge this said previously submitted motion filed 1-25-2010 and re-filed 5-19-2010. The defendant makes known before this court that Scott Lipinski did in fact commit "Misprison of Treason", pursuant to the statutes in 720 ILCS 5/30-2, and did not fully represent the Constitutional rights of the defendant. This attorney violated the Illinois ethics Act 5 ILCS 430/5-10, and is to be disciplined pursuant to the judicial code of conduct for violating I.R.P.C. rule 8.4. This attorney is also

not immune from liability under Section 1983 for intentional misconduct under color of state law by virtue of alleged conspiratorial action with state officials that deprives their clients of federal rights pursuant to the Supreme Court ruling in *Tower v. Glover* 104 S.Ct. 2820 (1984). The defendant makes known that the public defenders office supervisor did in fact state in front of Ivonne Williams, another P.D., "that since there was a ruling of *Nolle Prosequi*" filed on 3-12-2010, this case was over and since it was a favorable ruling I could not make a complaint against the attorneys". The defendant makes known to this court that this public defenders office did commit "Conspiracy Against Rights," and the records filed by the States Attorney in the Certified Statement of Conviction, shows there has been deception and fraudulent concealment by the states attorney and pursuant to the law of the United States under Title 18 U.S.C. § 1001, Fraud and Fraudulent Statements, federal crimes are being committed under the auspice of the Presiding Judge now made known on record. The defendant makes known that upon requesting information about a petition for Certificate of Innocence, the public defenders office offered false statements and refused to assist the defendant in upholding or the protection of his constitutional rights, contrary to the duty of the office. The defendant has records that reflect there has been repeated filings for appearance before the Presiding Judge to appear and claim Constitutional rights and have the Presiding judge uphold said rights, though the clerk of courts has been negligent and failed to stamp <sup>CLM</sup> filings, witnesses will concur that on 5-3-2010, A petition for Certificate of Innocence was filed to be heard 5-19-2010 with supporting documents pursuant to 735 ILCS 5/2-702. The defendant makes known that on 4-20-2010, an appearance to appear before the Presiding judges court resulted in an appearance before a judge in 203, on 5-3-2010, and court transcripts will reflect the ongoing denial of Constitutional rights endured by the defendant. The defendant now requires this court to acknowledge the aforesated Constitutional violations, report and refer individuals to be charged with federal crimes to the Office of The United States Attorney,

For the Northern District of Illinois • 219 South Dearborn • 5<sup>th</sup> floor  
Chicago, Illinois 60604, and pursuant to the general orders of the  
Circuit Court of Cook County (No. 4), (No. 12) and part 18.3 of the  
rules of the Circuit Court of Cook County, acknowledging the oaths  
sworn by the Presiding Judge and the attending public officers, to  
uphold the defendant's Constitutional rights and correct the judicial  
errors/misconduct by the judges under the authority of the Bridgeview  
Circuit Court of Cook County Fifth Municipal District, including the  
correction of the order of protection lawfully granted by Judge Leroy K.  
Martin Jr. on Oct. 31, 2005, unconstitutionally rescinded by Patrick  
Murphy, previously a Markham judge. On Nov. 1, 2005 Patrick Murphy  
unlawfully rescinded, without appearance of the defendant (petitioner of  
order) thereby causing the "Unconstitutional Separation of Parent and Child"  
for over 5 years. (4.9 million dollar settlement awarded in California District  
court 2007) noted: there is no statute of limitations on correction of errors

The defendant makes known to the Honorable Presiding Judge of the  
Fifth Municipal District of Cook County, who is bound by Article VI of the  
United States Constitution and sworn to uphold the Constitution of the  
State of Illinois, that the defendant hereby requires this judge to  
specifically acknowledge Illinois Bill of Rights section 12, "Right to Remedy  
and Justice," to find remedy in the laws for all injuries and wrongs which  
he has received to his person, privacy, property and reputation. This said  
right states in fact, "the defendant shall obtain justice by law freely,  
completely and promptly," therefore the defendant states the following  
wrongs to be addressed, corrected, reviewed, referred or set for  
preliminary hearings for charges/establishment of probable cause;

- 1.) The defendant was unlawfully detained over 300 days;
  - a. loss of contract on rent to buy 4 bdr home and all furnishings
  - b. loss of personal clothing and inheritances from Mother
  - c. loss of expensive family dog
- 2.) Automobiles unlawfully seized and destroyed
  - a. '95 Oldsmobile Delta 88
  - b. '95 Cadillac Sedan Deville \$ sound system \$ computers in trunk
  - c. '96 Ford Explorer Sport \$ competition stereo system

(12)

- 3.) Judge Patrick Murphy committed abusive discretion which has resulted in: (a) Unconstitutional Separation of Parent and Child; (b.) Warrantless seizure of a child; (c) Conspiracy to Kidnap
- 4.) Judge Michelle Jordan committed an act of treason by deliberately with intent, made a ruling against the Supreme authority of the United States of America in conspiracy to kidnap the defendants two daughters, Shiretta and Jannet Massey
- 5.) Judge Maxwell Griffen violated Oath of Office and denied 6<sup>th</sup> amendment rights and failed to perform mandatory duty with intent in conspiracy to kidnap the defendants two daughters
- 6.) Presiding Judge Patricia Bishop ignored established principles of law and committed "Official Misconduct" as well as intentionally ignoring a judicial notice of law, in conspiracy to kidnap, as well as "Conspiracy to Commit Treason"
- 7.) Ron D. Blagojevich committed the crime of "Violation of Oath of Office" in conspiracy to kidnap, as well as "scheme to defraud" and "Breach of Fiduciary duty."
- 8.) Illinois Department of Child and Family Services did in fact, with its agencies, continue to violate Illinois law and deny Fathers rights as well as violate the defendants Constitutional right to be free from "Governmental invasion to right to privacy", in conspiracy to kidnap defendants children.
- 9.) Richard Durbin (Senator) committed "Official Misconduct", "Violation of Oath of Office", as well as Breach of Fiduciary Duty by ignoring the case that was transferred to his office from ex-Senator Barack Obama concerning issues presented including several of the aforesaid issues and U.S. Constitutional violations. (The defendant is currently seeking to impeach)
- 10.) Governor Pat Quinn, did in fact receive by certified mail, complaints of constitutional violations of state and national constitutions. By his failure to respond or act shows grounds for incompetence, neglect of duty, and malfeasance in office. (Pursuant to "The Honest Services Law, the Governor is required to render honest services and accordingly, pursuant to Art. 4 section 14 of the Constitution of the State of Illinois, Pat Quinn is liable to prosecution for the crime of "Official Misconduct.")

11.) Clerk of the Supreme Court, Jukann Hornyak committed the offense of "Official Misconduct", "Obstruction of Justice", "Deprivation of Rights Under the Color of Law" and apparently in conspiracy against Rights as the denial of Habeas Corpus lawfully submitted reflects. As a non-attorney litigant, the defendant's petition should have been submitted before the court pursuant to the constitutional right and not denied for a suggestion to file elsewhere denying constitutional right (copy of letter and Habeas Corpus supplied)

12.) Judge White of Winnebago County, committed the crime of "Official Misconduct", in that he entered a judgement against the defendant while the defendant had passed out in court as witnesses and records from court will show. This void order of conviction is the first unlawfully charged DUI as well as "Deprivation of Rights Under the Color of Law".

13.) The second unlawful violation of constitution right occurred when the Sixth Municipal District entered a void order against the defendant's driver license 6-26-06. Midlothian Police department is guilty of the crime of "Official Misconduct" in this act by issuing a D.U.I. judgement against the defendant in "Qui-Tiam," under Whistleblowers act.

14.) Judge (Law), the Presiding Judge of the Sixth Municipal District Court, did in fact fraudulently conceal evidence, by unconstitutionally denying the defendant's appearance by abuse of court procedure on or around 4-23-09, in conspiracy against rights on the above case. This was deprivation of rights under the color of law, and "Official Misconduct"

15.) During the unlawfully detainment caused by this present case, the defendant was "withheld from court for the small claims prosecution against The Village of Midlothian". This was a "conspiracy to interfere with civil rights put into acts by Crestwood Police dept., and the conspiracy against rights accomplished with Judge Hynes aid and abetting the misconduct and ruling the 90 day evaluation that resulted in the defendant being held six months at the Chester Mental Health Center without "right to bail," without lawful 45 day fitness hearings before court nor jury trial right to determine fitness as prescribed by Illinois Law. While in the

Custody of C.M.H.C., the defendant suffered and witnessed "human rights violations; mental, physical, medical and sexual abuse as complaints to the Executive Inspector General reflect C.M.H.C. as a facility under contract of Illinois, under the Authority of Pat Kelley, is guilty of "Public Contractor Misconduct", and the defendant has the evidence and signed witnesses to support this charge before court.

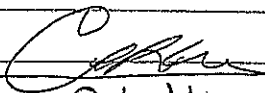
(16) The defendant's reputation has been damaged by the unlawful, involuntary detainment at said facility and the defendant suffered and witnessed the Illinois crime of "Conspiracy Against <sup>civil</sup> Rights", pursuant to (720 ILCS 5/8-2.1). The E.O.I.G. has the full names of the individuals to be charged and the defendant has records for support of charges.

(17) On 1-25-10, the defendant originally submitted notice before the Honorable Presiding Judge, objecting to delay pursuant to 725 ILCS 5/103-5, and after almost 120 days while preparing this petition on 5-18-2010, the fifth municipal district clerk of court (unnamed), called the defendant and stated that, "the Judge had not yet looked over the filings before court...", "and that she would call the defendant with a new court date." The defendant humbly wishes to express concerns of the rights to prompt justice. Matters to be brought forth before court, urgent in the enforcement of constitutional right to equal protection of the law is at question. The defendant having suffered the loss of a place to live, clothes to wear, means of travel to support oneself, all depend the defendant's right to proceed in the court of claims to receive the immediate claims entitled to the defendant including \$41,768.<sup>00</sup> for the unlawful incarceration, (not on death row), prior to actions for damages which will take longer to address. The facts of matters for a certificate of innocence, are clear and evident and according to law, the defendant is entitled. To claim the denial of) → \$4,000.<sup>00</sup> the defendant is entitled to pursuant to Illinois law, the defendant had urgent matters of discovery to address the Presiding judge to order so that the defendant could have said judge issue a court order demanding the immediate return/reimbursement for the defendant's 1995 Oldsmobile Delta 88 unlawfully taken during the course of events surrounding this case with Crestwood.

(15)



Therefore the defendant humbly submits this "Judicial Notice of Law" and expresses the urgent need for this court to bring justice forth in as soon as possible manner, due to the unconstitutional actions by the State of Illinois, have destroyed bonds between a parent and children, denied provisions of the United States Constitution, Unlawfully seized and destroyed property, unlawfully detained the defendant under in humane conditions, without regard to safety denied medical attention, unlawfully denied constitutional right to equal protection of the law and driving privileges unlawfully denied has over the period of the enforcement of the void orders, caused financial losses from bails paid and the employment lost. The defendant prays that this Honorable Presiding Judge recognize the damage to the life and business the misconduct has caused the defendant, an Honorably Discharged Marine Veteran, and the defendant files this "Petition for Judicial Notice of Law" to invoke the powers of this court to protect Constitutional Rights and Uphold the Laws of the State and United States Government. The defendant having previously requested that Crestwood reimburse the defendant for the losses sustained by the negligent training/hiring procedures of The Village of Crestwood Police officers, now brings forth Pro se complaint seeking a claim against the Village of Crestwood in the amount of \$9,500.00, for the compensation of property lost as a direct result of police misconduct. The defendant having previously required the Honorable Judge to rule on all motions the defendant files, submits said complaint to be heard also with other previous filings, and prays the Honorable Presiding judge issue summons and promptly bring before court the responsible party to be held to answer before the court in a timely manner. Respectfully submitted.

 5-18-2011  
Carlos Massey Pro-se  
P.O. Box 1014 Robbins, Illinois  
60472



OFFICE OF EXECUTIVE INSPECTOR GENERAL
for the Agencies of the Illinois Governor

COMPLAINT FORM

Submitted to Lance Meock ON 4-23-20

Please type or print clearly below. Return completed form to: Office of Executive Inspector General, Division of Investigations, 32 West Randolph Street, Suite 1900, Chicago, IL 60601. Alternatively, you may fax the form to our office at (312) 814-5479. Our toll-free hotline number is (866) 814-1113. TTY 1-888-261-2734.

Contact Information:

\*Name:

Carlos Massey % Bernice Webb

Date:

4-23-2010

Age:

45

Sex:

[ ] M

[ ] F

Address:

P.O. Box 1014 — 13739 Keeler Ave (use P.O. Box) Robbins, Illinois 60492

Home Number:

(708) 535-0981 (after)

Business Number:

(708) 969-7799

Other Number:

(708) 333-1194

E-mail:

ChicagoMassey@yahoo.com

What is your preferred method of contact?

Mail & E-mail

Are you a State of Illinois Employee?

[ ] Yes

[x] No

If yes, which agency?

Is your complaint related to your State employment?

[ ] Yes

[x] No

Complaint Information:

Is your complaint against a State of Illinois employee(s), agency, or vendor of the State?

[x] Yes

[ ] No\*

\* If NO, our office lacks the authority to review or investigate your complaint and the complaint will be returned.

If yes, which agency?

OIG DHS

Please provide as much detailed information about the individual(s) as possible

See attached

\*The OEIG does accept anonymous complaints, however our inability to discuss this matter with you directly may prevent us from investigating this complaint.



OFFICE OF EXECUTIVE INSPECTOR GENERAL  
FOR THE AGENCIES OF THE ILLINOIS GOVERNOR

PAT QUINN  
GOVERNOR

32 WEST RANDOLPH STREET, SUITE 1900  
CHICAGO, ILLINOIS 60601

JAMES A. WRIGHT  
EXECUTIVE INSPECTOR GENERAL

May 28, 2010

Carlos Massey  
c/o Bernice Webb  
P.O. Box 1014  
Robbins, IL 60472

Re: Complaint #10-00502

Dear Mr. Massey:

*Illinois Crime of  
Official Misconduct and  
Obstructing Justice as well as  
Violation of Illinois  
Ethics Act  
5 ILCS 430*

The Office of Executive Inspector General (OEIG) received your letter/complaint on April 23, 2010 alleging improprieties with the Department of Human Services. The OEIG will carefully review the information provided and determine the most appropriate course of action. If your complaint alleges a violation of law, rule, or regulation by an employee or vendor directly under the jurisdiction of the Illinois Governor and/or Lt. Governor, it may be assigned to an investigator for review, or referred to another body.

Please be further advised that all records and information pertaining to any investigation, including the identity of the complainant, are considered confidential and therefore not subject to public release. Therefore, the outcome of our investigation, if any, will not be reported to you. Additionally, this Office is precluded from advising you and the public of any finding we reach in this case.

If you have more information concerning this, or any other, allegation involving a State employee or vendor directly responsible to the Governor, please contact our office by:

- Calling the Office's toll-free hotline (866) 814-1113;
- Downloading a complaint form on our website: [inspectorgeneral.illinois.gov](http://inspectorgeneral.illinois.gov);
- Sending a completed complaint form to Office of Executive Inspector General, Attention Complaint Division, 32 West Randolph, Suite 1900, Chicago, Illinois 60601;
- Faxing a completed complaint form to (312) 814-5479; or
- Visiting the office at the address above to fill out a complaint form.

Your commitment to ensuring honesty, integrity and accountability in State government is greatly appreciated and we thank you for bringing this matter to our attention.

Sincerely,  
Office of Executive Inspector General

*incorrect,  
these were crimes  
committed*

*Federal  
Crimes*

*Government  
Enforcement  
Misconduct*

*Denial of Honest Services, Deprivation of Right Under Color of Law*

*This violates my Bill of Rights  
sections 2, 8, 1, and 12*

*No one charged in crimes against me*

*\**

# United States Senate

WASHINGTON, DC 20510

April 11, 2007

Mr. Carlos Massey  
1861 Poggi Ave. Apt. 201B  
Alameda, California 94501

Dear Mr. Massey:

Thank you for your recent correspondence to my Chicago District Office. My staff has made me aware of your concerns and will do their best to assist you.

Ellen Whelan-Wuest, one of my staff members, is responsible for issues such as yours and has contacted the Illinois Judicial Board of Inquiry and the U.S. Attorney's Office for the Central Illinois Division on your behalf. My office will do its best to assure that you receive a response to your request.

Please allow thirty (30) to sixty (60) days for the agency to respond. Additionally, Ellen will contact you as soon as we receive any information concerning your case. If in the mean time you have any questions, please feel free to contact my office.

Sincerely,



Barack Obama  
United States Senator

Exhibit E

The Circuit Court of Cook County

Sixth Municipal District

RECEIVED  
JUL 31 REC'D  
Bobby L. Rush, MC  
Chicago Office

|                   |   |                       |
|-------------------|---|-----------------------|
| People of the     | ) | YM-224860             |
| State of Illinois | ) | YG-904538             |
|                   | ) | Case No. YG-904539    |
| V.                | ) | YG-904680             |
|                   | ) | YG-709700-701         |
| Carlos Massey     | ) | YT-640-438            |
|                   | ) | YT-640-439            |
|                   | ) | 2006D63050            |
|                   | ) | (microfilm DR6000001) |

Petition for Judicial Notice of Law

Comes now Carlos Massey, American citizen, appears before this court Pro-se and gives notice and requires this court to acknowledge that any individual sitting in the Constitutional capacity of a judge or officer of the court, you are bound to take ex officio notice, judicial notice of the general law, the facts that arise out of the cases to which the said notice presents and the specific laws which arise out of the facts. Noticed, State Judges and Federal Judges fiduciary duties are to protect the Constitutional rights of citizens and said defendant is a citizen and retains full Constitutional rights and is entitled to the full benefits thereof. Any Judge who does not comply with his oath to the Constitution of the United States, wars with that constitution and commits acts of treason.

Noticed, the U.S. Supremo Court in (Scheuer V. Rhodes 416 U.S. 232, S.Ct 1683, 1687) stated that, " ...When a State Officer acts in a manner violating the Federal Constitution, he comes into conflict with the superior authority of that Constitution and he is in that

*case stripped of his official or representative character and is subjected to the consequences of the individual conduct. The State has no power to impart to him any immunity from responsibility to the Supreme authority of the United States of America."*

Noticed, United States Codes as well as Illinois law pursuant to state employees administrative order #6 and the State Employees Ethics Act (5 ILCS 430), provides that... "Judges that have knowledge of criminal activities of other judges and fail to act, become principle to the criminal activity themselves. Noticed, 'Fraud Upon the Court' is defined in law as, '...anything against the machinery of justice itself' and it vitiates any court proceedings or statues on the timing of filing guidelines.

Therefore Carlos Massey now makes known on court record by filed 'Judicial Notice of Law' that the United States Constitutional 14<sup>th</sup> Amendment right to 'Equal protection of the Law' was in fact denied as well as the Illinois section 12 Bill of Rights to 'Remedy and Justice' in fraudulent concealment of justice by the willful and wanton acts committed by the Presiding Judge Laws of the Six Municipal District of Cook County. Noticed, in the last appearance before Judge Laws before the Six Municipal District of Cook County, now considered as 'the criminal enterprise' as previously recognized by the United States Supreme Court ruling in the 'Greylord' case did in fact violate the 'Judicial Code of Conduct' rules 62 Canon 2(A) and rule 63 Canon 3(A)(4) in that she called for a side conference denying the rights to be heard on record which would guarantee Carlos Massey the Constitutional right of 'Due Process' in appellate procedures as well as initiating ex-parte communication which caused Carlos Massey to be denied the default judgment award of \$8000.00 to be lawfully paid to Carlos Massey as the law prescribes. Noticed, charges may be sought for conspiring to

Fraud  
Upon  
Court

violate the RICO Act pursuant to 18 U.S.C.S. <1962(d) by providing protection for an enterprise's criminal activity (unlawful police conduct and the Cook County Judicial system misconduct). Noticed, Judge Laws did in fact agree to committ at least two predicate acts including 'Deprivation of Rights Under the Color of Law', 'Conspiracy Against Rights', 'Misprison of Treason', 'Fraud and Fraudulent Statements' and U.S.C. violations pursuant Title 42 Chapter 1985>(2) &(3) 'Conspiracy to Interfere With Civil Rights'. Finally Noticed, Judge Laws abusive discretion and abuse of court process has denied Carlos Massey United States citizenship rights including furtherance in damages as settled before California U.S. District Court for 'Unconstitutional Separation of Parent and Child' and these actions are shown with willful and wanton intent through her refusal to acknowledge and so rule on the 'Motion to Correct Errors' as required by Circuit Court of Cook County Rules and General Orders. In support of this 'Judicial Notice of Law', the following previously filed motions and documentation before court as well

as material to be presented before the Supreme Court of Illinois are now attached as exhibits before this forum:

- A. CCG 0663 motion- 705 ILCS 105/27.2a(w) submitted 3-3-09 as filing procedures require to present; 'Motion to Claim and Exercise Constitutional Rights and Require The Presiding Judge to Rule Upon This Motion, and All Public Officers of This Court to Uphold Said Rights'. Carlos Massey made known before the court that his 'Due Process Rights' were violated, violations of rule 8.4 by Sally Barnes were made known. Conspiratorial actions between her and fellow court officers and the attending Judge commenced the federal crimes of 'Deprivation of Rights Under the Color of Law' and 'Conspiracy Against

Take  
Notice  
Supreme  
Court  
Illinois  
6/29/17

Rights'. False reporting to the Secretary of State was made known and the Court was made known that the Village of Midlothian had violated the United States Citizenship Rights of Carlos Massey by the unconstitutional seizure of property and yet at no time has any federal officer contacted me showing that this court properly initiated any investigation as required by law. Furthermore pursuant to the Illinois law effective as of January 1<sup>st</sup>, 2012 (625 ILCS 5/ch-4), the State of Illinois had not authorized Midlothian nor any other municipal to impose any ordinance violation fees of \$500 dollars for the tow release of vehicles.

Therefore by United States Citizenship Rights, this court is required to render an order to Midlothian for the reimbursement of said fees plus towing cost and reasonable damages to be determined by this court.

B. CCG N702 motion- 705 ILCS 105/27.2a(w) submitted 7-7-10 as filing procedures require to present; 'Petition for Relief from Judgments 735 ILCS 5/2-1401'. Pursuant to Illinois law this is the correct filing for relief and it invokes the powers of the court to prevent the enforcement of unjust orders. Facts set forth in supporting affidavit must be treated as true by the court and counter affidavits must be filed by the State. Unfair or unjust orders must be vacated.

C. 'Petition to Rescind Statutory Suspension'; after filing, the court was required to hold a hearing within 30 days. Due to the abuse of court process Carlos Massey's Right to Remedy and Justice and Equal Protection of the Law was denied.

D. 'Motion to Correct Errors'; this lawfully filed motion before the Presiding Judge required by law without filing limitations to review and correct any and

Ill. Sect. →



all judicial rulings as well as comply with United States Code, Title 18>part  
1>chapter 115>sub section 2382. Judge Laws willful and wanton acts to  
fraudulently conceal justice and provide protection for the RICO Conspiracy  
Against Rights pursuant to 18 U.S.C.S. < 1962 (D), could be convicted as a  
member of an enterprise conspiracy, an individual, by his words or actions, must  
have objectively manifested an agreement to participate, directly or indirectly, in  
the affairs of an enterprise through the commission of two or more predicate  
crimes.

E. **Copy of the letter to demand payment; this is a copy of the letter presented to the Village of Midlothian for reimbursement before action in court. Also presented as exhibit E is the Pro-se Complaint and Notice of Motion presented to Sgt Peterson on June 3, 2010 as required in proof of service by delivery.**

F. **'Motion to Vacate Exparte Judgments'; in this motion it is made known that**  
the unconstitutional separation of parent and child has occurred due to exparte  
judgments made before this court that has caused Carlos Massey to be  
unlawfully separated from his two daughters since 2005. Judge Patrick Murphy  
unlawfully rescinded the orders of another judge without the appearance or  
permission of Carlos Massey and Fathers Rights due to Carlos Massey are still  
being denied to this day and this violation of the judicial code of conduct and  
negligence of sworn duty has directly caused the denial of the most highly  
protected United States Citizenship Right pursuant to rulings by the United  
States Supreme Court.

G. Copy of the lawful 'Order of Protection'; records will show that the abusive discretion and misconduct of Judge Patrick, initiated the Kidnapping and Unlawful Detainment causing Unconstitutional Separation of Parent and Child for over 7 years. TAKE NOTICE that pursuant to U.S.C. Title 18 > 241 Conspiracy Against Rights, when kidnapping or death incurred the penalty may be death.

H. 'Judicial Notice of Law'; this notice of law was rendered Lawfully before Judge Laws and it was her sworn duty to protect the rights of Carlos Massey and His Children. It was due to the unlawful rulings of the Sixth District under the auspices of Judge Laws that pursuant to the 14<sup>th</sup> Amendment, a settlement of 4.9 million must be afforded to the Massey family for "Unconstitutional Separation of Parent and Child" as in Orange County, California 2007 after the actions of the courts and caseworkers are exposed before federal court as a result of the judicial misconduct and fraudulent concealment of justice.

I. Copy of the 'Certified Statement of Conviction/ Disposition'; Before this judicial forum Carlos Massey made known the constitutional rights of Carlos Massey has been denied in that before the Fifth Municipal Court of Cook County, Carlos Massey was unlawfully detained for 312 days and held without the right to bail and forced to enter into a plea of guilty as well as denied Habeas Corpus rights as well as unlawfully denied Petition of Certificate of Innocence. Carlos Massey makes known that he is entitled to \$1000 dollars for each Habeas Corpus violation and \$50,000 dollars for the unlawful detention by the state and hereby

requires this court to acknowledge on court record the facts of law that arise out of this notice of law.

J. **'Petition for Judicial Notice of Law'**; Before this judicial forum Carlos Massey makes known that by Supreme Court Rules judges are bound to take ex-officio notice of law. Made known any judge who does not comply with his oath to the Constitution of the United States, wars against that Constitution and commits acts of treason. Thereby now made known that the United States Citizenship rights of Carlos Massey has been and is being denied as this Judicial Notice of Law before the Fifth Municipal District Court Of Cook County does reflect as a result of the misconduct which initiated from the Sixth Municipal Court. The rulings made by Judge Patrick Murphy on November 1<sup>st</sup> 2005 were made against the United States Supreme Court rulings in 'Conspiracy to Kidnap' and resulted in the 'Unconstitutional Separation of Parent and Child' and 'Warrant less Seizure of a Child' both cases out of California District Court settlements returning multi-million dollar settlements. The Fathers Rights of Carlos Massey is currently being denied and he has not seen his children in over seven years due to actions of the Judges made known before this court and court officials who are sworn by oath to protect the rights of Carlos Massey. This Court is required by State and federal law to initiate investigations and report the criminal activities of said judges.

K. **Recognizance I Bond #7518366 from agency 250 Phoenix police department;** Carlos Massey presents indictment numbers YT-640-438 and Yt-640-439 scheduled for May 9<sup>th</sup>, 2012 before courtroom 204 and makes known that the

Will  
Never  
Expire filing  
due to fraud  
Upon Court

charges incurred on 4/13/12 are a direct result of the denial of his United States Constitutional Right to 'Equal Protection of the Law' and Illinois Constitution Section Twelve Bill of Rights, 'Right to Remedy and Justice' denied by the abusive discretion of the judges who swore oaths by said Constitutions and were made known by judicial notice of law, just the same as this court. In Bulloch V. United States, (763 F.2d 1115, 1121 10<sup>th</sup> Cir. 1985), the court stated "Fraud Upon the Court is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury. ...It is where the court or a member is corrupted or influenced or influence is attempted or where the judge has not performed his judicial function--- thus where the judicial functions of the court has been directly corrupted." Under federal law which is applicable to all states, the U.S. Supreme Court stated, "that if a court is 'without authority', its judgments and orders are regarded as nullities. They are not void able, but simply void; and form no bar to recovery sought, even prior to a reversal in opposition to them. They constitute no justification; and all persons concerned in executing such judgments or sentences, are considered, in law, as trespassers." Elliot V. Piersol, 1 Pet. 328, 340, 26 U.S. 328, 340 (1828). Since the judges made known before this court had not performed their mandatory duties, the orders/judgments against the drivers license of Carlos Massey are void and all attempts to enforce sanctions denying Carlos Massey's driving privileges are pursuant to United States Law, illegal. Furthermore Carlos Massey now makes known before this court that the Fifth District Municipal Court of Cook County did in fact submit a fraudulent.

*JK*

judgment to the Illinois Secretary of State, reporting that there had been a conviction of driving on suspended license from a Crestwood case when in fact the case had been Nolle Prosequi as shown in exhibit I, which has caused Carlos Massey and his family great damages as he was not able to reinstate his license due directly to this negligence. Carlos Massey can and has shown that he has suffered damages due to negligence and misconduct of both the Fifth and Sixth Municipal Courts of Cook County recognized as criminal enterprises by the United States Supreme Court. Burden of Proof has been met according to Illinois rulings in 'Hodges V. State' for damages and protection of said enterprises will result in RICO charges sought pursuant to 18 U.S.C.S. > 1962

(d). Phoenix police officer Cole #31 performed an act he knew he was forbidden by law to perform on 4/13/12 by performing a traffic stop that was not reasonable which was a fourth amendment violation. He had my car towed even though there was a licensed driver present in car and he and/or Lt. Hillman also refused to release my property (an expensive legal folding knife) to me after bond or did not enter into evidence for the filing of charges, which is unconstitutional governmental seizure of property as well as intentionally performing an act that he knew he was forbidden by law to perform which is a class three felony pursuant to 720 ILCS 5/33-3. Sgt. Bernard of the Cook County Sheriffs office did not file charges as requested nor did he report him pursuant to administrative order #6 of the State Employees Ethics orientation handbook requires under 5 ILCS 430, but he did state in front of me and my wife that they have had to investigate Phoenix police officers previously and widely known unlawful stops

confirmed by other witnesses which constitutes federal Pattern and Practice violations which should be on record to be produced before this court upon initiated investigation.

~~\*~~

L. **'Motion for Leave to File Habeas Corpus'**; Carlos Massey Finally MAKES KNOWN BEFORE THIS COURT OF LAW that the nominal parties that must be shown served before the Illinois Supreme Court satellite office does not yet include Judge Laws or the sitting judge of this court, however before this court I am submitting a copy of the filing to be submitted after proof of service is completed pursuant to the actions or non-actions of this 'Judicial Notice Of Law' though it has yet to include the actions or non actions, charges or non charges to be sought pending the rulings of this court that must be made according to current law or case law.

Carlos Massey hereby prays before this court to render to Carlos Massey a court disposition from matters 3-6-06 YG-904539 showing vacated so that the continued denial of driving privileges can be ceased or schedule a twelve man jury trial within 120 days. Pursuant to Section 2, 12, 13 and 15 of the Illinois Bill of Rights and the United States Seventh Amendment, Carlos Massey does by inherent and inalienable right, have the privilege to have these matters before a jury of his peers. Carlos Massey prays before the court to immediately render an court order to the Village of Midlothian to pay the \$8000.00 asked in the complaint on July 7<sup>th</sup>, 2010 which after being properly served as exhibit E shows, the officers did not appear. Judge Laws called for conference in her quarters but it did not change Carlos Massey's Right to Remedy and Justice nor the fact that the lawful Pro-se

*Judge yaws Fraudulent Concealment  
of Justice*

Complaint states in the Summons section number five that; "IF YOU FAIL TO APPEAR, A JUDGMENT WILL BE ENTERED AGAINST YOU FOR THE AMOUNT ASKED IN THE COMPLAINT PLUS COST." Take Lawful Notice that; a RICO conspiracy like all conspiracies does not require direct evidence of agreement, an agreement can be inferred from the circumstances. (see Glasser V. United States 315U. S. 60, 80, 86 L. Ed. 680, 62 S. Ct. 457) To strengthen the case for application of 18 U. S. C. S. 1962(d), if the defendant personally agreed to commit two acts as opposed to agreeing that the co-conspirators on behalf of the conspiracy. In either situation the defendant could be deemed, assuming the enterprise connection is established, to have embraced a RICO violation as the conspiratorial objection. Carlos Massey prays before this court to proceed with referral pursuant to part 20 Rules of the Circuit Court of Cook County FOR DAMAGES INCURRED BY THE SIXTH AND THE FIFTH MUNICIPAL COURTS to be settled in Major Case Court – Annexed Civil Mediation and proceed in the lawful duties of the judge and state officers of this court that are bound to by sworn oath are required to perform. Carlos Massey humbly submits this Judicial Notice of Law and prays before this court to uphold his 14<sup>th</sup> amendment United States Constitutional Rights as well as his Illinois section 12 Bill of Rights to 'Remedy and Justice' and correct all errors of the previous proceedings made known before this court pursuant to the Code of Federal Regulations, Title 28 part 9.8 and there are no statute of limitations available for error of the court.

*\**

*\**

*\**  
6/29/17

CM 8/6/2012

Carlos Massey, Pro-se

13739 Keeler Ave.

Robbins, Illinois 60472

### Certification

Under penalties as provided by law pursuant to section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in these 11 pages, of this instrument are true and correct.

CM 8/6/2012



Carlos Massey  
13739 Keeler Ave.  
Robbins, Illinois 60472

RECEIVED  
GENERAL

Aug. 31, 2010

To the lawfully responsible Governmental Officials;  
Eric Holderman, Pat Quinn, Richard Durbin,  
Michael Madigan and Office of the United States  
Attorney for the Northern District of Illinois.  
Attention: Congressman Bobby Rush  
Re: Denial of United States Constitutional citizenship rights,  
and violations of Article VI of the United States Constitution,  
Governmental Enforcement Misconduct, Deprivation of  
Rights Under the Color of Law, Public Corruption, Incompetence,  
Neglect of Duty, Denial of Honest Services and Treason.

United States Attorney General Eric Holderman, Governor  
Pat Quinn and Senator Richard Durbin have been made  
aware of the crimes against my family and I, by certified  
mail as well as President Barack Obama refered this case  
before Senator Richard Durbin. As the letter replied by the  
senate aide Rachael Friedlieb dated January 27, 2009 reflects,  
there is denial of United States citizenship rights as well as  
"Neglect of Duty" and Governmental Enforcement Misconduct.

This is a formal complaint and a demand for the rights that  
are guaranteed in the United States Constitution, specifically the  
14<sup>th</sup> Amendment. The United States Supreme Court has already  
acknowledged the corruption in the Illinois judicial system and  
there has been a complete failure by the federal government  
to eradicate this problem. The corruption of Illinois government  
was shown by the arrest and prosecution of Governor Ron  
Blagojevich, who was notified previously and violated his oath  
of office as I have documentation to reflect. The corruption  
can be shown to still continue in state of Illinois and I have  
documentation and certified letters to Pat Quinn, that shows

delivered  
Bobby L. Rush  
NOV 12 2010  
Michigan Office

that there has not been honest services by the Governor who is responsible for the faithful execution of the law. I have evidence that the state of Illinois has deprived United States Citizens rights guaranteed in the Constitution and has committed "Major fraud against the federal Government." Agencies of the state of Illinois can be shown to be in collusion with federal crimes against the citizens of the United States and I have transcripts and documentation to show that U.S. District Court Judges are still corrupt and continue to commit the federal crime of "Deprivation of Rights Under the Color of Law." Federal Judges can be shown to have committed acts of Treason and to have allowed "absolute immunity" to judges guilty of crimes against citizens of the United States. I have evidence. I can show that Illinois States Attorneys office/Attorney General Lisa Madigan has reasonable knowledge that the prosecutors of the state commonly violate the rights of Illinois citizens by the practice of malicious prosecution and then the public defenders office deny the U.S. citizens the Constitutional right to "Due Process" and effective assistance of counsel. It is now the "Duty" of Micheal Madigan, "Speaker of the House of Representatives," to initiate investigations to impeach Executive and Judicial officers. Can the United States Citizens of Illinois even expect a fair show of Honest Services from a father against his daughter, and how is this obvious conflict of interest allowed by the federal government? United States Attorney General Eric Holderman, as "Private Attorney General under the "Clayton Act," on behalf of the Citizens of the United States in actions against the State of Illinois, I am once again notifying you for the full co-operation of the Department of Justice and the fulfillment of the Constitutional Right to "Equal Protection of the Law." I do intend to file a Class Action against the State of Illinois and I am a Crime Victim entitled to rights.

covered in United States Codes, effected by Motion for Relief". Due to the collusion of the Judges discovered previously in the Federal Greyford Case, I ask that the Northern District of Illinois, Western Division, appoint a United States Attorney for the prosecution of crimes against me by Boone County in the case no 2008 CF 223 as well as deprivation of rights and conspiracy against rights crimes in the following cases; United States ex rel Carlos Massey V. The State of Illinois #09 cv 5006, Carlos Massey V. Ruben Castillo #09 cv 6458 (also before U.S. Court of Appeals for the Seventh Circuit), State of Illinois: County of Winnebago case # 01 DT 127 State of Illinois: Cook County Fifth Municipal case # 09 500351201 State of Illinois: Cook County Sixth Municipal cases # YG 904538; YG 904539 YG 904680, YM 224860, 2 D06 D630503, DR 600000167 and the Small Claims case on 7/7/2010 the Presiding Judge Laws refused to correct errors pursuant to circuit court rules and denied the default judgment due to claimant by non attendance of defendant.

Due to the most urgent issue and greatest right of an American Citizen as declared by the Supreme Court, it is the "Duty" of the United States Attorney to investigate the crimes committed in the case Massey et al V. Wright et, # 07 cv 06033 and the federal crime committed by the State of Illinois Department of Children and Family Services, of "Major Fraud against the United States". This case involves kidnapping as in the federal case (Quillion V. Walcott) This case and all aforementioned cases are well documented and I have witnesses on all cases as well as several citizens ready to testify to the same plight. (Signed statements as well) I also have evidence of Governmental Enforcement Misconduct and I am demanding my right to the equal protection of the law guaranteed in the United States Constitution, each official contacted swore an oath by the same Constitution pursuant to Article VI.

Phone # 708 439-0998 call  
# 708 535-0981 Message

Thank you.  
*Carlos Massey* 8/3/10

79 \*  
N.F.O.J.A.-  
L.D.W.B.-  
ALCU -  
N.A.A.C.P.-

Make known on all Officials Pages, deliberate acts of Treason and Misprison of Treason, became worse after this filing in retaliation for lawfully. Post and Share How R.I.C.O. crime committed by Judge to conceal Justice and withhold Monetary Damages.

The Circuit Court Of Cook County  
Sixth Municipal District

People of the  
State of Illinois  
V.  
Carlos Massey

) Case#16C660151  
)  
)  
)  
)

Motion for The Admission Of Facts  
And The Genuineness Of Documents

16 OCT 27 AM 9:43  
CLERK  
SIXTH MUNICIPAL DISTRICT  
BORRITHY SHAWAN CLERK

Appearing Before This Court Is Carlos Massey, The Human Flesh Man Under Threat Of Arrest And Unlawful Detainment, And Moves This Court Pursuant To The Supreme Court Rule 216 requesting the admission either (1) a sworn statement denying specifically the matters of which admission is requested or setting forth in detail the reasons why he cannot truthfully admit or deny those matters or (2) written objections on the ground that some or all of the requested admissions are privileged or irrelevant or that the request is otherwise improper in whole or in part. If written objections to a part of the request are made, the remainder of the request shall be answered within the period designated in the request. A denial shall fairly meet the substance of the requested admission. If good faith requires that a party deny only a part, or requires qualification, of a matter of which an admission is requested, he shall specify so much of it as is true and deny only the remainder. Any objection to a request or to an answer shall be heard by the court upon prompt notice and motion of the party making the request. It is either by Harmless Error of the Court or by Willful and Wanton Obstruction of Justice by the Officers of the Court (whom has not shown Carlos Massey the Certificates of Oaths of Office as Requested and as Shown in the Material Filed before court Record) that fundamental error has in fact occurred and no instruction to a jury can change the fact that Carlos Massey Due Process rights has been violated in Pattern and

85

Practice Deprivation of Rights Under the Color Of Law By Cook County Courts over a period of several years and said violations and Fraud Upon the Court constitute basis for mandatory dismissal of the cause before this court. Fundamental errors in this specific cause has been filed and submitted before the Officers of the Court in filings which were not argued, ruled upon or reported for investigation as required by United States Codes and Illinois Constitutional Bill of Rights To Remedy and Justice and Section 2. Right to Equal Protection of the Law. The Oaths Sworn by both State And Federal Constitutions, would in fact enter the Officers of this court into a specific performance contract with Carlos Massey by virtue of their Oath of Office, government officials assume a contractual duty or obligation to obey the law and thus If a government official who has sworn (i.e. contracted) to obey the law, breaks or ignores any law he's sworn to "uphold", common Citizens can file a Commercial Lien on his property until he corrects his breach of contract and once again obeys the law. Failure of the officers of this court to render the requested certificates of Oath Of Office, is fundamental error insofar as fair trial requires Officers of the Court to be genuine. In The Interest of a fair and genuine trial, Carlos Massey requests that written response/admission be given to the following facts pursuant to Rule 216;

1.) Admit that: All Officers of the Court had a Duty by Sworn Oath to protect the rights of Carlos Massey and this court had been made aware that Carlos Massey Was Unlawfully Detained by the Abusive Discretion of the Judge who rescinded the orders of another Judge written to allow for the care of Carlos Massey's 99 year old blind Grandmother causing Carlos Massey to be tortured and Denied Medication which is a Due Process Violation and grounds for a dismissal. Giozza v. Tiernan, 148 U.S. 657, 662 (1893), Citations Omitted

"Undoubtedly it (the Fourteenth Amendment) forbids any arbitrary deprivation of life, liberty or property, and secures equal protection to all under like circumstances in the enjoyment of their rights... It is enough that there is no discrimination in favor of one as against another of the same class. ...And due process of law within the meaning of the [Fifth and Fourteenth] amendment is secured if the laws operate on all alike, and do not subject the individual to an arbitrary exercise of the powers of government."

2.) Admit that; Carlos Massey Did In Fact File Before The Clerk of Court In December The Constitutional Notice To Wit Carlos Massey Relies On The Rulings Of The Supreme Court And Therefore Criminal Intent Cannot Be Established So There Is No Cause Of Action To Wit Relief May Be Granted. Simmons v. United States, 390 U.S. 377 (1968)

"The claim and exercise of a Constitution right cannot be converted into a crime"... "a denial of them would be a denial of due process of law".

3.) Admit that; Carlos Massey Did In Fact Prepare A Motion And Called forth Bernice Webb To Support His Motion But Was Denied Constitutional Right To Bear Witness Which Was A Due Process Violation. Cannon v. Commission on Judicial Qualifications, (1975) 14 Cal. 3d 678, 694

Acts in excess of judicial authority constitutes misconduct, particularly where a judge deliberately disregards the requirements of fairness and due process.

Debbby Rush  
Dumped Petition for  
Judicial Notice of Law

4.) Admit that; Carlos Massey Has Stated In Open Court That The Prosecution Has Not Presented The 'Brady Material' Which Is Available In Court Record That Would Show Fraud Upon the Court Committed Which Would Require Those Officers Of The Court To Be Reported And Dealt With According To Law.  
Elliot v. Piersol, 1 Pet. 328, 340, 26 U.S. 328

Under federal law, which is applicable to all states, the U.S. Supreme Court stated that "if a court is without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void, and form no bar to a recovery sought, even prior to a reversal in opposition to them. They constitute no justification and all persons concerned in executing such judgments or sentences are considered, in law, as trespassers."

5.) Admit that; Records Before Markham Clerk Of Courts Does Show That Over Several Years, Markham Courthouse Has Denied Habeas Corpus More Than Four Times And The Illinois Compiled Statues State Carlos Massey Is To Be Paid \$1000.00 Each Time, That Carlos Massey Has A Judicial Notice Of Law Showing Markham Courthouse Judges Have Obstructed Justice And \$2.6 Million Warrantless Seizure Of A Child, \$4.9 Million Unconstitutional Separation Of Parent And Child, \$30,000.00 For Dog Shot, \$500,000.00 For Denial Of Surgery To Foot, \$8000.00 For Black Cadillac, \$9000.00 For Ford Explorer, \$30,000.00 For Dog Shot, \$10,000.00 For Chevy Van, \$5000.00 For Grand Am, \$5000.00 For Motorcycle And Yet Judges And States Attorney's Continue To Fraudulently Conceal Damages Due As A Direct Result Of the Negligence And Incompetence In Office Being Committed In Pattern And Practice Conspiracy Against Rights.  
Owen v. City of Independence.

"The innocent individual who is harmed by an abuse of governmental authority is assured that he will be compensated for his injury."

6.) Admit that; The State Is Maliciously Prosecuting Carlos Massey By The Use Of Known Fraudulent Material Before the Court.  
Napue V. Illinois 360 US 264  
The failure of the prosecutor to correct the testimony of the witness which he knew to be false denied petitioner due process of law in violation of the Fourteenth Amendment. Pp. 360 U. S. 265-272

7.) Admit that; Officers Of The Court Are Required To Have Reasonable Knowledge Of The Law, Therefore Since Carlos Has Made Known That A Federal Investigation Has Been Initiated Against the Officers of This Court Subject Matter Jurisdiction Does Not Exist Before Markham Courthouse Pursuant To The Crime Victims Rights Act Of 2004.

\*  
→ Take Notice; On this date the sitting Judge had the Duty to protect the constitutional rights of Carlos Massey as well as follow the Judicial Code Of Conduct which required that the business of the court be heard and disposed of promptly pursuant to Canon 3 (A) 5, fundamental error is shown in this violation of Cook County Circuit Court Rules.

\*  
→ Take Notice; In the Petition for Judicial Notice Of Law that was not heard or ruled upon, fundamental error has occurred insofar as failure of the Judge to address the previous Due Process Violations made known and the States Attorney's Office failure to produce the "Brady Material" before the court has created by law a 'Fraud Upon The Court'. Whenever any officer of the court commits fraud during a proceeding in the court, he/she is engaged in "fraud upon the court". In Bulloch v. United States, 763 F.2d 1115, 1121 (10th Cir. 1985), the court stated "Fraud upon the court is fraud which is directed to the judicial machinery itself and is not fraud between the parties or fraudulent documents, false statements or perjury. ... It is where the court or a member is corrupted or influenced or influence is attempted or where the judge has not performed his judicial function --- thus where the impartial functions of the court have been directly corrupted." "Fraud upon the court" has been defined by the 7th Circuit Court of Appeals to "embrace that species of fraud which does, or attempts to, defile the court itself, or is a fraud perpetrated by officers of the court so that the judicial machinery can not perform in the usual manner its impartial task of adjudging cases that are presented for adjudication." Kenner v. C.I.R., 387 F.3d 689 (1968); 7 Moore's Federal Practice, 2d ed., p. 512, ¶ 60.23. The 7th Circuit further stated "a decision produced by fraud upon the court is not in essence a decision at all, and never becomes final." It is also clear and well-settled Illinois law that any attempt to commit "fraud upon the court" vitiates the entire proceeding. The People of the State of Illinois v. Fred E. Sterling, 357 Ill. 354; 192 N.E. 229 (1934) ("The maxim that fraud vitiates every transaction into which it enters applies to judgments as well as to contracts and other transactions."); Allen F.

\*  
2018  
11/18/2018

Moore v. Stanley F. Sievers, 336 Ill. 316; 168 N.E. 259 (1929) ("The maxim that fraud vitiates every transaction into which it enters ..."); In re Village of Willowbrook, 37 Ill.App.2d 393 (1962) ("It is axiomatic that fraud vitiates everything."); Dunham v. Dunham, 57 Ill.App. 475 (1894), affirmed 162 Ill. 589 (1896); Skelly Oil Co. v. Universal Oil Products Co., 338 Ill.App. 79, 86 N.E.2d 875, 883-4 (1949); Thomas Stasel v. The American Home Security Corporation, 362 Ill.350; 199 N.E. 798 (1935).

Take Notice; fundamental error has occurred insofar as in the previous hearing before this court it was made known, that an F.B.I. investigation was initiated in these matters and Carlos Massey was entitled to Federal Crime Victims Rights, however this court showed complete disregard for law and proceeded to deny a Motion For Full Disclosure Of "Brady Material" which was ruled A Due Process Violation. "Recusal under Section 455 is self-executing; a party need not file affidavits in support of recusal and the judge is obligated to recuse herself sua sponte under the stated circumstances." Taylor v. O'Grady, 888 F.2d 1189 (7th Cir. 1989). Further, the judge has a legal duty to disqualify himself even if there is no motion asking for his disqualification. The Seventh Circuit Court of Appeals further stated that "We think that this language [455(a)] imposes a duty on the judge to act sua sponte, even if no motion or affidavit is filed." Balistreri, at 1202. Judges do not have discretion not to disqualify themselves. By law, they are bound to follow the law. Should a judge not disqualify himself as required by law, then the judge has given another example of his "appearance of partiality" which, possibly, further disqualification. None of the orders issued by any judge who has been disqualified by law would appear to be valid. It would appear that they are void as a matter of law, and are of no legal force or effect. Should a judge not disqualify himself, then the judge is violation of the Due Process Clause of the U.S. Constitution. United States v. Sciuto, 521 F.2d 842, 845 (7th Cir. 1996) ("The right to a tribunal free from bias or prejudice is based, not on section 144, but on the Due Process Clause.")

X  
2018  
11/5/18

Use  
a motion

Use

Take Notice; Fundamental error has occurred insofar as "contempt", is the offense of being disobedient to or disrespectful towards a court of law and its officers in the form of behavior that opposes or defies the authority, justice, and dignity of the court. It manifests itself in willful disregard of or disrespect for the authority of a court of law, which is often

X  
→

X

X



84

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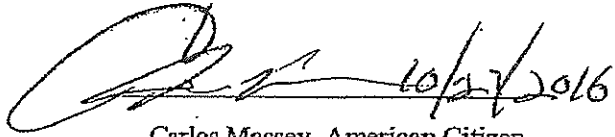
behavior that is illegal because it does not obey or respect the rules of a law court. The Officers of this court in disregard of law shown by for the disregard of filed material before the court, has rendered this Court and these

proceedings in Contempt. All the material filed before the Markham Courthouse has been made available to the F.B.I. for investigation as well as the United States District Attorney's Office and the media investigation currently ongoing. R.I.C.O. Conspiracy Against Rights could be inferred by the actions and non-actions of the officers of the Markham Courthouse house and the aiding and abetting of Deprivation of Rights Under The Color Of Law in order to deny Carlos Massey Damages Due According to Rulings Of Superior Courts.

Due to the aforesated reasons Carlos Massey Moves this Court To Dismiss This Cause and reimburse all damages sustained or remand this case before the Federal District Court for the raised issues within the Filed Notice Of Unconstitutionality which requires conformity in rulings therefore the Markham Courthouse is without jurisdiction to address Federal Issues brought forth.

\*  
→  
Both judges  
Hered Filings/  
vidence before court...  
Obstruction of Justice

Respectfully Submitted,

 10/27/2016

Carlos Massey, American Citizen

Under penalties as provided by law for false certification pursuant to section 1-109 of the Code of Civil Procedure and perjury pursuant to section 32-2 Criminal Code of 1961, the undersigned certifies that the statements set forth in this instrument are true and correct.

 3/2/00

F

THE CIRCUIT COURT OF COOK COUNTY -

SIXTH MUNICIPAL DISTRICT PH 2:46

DOROTHY BROWN  
CLERK OF THE CIRCUIT COURT  
OF COOK COUNTY, IL

RECEIVED

JUL 31 REC'D

Bobby L. Rush, MC  
Chicago Office

Case No. YG-904538  
YG-904539  
YG-904680

Village of  
Midlothian

V.

Carlos Massey  
defendant

**Motion to Vacate Exparte Judgements**

Comes Now Carlos Massey, defendant before these proceedings, hereby moves the Honorable Presiding Judge to vacate the judgment allegedly made 4-7-08 by the attending judge in room 204. The initial court date of 3-7-06, the defendant attended the proceedings and found the court and public defenders office unwilling to uphold my 14<sup>th</sup> amendment rights, and therefore made redress before the Government as the 1<sup>st</sup> amendment in the Bill of Rights so guarantees. The defendant had previously been victimized by the Sixth Municipal District Court and therefore without excepting jurisdiction of the court, pursuant to a 1974 Supreme Court ruling (**Scheuer v. Rhodes**) and having exhausted all State remedies, the defendant sought a leave to stay, to seek federal remedies. In support of this motion, there are records that this court can produce that will reflect the defendants position and the defendant can show correspondence on this

issue from the Judicial Inquiry Board, Secretary of State, Governors office and the former Senator Barack Obama. Therefore the defendant hereby prays to the court to produce all transcripts and court records as previously requested in the unconstitutionally dismissed judicial notice of law and if the court so wishes to proceed in this cause, offers the following numbered documents in support of this motion;

1. Order of protection lawfully granted by Judge LeRoy K. Martin Jr. on Oct. 31, 2005, unconstitutionally rescinded by Patrick Murphy a Markham Judge on Nov 1, 2005 without appearance of the defendant (petitioner of order) thereby causing the "Unconstitutional Separation of Parent and Child" for over 4 years. (4.9 million dollar settlement awarded in California District court 2007)  
**Judicial Misconduct also made known before this Presiding judge.**
2. Letter from the Judicial Inquiry Board complaining on Judge who erroneously suspended the defendants license.
3. Copy from Dan Marrello, who investigated the complaint to the Judicial Inquiry Board with the events supporting the fact the orders by the judge was unconstitutional.
4. Notice of Claim of Unconstitutionality demanding the Judge White to rescind order against license.
5. Notice/Order of Rescind from the Secretary of State, rescinding the unconstitutional order made 5-20-01
6. Certified Affidavit of facts including the circumstances involving the case before this court. (possibly witness in court)

7. Complaint sent to the Inspector General of the Secretary of State.
8. Letter from the Secretary of State showing that the Judge in 204 erroneously entered a DUI conviction on the defendant before due process of law, thereby denying the defendants rights under the color of state law.
9. Letters from President Barack Obama, as senator who was handling the said issues.
10. "Motion for Relief" presenting before Northern District Court under Title 18 U.S.C. >3771 federal crime victims rights, noting Title 42 U.S.C. >3789 d(c) and (3) "Governmental Enforcement Misconduct" is a federal crime and the defendant's relief sought in the said motion is to acknowledge the affidavit of facts shown and reinstate defendants driving privileges and grant the federal authority to investigate records of state agencies as 'Private Attorney General' under the Clayton Act.

Wherefore Carlos Massey prays to this court, before this Honorable Presiding Judge, to grant this motion in the protection of the defendant's 14<sup>th</sup> amendment rights.

Respectfully submitted



Carlos Massey Pro-se  
13739 Keeler ave,  
Robbins, Illinois

217 Santa Clara ave.  
Oakland, California

Exhibit F

F

United States District court  
Northern District of Illinois

Copy of case  
filed before  
U.S. District  
Constitutional rights denied  
court error

|    |                                       |   |           |
|----|---------------------------------------|---|-----------|
| 4  | Carlos Massey,                        | ) | Case No.: |
| 5  | Plaintiff,                            | ) |           |
| 6  | vs.                                   | ) | Complaint |
| 7  | Officer Wright, badge #unknown,       | ) |           |
| 8  | Officer Jammerson, badge #84, Robbins | ) |           |
| 9  | Police Chief Holms, and The Village   | ) |           |
| 10 | of Robbins, Illinois, individually    | ) |           |
| 11 | and in their official capacities,     | ) |           |
| 12 | Defendants                            | ) |           |

Case No:

1:07 - CV - 06033

Matthew F. Kennelly

VERIFIED COMPLAINT

1. On October 27<sup>th</sup> 2005, Carlos Massey called Robbins Police Department to make a report that Shiretta Massey, Jannet' Massey, had been taken from school by Janet Massey. It was told to the Robbins police officer Wright that Janet Massey took the children from school without consent and under the perjured statement to the school administrator, "that the children had to go to doctor". This is a direct violation of 720 ILCS 5/10-5 'CHILD ABDUCTION BY MOTHER' as well as 4<sup>th</sup> and 14<sup>th</sup> amendment violations of parental rights and children rights (WALLACE V.SPENCER 202 F3d 1126 9<sup>TH</sup> CIRCIUT 2000)

1 2. Carlos Massey asked that the Officer Wright uphold the U.S.  
2 Constitutional 14<sup>th</sup> amendment rights of Carlos, Shiretta, Jannet',  
3 Massey and Bernice Webb, and retrieve the said children as it states in  
4 720 ILCS 5/10-5(10) (h) & (10) (i). Officer Wright stated to Carlos  
5 Massey, and Bernice Webb that he could not do anything because the  
6 mother of the children has all the rights. This was a violation of 720  
7 ILCS 5/33-3.

8 3. On the same report Officer Wright also was shown the damages done by  
9 Janet Massey to the home of Bernice Webb that was obviously over  
10 \$300.00, and under the law of Illinois, this is also a felony yet no  
11 actions for the arrest of Janet Massey were taken. This was a violation  
12 of our 14<sup>th</sup> amendment rights to equal protection of the law.

13 4. On Oct. 30<sup>th</sup>, 2005 Carlos Massey went before a Markham Judge Brown,  
14 showing proof of custodial rights and filing an order of protection on  
15 Janet Massey. Judge Brown ordered the children returned to Carlos  
16 Massey and Calumet City Police dept. returned the children. On the 31<sup>st</sup>  
17 of Oct., Janet Massey went before the Judge Murphy and committed an act  
18 of perjury and obstruction of justice, acquired an order rescinding  
19 Judge Brown's ruling, and an order of protection and submitted it  
20 before the Robbins Police who did not effect an arrest for Janet for  
21 the previously made complaints.

22 5. Robbins police dept Officers came to the home of Carlos Massey while  
23 Joy Osandye of the Harvey DCFS office was there talking to Carlos  
24 Massey, and said, "that they were there to get the girls." Then they  
25 found out that the children were both at school, and they, including  
officer Jamerson (badge#84) proceeded to go to the school, and without

1 warrant, seized both of the children of Carlos Massey. This was a  
2 violation of my U.S. Constitutional 4th Amendment rights.

3 6. Carlos Massey went before the Office of the Mayor of Robbins and before  
4 the Police Chief Holms and complained of the illegal actions taken upon  
5 his family and was denied 14<sup>th</sup> amendment rights guaranteed by the United  
6 States Constitution.

7  
8  
9 JURISDICTIONAL BASIS

10 I. Plaintiff claims federal jurisdiction pursuant to Article III  
11 \*2 which extends the jurisdiction to cases arising under the  
12 U.S. Constitution.

13 II. Plaintiff brings this suit pursuant to Title 42 U.S.  
14 Codes~1983, 1985, and 1986 for violations of certain  
15 protections guaranteed to him by the 4<sup>th</sup>, and 14<sup>th</sup> Amendments of  
16 the federal Constitution, by the defendants under color of law  
17 in his/her capacities as Officers of the law and  
18 Administrators of the Village of Robbins.

19 III. Plaintiff Carlos Massey is a natural person residing at 13739  
20 Keeler ave., Robbins, Illinois at the time of this incident.

21 IV. Defendants are the appointed Officers and Officials of The  
22 Village of Robbins, Cook County in Robbins, Illinois 60472.

23  
24  
25 PRAYER FOR RELEIF

1 Wherefore plaintiff prays to the court for relief as follows:

- 2 1. Issue injunctive relief commanding Robbins Police dept. to issue  
3 immediately a warrant for the arrest of Janet Massey for felony  
4 destruction of property, obstruction of justice, perjury and the class  
5 2 felony of Child Abduction by Mother from a School.
- 6 2. Issue declaratory relief as done by the U.S. District court of  
7 Sacramento, California, in a similar case earlier this year returning a  
8 2.6 Million verdict against two detectives and the city of Stockton.
- 9 3. Issue other relief as this Court deems appropriate and just.

10

11

STATEMENT OF VERIFICATION

12 I have read the above complaint and it is correct to the best of my  
13 knowledge.

14

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19

Dated this 23<sup>rd</sup> day of October, 2006

20

21

\_\_\_\_\_  
Carlos Massey, Pro-Se  
1861 Poggi Ave. 201B  
Alameda, Ca. 94501

22

23

24

25



SUPPORTING RULINGS

1

2

3 Absent extraordinary circumstances, a parent has a liberty interest in  
4 familial association and privacy that cannot be violated without adequate  
5 pre-deprivation procedures. An ex-parte hearing based on misrepresentation  
6 and omission does not constitute notice and an opportunity to be heard.

7 Procurement of an order to seize a child through distortion,  
8 misrepresentation and/or omission is a violation of the Fourth Amendment.

9 Parents may assert their children's Fourth Amendment claim on behalf of  
10 their children as well as asserting their own Fourteenth Amendment claim.

11 *Morris v. Dearborne* (5th Cir. 1999)

12

13 Defendant was not entitled to qualified immunity or summary judgment  
14 because he should have investigated further prior to ordering seizure of  
15 children based on information he had overheard.

16 *McCord v. Maggio* (5th Cir. 1991)

17

18 Immunity is defeated if the official took the complained-of action with  
19 malicious intention to cause a deprivation of rights, or the official  
20 violated clearly established statutory or constitutional rights of which a  
21 reasonable person would have known.

22 *Millspaugh v. County Department of Public Welfare* (7th Cir. 1991)

23

24 Defendant was not entitled to qualified immunity or summary judgment  
25 because he should have investigated further prior to ordering seizure of

1 children based on information he had overheard.

2 McCord v. Maggio (5th Cir. 1991)

3

4

Whenever any officer of the court commits fraud during a proceeding in the court, he/she is engaged in "fraud upon the court". In Bulloch v. United

5

6

States, 763 F.2d 1115, 1121 (10th Cir. 1985), the court stated "Fraud upon

7

the court is fraud which is directed to the judicial machinery itself and is

8

not fraud between the parties or fraudulent documents, false statements or

9

perjury. ... It is where the court or a member is corrupted or influenced or

10

influence is attempted or where the judge has not performed his judicial

11

function --- thus where the impartial functions of the court have been

12

directly corrupted."

13

Under Federal law which is applicable to all states, the U.S. Supreme Court

14

stated that if a court is "without authority, its judgments and orders are

15

regarded as nullities. They are not voidable, but simply void; and form no

16

bar to a recovery sought, even prior to a reversal in opposition to them

17

. They constitute no justification; and all persons concerned in executing

18

such judgments or sentences, are considered, in law, as trespassers." Elliot

19

v. Piersol, 1 Pet. 328, 340, 26 U.S. 328, 340 (1828)

20

21

22

23

24

25



**Willowbrook Office**  
535 Plainfield Rd., Ste. D  
Willowbrook, IL 60527  
630-455-4013  
630-455-4193 (fax)

**Springfield Office**  
324 W. Monroe  
Springfield, IL 62704  
217-785-2012  
217-785-0761 (fax)

**Mt. Vernon Office**  
220 S. 12th St.  
Mt. Vernon, IL 62864  
618-244-8358  
618-244-8357 (fax)

Date \_\_\_\_\_

Complainant Name Carlos L. Massey M20011265094

Address 13739 Keeler AVE, City, State, ZIP Robbins, Illinois 60472

Telephone Number (home) (708) 389-2429 Telephone Number <sup>Cell</sup> ~~(work)~~ (510) 472-6193

Employee  Yes  No Location \_\_\_\_\_

Nature of Complaint The state of Illinois' Secretary of State' has violated my 14<sup>th</sup> ammendment constitutional rights, by wrongfully revoking my drivers license, and denying me honest services in conspiracy and in pattern along with others to be brought forth upon investigation. This has been a violation of my Due Process rights, and fraud upon the court. Under Federal Law, if a court is "without authority it's judge"  
(continued on second attached sheet)

**Subject #1 of Complaint**

Name Blue Island Police Department / Markham Court house <sup>Cook County Circuit</sup>

Address \_\_\_\_\_ City, State, ZIP \_\_\_\_\_

Telephone Number (home) \_\_\_\_\_ Telephone Number (work) \_\_\_\_\_

Employee  Yes  No Location \_\_\_\_\_

**Subject #2 of Complaint**

Name Midlothian Police Department / Markham Court house. <sup>Cook County Circuit</sup>

Address \_\_\_\_\_ City, State, ZIP \_\_\_\_\_

Telephone Number (home) \_\_\_\_\_ Telephone Number (work) \_\_\_\_\_

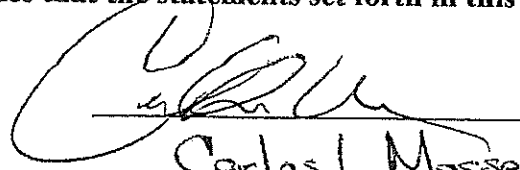
Employee  Yes  No Location \_\_\_\_\_

Signature

CERTIFICATION

Under penalties as provided by law pursuant to section 1-109 of the code of Civil Procedure, the undersigned certifies that the statements set forth in this instrument are true and correct.

C.C.

  
Carlos L. Massey

(Continued)  
Page one

and orders are regarded as nullities. They constitute no justification and all persons concerned in executing such judgments or sentences are considered in law as trespassers.

Under the Federal freedom of information act I am requesting copies of the investigation report, court transcripts investigated, and the names and titles to all that were involved in the illegal taking and title aquirement of my 1996 ford Explorer by th Blue Island Police department and the towing company that towed it for no reason, other than that as stated by the hearing officer "the driver was arrested" and it was later found that the arrest and the charges were illegal and false, and my truck was just unconstitutionally taken from me by the State of Illinois directly involving the Secretary of State by giving a title without proper investigation or grounds.

IN THE CIRCUIT COURT OF  
THE TWELFTH JUDICIAL CIRCUIT  
WILL COUNTY, ILLINOIS

|                   |   |                                  |
|-------------------|---|----------------------------------|
| PEOPLE OF THE     | ) | Case# 2021CF1834, 2021TF58763-65 |
| STATE OF ILLINOIS | ) |                                  |
| V.                | ) |                                  |
| Carlos Massey     | ) |                                  |

**Challenge of Jurisdiction**

Now Comes Carlos Massey, Sui Juris before court, a live flesh and blood Man, entitled to all inalienable rights as an Individual Citizen, whom pursuant to *Hale V. Hinkle, 201 US 43,74-75* has the right to stand upon the rights guaranteed in the United States Constitution. **Carlos Massey now makes known before the Officers of this Court that the United States Constitutional Guarantee of Equal Protection of the Law is being denied due to fraudulent judgements and void orders.** Take Judicial Notice of Law that The U.S. Supreme Court, *Byars v. U.S., 273 US 28 (1927)* it was established that, "...it is the duty of the courts to be watchful for the constitutional rights of the citizen, and against any stealthy encroachments thereon." A prosecutor has the responsibility of a minister of justice and not simply that of an advocate. This responsibility carries with it specific obligations to see that the defendant is accorded procedural justice, that guilt is decided upon the basis of sufficient evidence, and that special precautions are taken to prevent and to rectify the conviction of innocent persons. Carlos Massey makes known to the Officers of this court that on December 15, 2021, the Grand Jury of Will County signed a true bill of indictment against Carlos Massey based upon misinformation presented by Jacob Kreutzer. Take Judicial Notice, without presenting the Grand Jury with the actual complete facts of all the material available to the States Attorney Office would be in clear violation of Carlos

Massey's Due Process Rights. In 1976 the United States Supreme Court determined that constitutional error occurs, and a new trial would be required only if a nondisclosure results in a fundamentally unfair conviction in *Agurs V. United States*. The Court in *Agurs* stated that its construction of the due process clause "will apply equally to the comparable clause in the Fourteenth Amendment applicable to trials in state courts." 96 S.Ct. at 2399. Jurisdiction is lost when an order/judgment is based on a void order/judgment, *Austin v. Smith*, 312 F 2d 337, 343 (1962); *English v. English*, 72 Ill. App. 3d 736, 393 N.E. 2d 18 (1st Dist. 1979)

Pursuant to the Rules of The Rules of Professional Conduct (3.8), the States Attorney has the duty to review and investigate the unrebutted facts made known to their office in order to establish jurisdiction to prosecute the alleged charges being brought against Carlos Massey. The ongoing legal wrongs and deliberate indifference to law and United States Constitutional Guarantees being ignored by the STATE OF ILLINOIS, is denying Carlos Massey Due Process Rights as well as the right to equal protection of the law and without exercising the duty to investigate the circumstances and correct the errors and fraud before this court, there is no jurisdiction to be held in prosecution of any alleged crimes.

Subject matter jurisdiction is two part; the statutory or common law authority for the court to hear the case and the appearance and testimony of a competent fact witness, in other words, sufficiency of pleadings. Carlos Massey Makes Known that a Challenge of Jurisdiction must be addressed once presented to the court. Even if a court (judge) has or appears to have subject matter jurisdiction, subject matter jurisdiction can be lost. Before addressing either of these two points of established Law, Carlos Massey wishes to make known before this court and the Court Officers acting under Color of Law, that some of the Major Reasons that 'Subject-Matter-Jurisdiction' has been lost before this court are as follows;

- 1.) All judges of the lower courts are required to take two Oaths, (one being 28 USC 453, to do equal justice to all) before assuming Office and to file such Oaths in places designated by law and to abide by such Oaths during occupancy of such Offices and failure to take and file such

Oaths constitutes de jure vacancies of Offices. All judges of the lower courts are required to uphold and defend the United States Constitution.

2.) A judge is required to have a copy of his oath of office on file in his /her chambers and if not, he is not a judge and Carlos Massey may require said judge into his office and demand to see a copy of his oath of office at any time. The laws covering judges and other public officials are found at 5 U.S.C. 3331, 28 U.S.C. 543 and 42 U.S.C. 1983 and if the judge has not complied with all of these provisions, he is not a judge, but a trespasser upon the court. If he is proven a trespasser upon the court (upon the law) not one of his judgments, pronouncements, or orders are valid. All are null and void.

3.) "Court must prove on record, all jurisdic tional facts related to the jurisdic tion asserted." Latana vs. Hopper, 102 F 2<sup>nd</sup> edition 188;

4.) "The law provides that once state and federal jurisdic tion is challenged it must be proven" Maine vs Thivoutot, 100 S.ct. 2502 (1980).

5.) "No petition in the record of the case." Brown vs. Van Keuren, 340 ILL. 118, 122 (1930)

6.) "Defective Petition filed, Pursuant to the same aforesaid case, is also ground for a loss of jurisdiction.

7.) "Fraud upon the court," IN re Village of Willowbrook' 37 ILL. APP. 3d 393(19620).

8.) "Violation of Due Process" Johnson vs Zerbst, 304 U.S. 458, 58 S.ct. 1, 019; Pure Oil Co. Vs city of North Lake, 10 Ill. 2d 241, 245, 140 N.E. 2d 289 (1956); Hallberg vs Goldblack Bros.

In Order for Any Man/Woman To Assume Jurisdiction Over Carlos LaShon Massey, First They Must Act Lawfully According the Position Of Trust That They Claim, Which Has Not Been The Case Before Cook County Courthouses. The Following Records and Circumstances Are Directly Relevant to the current case and conditions of my family's lives as a direct result of the Ongoing Legal Wrong that the Cook County Courts, Congressmen/women, Senator's Including Barrack Obama, The Appellate Court Justices, The Illinois Supreme Court Justices, Two Illinois Attorney Generals, Illinois Inspector General, Sheriffs, Two Governors and the F.B.I. whom have all intentionally and recklessly "Cast A Blind Eye" and all were Made Known as records will reflect.

Carlos Massey Makes Known, A public officer or employee or special government agent commits misconduct when, in his official capacity or capacity as a special government agent, he

or she commits any of the following acts: (1) Intentionally or recklessly fails to perform any mandatory duty as required by law. Illinois Ethics Act Imposes A DUTY and My Family and I Have Suffered Great Damages Directly Due to The Negligence In Performing These Duties. Carlos Massey Makes Known according to Illinois Law, Criminal Liability Attaches by Omission to Perform a Mandatory Duty that the Law Imposes and Illinois Legal Guidelines State, "conduct is criminally negligent when the actor fails to be aware of a substantial deviation from the standard of care". All State Officers Having Knowledge, sworn by oath prescribed by law under 705 ILCS 5/32 are trespassers of the law and Party After the Fact. Pursuant to 720 ILCS 5/5-© "Accountability for the Conduct of Another" and when Accountability exists, It would be required for felony charges to be placed against The Cook County Circuit Court States Attorney Kim Foxx.

Carlos Massey Makes Known that the Prosecutors in this case are aware that the records before the court contains Fraud Upon the court and therefore, they have a duty to report said fraud. Furthermore, judges who have knowledge of criminal activities of another judge and fail to report said activities, become principle in the criminal activities themselves.

Carlos Massey Makes Known, when an officer of the court is found to have fraudulently presented facts to impair the court's impartial performance of its legal task, the act (known as fraud upon the court) is not subject to a statute of limitation. *Hafer v. Melo* : "US Supreme Court held that state officials acting by "color of law" may be held personally liable for the injuries or torts they cause and that official or sovereign immunity may not be asserted.", *Scheuer v. Rhodes*, 416 US 232 (1974), 94 S. Ct. 1683, 1687 (1974), "When a state officer acts under a state law in a manner violative of the Federal Constitution, he comes into conflict with the superior authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. The State has no power to impart to him any immunity from responsibility to the supreme authority of the United States."

Carlos Massey Makes Known that the Cook County Courts et. al., committed Major Fraud



Against The United States costing the Illinois Taxpayers Over \$250,000.00 Dollars trying to force me into a PLEA AGREEMENT. This is Documented Before the Illinois Supreme Court as well as The Unconstitutional Separation of Parent and Child for 4.9 Million Dollars, The Warrantless Seizure of a Child for 2.9 million dollars, The Unlawful Detainment for 312 days with no bond or Habeas Corpus granted, The 8<sup>th</sup> Amendment Violation in torturing Carlos Massey causing the loss of use of a mobility limb, The Abuse of the Elderly or Disabled, ALL Of Which has been made known before the Illinois Supreme Court, Illinois First District Appellate Court, The United States District Court And the United States 7<sup>th</sup> Circuit Court of Appeals. It may be Inferred that these criminal acts and conspiracy against rights have the common motive to deny Carlos Massey the Damages now tolled at 10 million Dollars and which was brought forth before The Illinois Supreme Court in Claim for Damages.

Carlos Massey Makes Known that, controlling case law holds that government bodies whose conduct meets the definitions as applied to non-government entities also applies to them. that would include state judges, federal judges, U.S. Department of Justice, and others. INCLUDES: Aiding and Abetting and Conspiracy Against the Rights of Citizens. A line of cases holds that any governmental agency, court, political office or the like could serve as a RICO "enterprise." United States v. Thompson, 685 F.2d 993, 999 (6th Cir. 1982) (en banc) cert. denied, 459 U.S. 1072 (1983). Among the government units that have been held to be "enterprises" are offices of governors and state legislators, courts, court clerks' offices. See e.g., United States v. Stratton, 649 F.2d 1066, 1072-75 (5th Cir. 1981); United States v. Clark, 656 F.2d 1259, 1261-67 (8th Cir. 1981) Office of county judge); United States v. Frumento, 405 F. Supp. 23, 29-30 (E.D. Pa. 1975), affd, 563 F.2d 1083 (3d Cir. 1977). cert, debued, 434 U.S. 1072 (1978). Decisions after Frumento expanded government activity to every conceivable government agency, court, or political office. United States v. Thompson, 669 F.2d 1143 (6th Cir), revd 685 F.2d 993 (6th Cir. 1982)(en banc), cert. denied, 459 U.S. 1072 (1983) Each of these criminal acts were compounded by the fact that they were perpetrated by people in positions of trust, who were paid to enforce the law. Expanding on the number of parties involved in the series of predicate acts

were the unknown—but suspected—U.S. Department of Justice—parties that were orchestrating the

multiple schemes and conspiracies and protecting each of the criminal acts of each and every one. Title 18 U.S.C. § 1962(a) provides: Title 18 U.S.C. § 1962(d) makes it "unlawful for any person to conspire to violate any of the provisions of subsections (a), (b), or (c) of this section. "In *Beauford v. Helmsley*, the S. Ct. (1989), the Supreme Court held that it is not necessary to prove that multiple schemes, episodes or transactions occurred in order to establish a "pattern of racketeering activity," as long as the racketeering acts were "neither isolated nor sporadic."

Carlos Massey Makes Known that Illinois law enforcement agencies take tens of millions of dollars in cash, vehicles, land and other assets from state residents – in some cases without bringing criminal charges, let alone obtaining convictions, against property owners. Asset forfeiture laws, which allow the confiscation of private assets suspected of involvement in illegal activity, have been subject to abuse – and have produced large payouts for law enforcement. Since 2005, Illinois has pocketed more than \$319 million from private citizens throughout the state. Federal law enforcement took in more than \$404 million in Illinois over the same time period. While forfeiture is lucrative for law enforcement, it can be devastating to the people from whom property is taken. Motor vehicles, because of their high value, have become particularly popular targets of seizures. But losing a vehicle even temporarily can precipitate a cascade of negative consequences in a person's life, including the inability to maintain employment or even to attend court proceedings to try to reclaim the seized property. This practice can exacerbate impoverishment and harm the person's innocent children and family members. Between 2005 and 2015, forfeiture proceedings have resulted in gains of more than \$319 million for Illinois police departments, sheriffs, state's attorneys and other law enforcement agencies. Most asset seizures take place in Cook County, followed by Lake, Will, Rock Island, Macon and Winnebago counties – but millions more dollars' worth of property have been seized by jurisdictions throughout the state. The law enforcement agencies making the most seizures are the Chicago Police Department, the Illinois State Police, the Narcotics and Currency Interdiction Team, the Cook County Sheriff's Office and the Decatur Police Department. Most of Illinois'

forfeiture laws provide that, when cash is forfeited or physical property is sold at auction, the + proceeds are to be divided entirely among law enforcement agencies, in the following manner: 65 percent to the seizing agency; 12.5 percent to the prosecutor instituting the forfeiture action; 12.5 percent to the Office of the State's Attorneys Appellate Prosecutor (the Office of the Cook County State's Attorney, which handles its own appeals, receives 25 percent of forfeiture cases instituted in that county); 10 percent to the Illinois State Police. For The Last Two Years, Illinois Has Been This Nation's Third Most Corrupt, With Cook County Being the Nation's Most Corrupt Two Years Straight and this is just an example. The 7<sup>th</sup> Circuit United States Court Of Appeals Has Called Cook County Judicial System, "A Criminal Enterprise and yet they failed to mention they are routinely committing acts in furtherance of the RICO Act Violations".

Carlos Massey Makes Known that in relying on the rulings of 'Shapiro vs. Thomas', 394 U.S. 618 April 21, 1969 "the right to travel by private conveyance for private purposes upon the common way cannot be infringed. No license or permission is required for travel when such travel is not for the purpose of commercial profit or gain on the open highways operating under license in commerce.", there is no means to wit criminal intent can be attached for relying upon the rulings of the Supreme Court.

Carlos Massey Makes Known, In the American legal system, every crime has two components which the prosecution must prove to obtain a conviction of the defendant: 1. actus reus, or the criminal action, and 2. mens rea, or the criminal intent. If either component is missing, the defendant will be acquitted. Documents before the court now exposes that the component of criminal intent cannot be met.

Carlos Massey now requires the prosecution to show on record jurisdiction for prosecution as well as the information for the Public Surety Bonds on the Officers of the court.

Carlos Massey Makes known In Smith v. State, 581 So. 2d 1283, 1284 (Ala.Cr.App.1991), this Court held: "When the States does not respond to a petitioner's allegations, the unrefuted statement of facts must be taken as true. Chaverst v. State, 517 So. 2d 643, 644

(Ala.Cr.App.1987)... A petitioner is entitled to notice as to any grounds of preclusion, so as to enable him to formulate a response. Ex parte Rice, 565 So. 2d 606, 608 (Ala.1990)."

Carlos Massey has made known to the prosecutors that Fraud Upon the Court and Due process Violations has occurred and the record before the court is Fraudulent, investigation and the lawful reporting to the proper authorities is required by the officers of this court or any implied or factual jurisdiction shall be lost. Rule 2.15 requires a judge who receives information indicating a substantial likelihood that another judge has committed a violation shall take appropriate action.

In Conclusion, Carlos Massey Humbly admonishes the officers of this court that, Failure to Intervene in Civil Rights Violations is actionable before Federal Court and actions committed with willful and wanton intent in contradiction to the United States Constitution are criminal acts without any immunity to be afforded by the State. Furthermore, the **deprivation** of rights under color of law is a federal criminal offense which occurs when any person, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person on any U.S. territory or possession to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States and Conspiracy Against Rights makes it unlawful for two or more persons to agree to injure, threaten, or intimidate a person in the United States in the free exercise or enjoyment of any right or privilege secured by the Constitution or laws of the United States or because of his or her having exercised such a right.

Respectfully Submitted

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Carlos Massey, U.S. National

## **Certification**

I, Carlos Massey, pursuant to title 28, USC Section 1746 (1) and executed "Without the United States," I affirm under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct, to the best of my belief and informed knowledge.

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Lt. Governor Stratton  
207 State House  
Springfield, IL 62706

01/21/2022

Carlos Massey

RE: Failure to Respond to the Material Tendered to Your Office Concerning the  
Misconduct of Officials Under Your Auspices and Your Sworn Duty to the  
Faithful Execution of the Law

Honorable Governor JB Pritzler,

This correspondence is to formally make known to you directly that the officials under the auspices of your supervision are in direct violation of the guarantees afforded in the Illinois Constitution which you swore to uphold. Article 5 Section 8 of the Illinois Constitution clearly provides that, "The Governor shall have the supreme executive power, and shall be responsible for the faithful execution of the laws". In the material which was presented by Levi Bain before your office, it is shown that the Clerk of the Illinois Supreme Court violated 720 ILCS 5/31-4 when, with intent to prevent the prosecution before the court, the Chief Deputy Clerk of Court knowingly concealed from the court record material submitted for filing as can be seen on video provided in the supplied link in this correspondence.

Take Lawful Notice that, "the Supreme Court of the United States made it clear that federal laws are enforceable in state courts. *"Federal law is enforceable in*

*state courts not because Congress has determined that federal courts would otherwise be burdened or that state courts might provide a more convenient forum — although both might well be true — but because the Constitution and laws passed pursuant to it are as much laws in the States as laws passed by the state legislature. The Supremacy Clause makes those laws "the supreme Law of the Land," and charges state courts with a coordinate responsibility to enforce that law according to their regular modes of procedure. "The laws of the United States are laws in the several States, and just as much binding on the citizens and courts thereof as the State laws are. . . . The two together form one system of jurisprudence, which constitutes the law of the land for the State; and the courts of the two jurisdictions are not foreign to each other, nor to be treated by each other as such, but as courts of the same country, having jurisdiction partly different and partly concurrent." [Howlett v. Rose, 496 US 356 - Supreme Court 1990]*".

Governor Pritzler pursuant to law, A defendant is liable for negligence when the defendant breaches the duty that the defendant owes to the plaintiff. A defendant breaches such a duty by failing to exercise reasonable care in fulfilling the duty. Unlike the question of whether a duty exists, the issue of whether a defendant breached a duty of care is decided by a jury as a question of fact. It is imperative pursuant to My lawful claim to Illinois Bill of Rights Section 12, guaranteeing Me the Right to Remedy and Justice promptly as well as the United States Guarantee of Equal Protection of the law that you carefully review the facts made known to you and promptly attend to these matters or I will have no other redress than to lawfully serve you with a Notice of Intent Publicly and proceed in action before court.

This Link Will Connect To The Video Proof Of The Crime;

<https://www.facebook.com/100007592050936/videos/426865775682796/>

Respectfully