

In the Appellate Court of Illinois, First District

Docket Number: 1-18-0572

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

Docketing Statement and Notice of Appearance of Counsel for Appellant
(Civil)

Appellant-Defendant, Gordon Wayne Watts, acting solely in his capacity *pro se*, and pursuant to Supreme Court Rule 312, submits the following for his Docketing Statement in this appeal within 14 days after filing the notice of appeal. Pursuant to Illinois Appellate Court, First District, local court Rule 9, this Docketing Statement shall also serve as the appearance of the undersigned as counsel, *pro se*, for the Appellant.

1. Is this a cross-appeal, separate appeal, joining in a prior appeal, or related to another appeal which is currently pending or which has been disposed of by this court? YES

If so, state the docket number(s) of the other appeal(s):

* NO. 1-14-2751 (Trial Court No.: 2007-CH-29738 – **Chancery Division**) ***GMAC v. Daniggelis***

* NO. 1-15-0662 (Trial Court No.: 2014-M1-701473 – **Civil Division**) ***Younes v. Daniggelis***

* NO. 1-18-0091 (Trial Court No.: 2007-CH-29738 – **Law Division**) ***GMAC v. Watts / Watts v. Younes, Shelley, and Flannery, Counter-Defendants***

* NO. 1-18-0538 (Art. VI, Sec. 6, **Original** Jurisdiction Writ) ***Watts v. Shelley and Flannery***

*[Administrative Note: Petitions, such as 1-18-0538, are typically heard in the IL Supreme Court, and actually, this is the 1st known Mandamus Petition **ever** placed before This Honourable Court, however, it is permitted under Art. VI, Sec. 6 of the IL Constitution, and it behooves us greatly to solve our own problems and **not** bother the Supreme Court over trivial matters, when their case-load is already too high, so this Writ, after one clerical misstep, was properly placed.]*

As this court recalls, **Daniggelis** was the elderly victim of documented mortgage fraud, as outlined in GMAC, a Chancery case which was appealed to this court; however, this court **never reached the merits**, chiefly because **Atty. Andjelko Galic**, the attorney for **Richard Daniggelis**, the elderly victim, **who was temporarily made homeless & living in his rental van**, as a result of the theft of his house/land, was negligent and never filed his merits brief; and, as a result, **Galic** was chewed out royally by **This Honourable Court** in its last substantive order. (See: Order of this court, date **June 16, 2016**, in Docket number: **1-14-2751, supra.**) This Court was permitted – but not required – to accept my *Amicus Curiae* (aka: “Friend of the Court”) briefs; and, while this court didn't break any laws in rejecting my *amicus* briefs in these appeals, above, it was an unwise refusal to 'make use' of proximal judicial help offered, since *amici* are permitted to be a “friend” to the court –and aide its appellate jurisdiction when, as in this case, counsel for both sides overlooked stuff and/or are/were negligent—and, no disrespect meant, kicking the can down the road has resulted in continued headaches for all parties, but I shall attempt to simplify things, and help **This Noble Court** complete its mission, & thereby reduce the headache factor.

Kinkel v. Cingular Wireless, L.L.C., 223 Ill. 2D 1; 857 N.E.2d 250; 306 Ill.Dec. 157 (Jan. 11, 2006), holds that an *Amicus* needs merely offer helpful information that the parties have overlooked—which I clearly do insofar as I use several legal arguments that no lawyers on either side have used. [This holding is analogous to Rule 37.1 of the U.S. Supreme Court, which states: “1. An *amicus curiae* brief that brings to the attention of the Court relevant matter **not already brought to its attention by the parties** may be of considerable help to the Court.” (Emphasis added in bold-faced underline for clarity; not in original)] Illinois Courts also adopt a 7th Cir. Federal Court standard in which ((#1)) a party is not represented at all; ((#2)) the 'direct interest' test; **or**, ((#3)) the same test as above: Helpful info overlooked by the parties. NOTE: The 7th Circuit test uses the key operator “or,” meaning that any one “or” the other of the three tests need apply. See e.g., **NOW, et al. v. Scheidler, et al., (Nos. 99-3076, 99-3336, 99-3891 & 99-3892, 7th. Cir., Opinion July 31, 2000):**
http://media.ca7.uscourts.gov/cgi-bin/rssExec.pl?Submit=Display&Path=Y2000/D07-31/C:99-3076:J:_:aut:T:op:N:0:S:0

- **** VERY IMPORTANT ADMINISTRATIVE NOTE: This Court violated a direct command of the Illinois Supreme Court, here recently, in a related case:**

[Web-Post Date: 5/6/2015 aka “March 25, 2015”] No. 118434 - GMAC Mortgage, LLC, et al., respondents, v. Richard Daniggelis, petitioner. Leave to appeal, Appellate Court, First District. (1-14-2751)

Petition for leave to appeal denied.

In the exercise of this Court's supervisory authority, the Appellate Court, First District, is directed to vacate its order in GMAC Mortgage, LLC v. Daniggelis, case No. 1-14-2751 (09/24/14),

denying Richard Daniggelis leave to file a late notice of appeal. The appellate court is instructed to allow Richard Daniggelis to file a late notice of appeal and hear the case. (27 N.E.3d 610 (2015))

Let's look again at the ORDER rendered here: Notice that it doesn't say "hear" the case only if Atty. Galic files his merits briefs. Notice, please, it says to "hear the case." Period. Now, no one will hold it against the appellate court judges for being human and getting side-tracked.

(Movant is human, and asks for forgiveness for a late motion in 1-18-0091, no?) However, when this case inevitably wends its way to the Supreme Court again (*no matter the outcome, some party will lose, and will be an unhappy camper, and appeal, OK?*), the Supreme Court will remember that this reviewing court disobeyed its last standing order to fully-and-completely review this case on the merits, hear it, and render a decision (which it did not do).

The trial court (and the other litigants) do not care if This Court is embarrassed or misses an opportunity to correct an honest, and human, mistake. However, even though Movant admits that he sometimes disagrees with this court's rulings, in the past, refusing to give Daniggelis justice, and even though Movant is also human (and makes mistakes), Movant, Watts, will make a Herculean effort to move heaven & earth, in order to grant This Court a "Second Chance" to finish the job given to it by the Illinois Supreme Court. **To be clear, if This Court does not obey The Supreme Court's last order to hear the merits, five (5) parties will suffer harm:**

- (1) This Court will risk censure, embarrassment, & failure to obey the IL Supreme Court.
- (2) Mr. Daniggelis, who is elderly (about 79 or 80, as I write), and was made homeless, & living in his rental van, is still suffering loss of his house, land, and hundreds of thousands of dollars of equity, *which I documented in prior filings*.
- (3) Oh, and as I am owed monies for much work done, only about 10% which was documented in my Intervention motion, since many new costs have accrued, I wouldn't get paid, in this Intervention, which is, legally, similar to a Mechanic's Lien, but without the lien filing fee. [I filed Intervention vs. Lien, in order to save paying said fee.]
- (4) **I would suffer "double" harm, because Daniggelis is like a grandfather to me.**
- (5) The Rule of Law would suffer, and who else would get denied a fair hearing, simply because he's a poor, out-of-state nonLawyer?

Therefore, I ask This Court to pay close attention to what follows, as I shall (to the best of my human ability) give a "road map" so we all escape unharmed in this legal maze and trek.

THEREFORE – I move This Court to:

((A)) Extend Time for filing the Record on Appeal three (3) months, to June 12, 2018. But, at the same time, **EXPEDITE PROCEEDINGS for the elderly & all parties.**

((B)) Issue a Writ of Mandamus compelling the trial court to grant intervention (see Exhibit "A"), and grant fee waiver (see Exhibits "B", "C", and "D" which cite to statutory law).

((C)) If preparation of the entire record seems unfeasible (remember: Trial Court got burned on this in the past), I'd recommend This Court issue a MANDAMUS Writ compelling trial court to prepare 'selected' record items, **only: ONLY** filings by Movant, responsive filings, & selected "representative" filings by Galic & opposing attorneys, for the Record on Appeal.

((D)) Since “less than 100%” of the Record on Appeal would be prepared (for the sake of time /&/ brevity), Due Process would require that This Court give Joseph Younes & other defendants “one last chance” to make their case for innocence or ask that selected items be added to the Record. (*A “Writ of Show Cause” might play into the mix.*)

((E)) Then, unless you disagree with my legal arguments (you should not), I ask that you give Daniggelis' house back to him, and order repayment for damages to those aggrieved, including myself. *After ((D)) above, **Summary Judgment would be appropriate. Please do so.***

Playing the Devil's Advocate

Before we come down too hard on Judge Flannery for his refusal to comply with the law (regarding refusal to Grant Fee Waiver, Acknowledge Intervention rights, and Prepare the Record on Appeal—the subject of the instant appeal), let's look at mitigating circumstances: His court, previously, prepared a huge record in a related case, which Atty. Galic (Daniggelis' attorney), and his court “got burned” badly, insofar as the preparation of the huge record was a wasted effort, when This Court (see Exhibit “H”) dismissed the case for Galic's repeated refusals to prosecute the case. (See the IL Supreme Court's “Supervisory Order” next page to verify, & see Movant's Docketing Statement for details.) Sadly, this was before “electronic” record standards, and trials court's efforts were not preserved.

So, while Judge Flannery is in open disobedience to the the law, his tacit concerns are genuine (and appellant's motion, here, will offer a compromise to get around the risk of a repeated mistake here).

2. Is any party a corporation or association? If so, please identify any affiliate, subsidiary, or parent group: NO

3.(A) Full name and complete address of appellant(s) filing this statement:

Mr. Gordon Wayne Watts, *pro se*
821 Alicia Road, Lakeland, FL 33801-2113
PH: (863) 688-9880 [home] or (863) 409-2109 [cell]
Web: <http://www.GordonWatts.com> / <http://www.GordonWayneWatts.com>
Email: Gww1210@aol.com / Gww1210@gmail.com

3.(B) Full name and complete address of appellee(s): (Use additional page for multiple appellees.) See the attached Service List, which includes all known parties – and their attorneys.

3.(C) Counsel on Appeal for appellee(s): (Use additional page for multiple appellees.)

See the attached Service List, which includes all known parties – and their attorneys.

4. Court reporting personnel: (If more space is needed, use other side.)

As I became a “party proper” to this case after its inception (and not merely a prospective

Amicus Curiae, as I had initially sought), I do not rightly know, but I can tell you that I have heard a report from **Mr. Daniggelis**, who is my friend, who has told me that **Andjelko Galic, his attorney**, has hired a court reporter and has purchased records. If you want to know about any court reporting personnel, you may ask the attorneys involved in this case and/or the Civil Appeals Division of the trial court below.

5.(A) Approximate Duration of trial court proceedings to be transcribed: Unknown

5.(B) Can this appeal be accelerated? Yes—on motion of the court or any party: R.311(b).

While not mandatory (e.g., as in domestic or child rearing issues), the victim of this mortgage fraud is elderly, I'm guessing about 79 or 80 years old, as I speak, and it would not serve the appellate jurisdiction of this court were it to purposely let all the elderly victims die of old age (or stress- from being made homeless) before the merits of this case could be reached. Therefore, this court would have my gratitude if it could fast track the case, review it on the merits (based solely on what I filed, *which should be enough to justify summary judgment*), and then render summary judgment in favour of **Daniggelis**, giving him back his house & land, with costs assessed for pain & suffering ; damages to his house by **Joseph Younes** (as further described in *City of Chicago v. 1720 Sedgwick, Younes, et. al., 2017-M1-400775*, a Code Violation case in the Civil Division of Cook County, IL trial courts) ; monies lost due to having to find another place to live and/or store belongings ; award for attorneys fees to his attorney, **Andjelko Galic**, – and award for monetary losses to Watts and More, who suffered various losses as a result of financial distress inflicted upon **Daniggelis** –such ruling which would moot Daniggelis' otherwise valid 'non-suit' motion to the trial court, which precipitated this appeal to this court, **and with remand to the Circuit Court for further proceedings consistent with this order:**

Rule 311. Accelerated Docket

(b) Discretionary Acceleration of Other Appeals. *Any* time after the docketing statement is filed in the reviewing court, the court, on its own motion, or on the motion of any party, for good cause shown, may place the case on an accelerated docket. The motion shall be supported by an affidavit stating reasons why the appeal should be expedited. If warranted by the circumstances, the court may enter an order accepting a supporting record prepared pursuant to Rule 328, consisting of those lower court pleadings, reports of proceedings or other materials that will fully present the issues. In its discretion the court may accept memoranda in lieu of formal briefs. The court may then enter an order setting forth an expedited schedule for the disposition of the appeal.

6. Is this appeal from a final order in a matter involving child custody or allocation of parental responsibility pursuant to Illinois Supreme Court Rule 311(a) which

requires Mandatory Accelerated Disposition(*) of Child Custody or Allocation of Parental Responsibilities Appeals? NO

(*) If yes, this docketing statement, briefs and all other notices, motions and pleadings filed by any party shall include the following statement in bold type on the top of the front page: THIS APPEAL INVOLVES A MATTER SUBJECT TO EXPEDITED DISPOSITION UNDER RULE 311(a).

7.(A) State the supreme court rule, or the law, which confers jurisdiction upon the reviewing court: Ill.Sup.Ct. Rules 301 and 303 confer jurisdiction as of right for this appeal. While I was a prospective *amicus*, when previously filing in this court, I later asserted intervention in the Law Division case; and, as my name appears on docket, in the court below, this is proof of my status as a party, the court below having neither denied my motion nor given any reason to deny intervention as of right. City of Chicago v. John Hancock Mutual Life Ins. Co., 127 Ill.App.3d 140, 144 (1st Dist. 1984). I satisfy all 3 requirements, giving me a right to intervene under 735 ILCS 5/2-408(a)(3). Also, as I'm a food stamp recipient, I qualify for fee waiver in this court *—and the court below, subject to mandamus proceedings, should it balk or refuse my rights to both sue and defend in forma pauperis, as my prior docketing statement (in 1-18-0091) had predicted that my gut feeling said it may attempt—and which prediction came true.*

7.(B) State the facts of the case, which bring it within this rule or other law; and, the date that the order being appealed was entered:

The order being appealed was on March 01, 2018. I have 30 days to appeal, so my appeal dated March 16, is timely. My docketing statement is due 14-days later, e.g., by Fri. 03-30-2018.

7.(C) State any other facts which are necessary to demonstrate that the appeal is timely:

Rule 373 allows the time-stamp of the post office or a 3rd-party carrier, such as UPS or FedEx, to count as the time of filing. [Note: This wasn't needed in the instant appeal, 1-18-0572, but it was a “close call” in 1-18-0091, so I invoked Rule 373 there—with apparent success.]

8. Nature of the Case: (if several apply, check all)

<u>Administrative Review</u>	<u>Contract</u>	<u>Estates</u>	<u>Mortgage Fraud / Foreclosure</u>
<u>Juvenile</u>	<u>Domestic Relations</u>		<u>Personal Injury</u>
<u>Product Liability</u>	<u>Forcible Entry Detainer (FED)</u>		<u>Child Custody or Support</u>
			<u>Tort</u>

9. Briefly describe the (A) nature of the case, and (B) the result in the trial court, and set forth (C) any reasons for an expedited schedule:

9. [A] Nature of the Case: Administrative review of Judge Flannery's Order

Actually, due to Judge Flannery's refusal to comply with statutory and case law, this case is “bifurcated” and there are “2-in-1” – there are two (2) answers here: Administrative (this case: 1-18-0572) and “on the merits” (the underlying case: 1-18-0091). *Let's take things one at a time:*

First off, my *Amicus Curiae* briefs, as you vividly recall, DOCUMENTED beyond any reasonable doubt, that there was indeed provable “mortgage fraud” which ensued when **Daniggelis** attempted to merely get 'basic' help with refinancing and/or investors, via a photocopy forgery, a felony forgery fraud, and this, combined with lack of consideration (payment), especially in light of the fact that known 'mortgage fraud' artist, **Paul Shelton** (who lost a law license over this) aided **Atty. Joseph Younes**, gave damning proof of mortgage fraud.

However, there is the matter of Presiding Law Division Judge, Hon. James P. Flannery (#1505) violating three (3) areas of statutory and case law: [[#1]] First off, he denied Fee Waiver, which is the subject on the instant appeal in this—the case at bar. [[#2]] Secondly, he used, as his excuse, the alleged refusal of Trial Judge, Hon. Diane M. Shelley (#1925), to grant Intervention. [This is a disputed matter of fact and law, but if Judge Flannery is correct, then trial judge, Diane Shelley, violated This Court's holdings on Intervention; if, however, Judge Flannery is incorrect, and the docket's claim of “Defendant” and party status is a true fact, then Judge Flannery violated the law in his refusal to grant Intervention and, of course, his refusal to permit the preparation of the Record on Appeal, which, since it is VERY lengthy, can not be paid for by an indigent appellant, who is on food stamps, and barely able to crank out printing and mailing costs for the huge service list (which the attorneys in the court below have illegally refused to serve). [[#3]] Of course, since appellant's qualification for Fee Waiver was met, the refusal to grant the request for preparation of the Record on Appeal was clearly manifest error.

NOTE: There are legitimate Mandamus Proceedings occurring in **1-18-0538**, one of the sister cases, because appellant, Watts, was told by Patricia A. O'Brien, the Deputy Chief of the Civil Appeals Division (Cook County, IL Circuit Court) that this appeal court not proceed without the preparation of the Record on Appeal, but then the preparation of the Record on Appeal can not proceed without appellant, Watts, winning this appeal. That is a “classic catch-22,” meaning, there is no solution, and thus Due Process is denied in the instant case at bar, **1-18-0572**.

So, if This Court refuses to hear the instant appeal (as appellant represents to This Court that Ms. O'Brien has told him in phone conversation), then Mandamus is the only remedy.

If, however, This Court will review the merits of Judge Flannery's illegal order, without requiring the huge & lengthy 'Record on Appeal' in the court below, then this appeal can proceed on the merits. [Since what is being appealed in **1-18-0572** is merely Judge Flannery's roadblock ruling, and not the merits of the elderly Richard Daniggelis being made homeless *via* documented Mortgage Fraud, as documented further in **1-18-0091**, then, perhaps Ms. O'Brien's assessment, while certainly well-meaning, could be incorrect, and we proceed as planned.]

9. [C] Reasons for an Expedited Schedule

Before I go any further, let me remind you that the victim is elderly, and this, alone, is reasons enough for an expedited schedule [an R.311(b) Accelerated Docket], phone conferencing for myself (as I'm in Florida), and a summary Judgment, speedily rendering justice. This elderly man was made homeless, and was sleeping in his rental van for a spell, **and this is verified by my statement herein**, but if you doubt, you may ask Daniggelis, himself. He continues to suffer

financial hardship as a result of having to find replacement housing for both himself and his belongings, which, *necessarily*, must be in storage somewhere, and thus not cost a small price.

9. [A] Nature of the Case: provable 'Mortgage Fraud' (continued)

However, since I last filed in your court, I discovered the most unusual thing in all of mankind's history: **Judge Michael F. Otto** (see: **Exhibit "F"**), the judge who forcibly stripped Daniggelis' house from him, entered an **Order dated March 08, 2013 (Exhibit "F")**, in which he basically admitted fraud, and made my case stronger. Direct link for convenience (but check with trial court to verify – *or see e.g., Exhibit "F" below*)

* <http://GordonWatts.com/MortgageFraudCourtDocs/3-8-2013-MOTION-DENIED.pdf>

or:

* <http://GordonWayneWatts.com/MortgageFraudCourtDocs/3-8-2013-MOTION-DENIED.pdf>

1. Judge Otto admits (**Order, p.4**) that the July 9, 2006 warranty deed "is in most respects identical" to the May 9, 2006 warranty deed that Daniggelis signed (except, of course, for the word 'July' being hand-written in), which supports Daniggelis claims that there was a photocopy forgery of his signature, which forgery -all by itself- would void the entire illegal transfer of title.

2. Judge Otto (**Order, p.3**) acknowledges (admits) that 'Exhibit L' existed, a side-agreement to limit the title transfer only for the purpose of paying the "mortgage arrearage." Judge Otto claims that this document was not properly signed, but apparently, Otto did not see the exhibits filed in **Daniggelis' July 30, 2008 answer** (see pages 38 and 40 of the 96-page PDF file of a public records request at this link, provided by my personal repository and online docket: <http://GordonWayneWatts.com/MortgageFraudCourtDocs/07ch29738-07242015.pdf> or <http://GordonWatts.com/MortgageFraudCourtDocs/07ch29738-07242015.pdf> where both **Shelton** and **Rhone** sign on to such statements, and **Daniggelis** also signs them: These contracts place limits on **both the time and purpose** of the **POA**). So, this conclusively proves the **POA** to be **fraudulently** used, which fraud -all by itself- would void the entire illegal transfer of title. **If you can't access my website, please see contact the trial court for official records, here.**

3. There's **no** material disagreement with repeated assertions, by multiple parties, that **Richard Daniggelis** never got paid, which is a key proof of fraud that's being alleged by multiple parties. (Daniggelis would not simply give away the farm, for free. Moreover, even *had* he done so, Watts' case law shows that a sale is void *ab initio* if it lacks consideration.) My filings have repeatedly accused the other parties of failing to pay Daniggelis any consideration, and **no one** has contested this claim. Per **735 ILCS 5/15-1506(a)**, that which the other parties to this case don't deny is admitted, and, as such, it's plain that **Daniggelis didn't get paid for his house**, which is documented to have had hundreds of thousands of dollars equity, and which equity (and house and land) were taken without any consideration (payment), **thus voiding any purported sale.** But even if you think my case law, here, is "outdated," the fact Daniggelis didn't get paid shows he had **NO** motive to give away—for free—the house **and all its equity**, thus the transfer of title was not authorised by Daniggelis, **and is therefore NOT legal or valid. At all. Period.**

4. On **page 7** of Judge Otto's ORDER, he claims that the 'difficulty' for Daniggelis is that,

even assuming the signature to be altered (forgery by photocopy), Otto claims that **Daniggelis** “provides no factual or legal basis support for his assertion that, assuming the signature to have been altered, the Bank therefore “knew or should have known that the deed ... was no longer valid when the closing occurred.” **This argument by Judge Otto is totally ridiculous:**

Let's say, for example, that a group of thieves steal **Daniggelis' vehicle**, and then sell it on the Black Market to a Bank (or take a loan out on it, using as collateral for a mortgage). When the police finally catch the thieves, do you *really* think, for one second, that the Bank will be allowed to keep the hot (stolen) property, simply because they didn't have “notice” that the property was stolen? Certainly not, and may God forbid! **If Otto's logic seems crazy when we use a stolen vehicle, then it's just as crazy with the stolen house.** Otto's claim that the bank needed 'notice' is ridiculous on its face, and invites the federal courts to investigate him for civil rights violations, under the color of law. However, the bank certainly *did* get notice: **Daniggelis** recording a statement of forgery in the recorder's office: Indeed, Otto admits (**Order, p.4**) that: "In April 2007, Daniggelis filed a Notice of Forgery with the Recorder of Deeds, stating that the deed filed in August 2006 [i.e., the one dated "July 9, 2006"] was a forgery." Moreover, the Bank was *also* notified of this fraud by voluminous and lengthy litigation which ensued. [Thus, **Otto's** claim that the bank wasn't notified **is contradicted by himself**, no less.] However, more-important than the fact **Otto's** claims were in **contradiction to himself** is the fact his ridiculous argument **is in direct contradiction to absolute truth and common sense**, and that this trial court judge used said 'nonsense' argument as an excuse to “rubber stamp” plain & obvious fraud. Otto further admits (**Order, p.4**) that: "**Daniggelis** contends that the deed he signed in May 2006 was intended to take effect only if the property was sold on or before May 31, 2006. He claims that the July 2006 closing took place without his awareness or consent," and the Record on Appeal clearly supports **Daniggelis'** valid claim, which **Otto** acknowledges, **but thereafter ignores.**

Judge Otto's 'arguments' (particularly, #4, supra) are totally ridiculous.

Because numerous courts & judges repeatedly continue to ignore Joseph Younes' clear fraud, he's been allowed to gut, damage, & destroy Daniggelis' house, as explicated in *City of Chicago v. 1720 N. Sedgwick, Joseph Younes, et. al., case number 2017-M1-400775*, in the Civil Division, a case, overseen by Judge Patrice Ball-Reed, and which case has been featured numerous times in *DNainfo*, my blog, *The Register*, and more recently, *ChicagoCityScape*: <https://blog.ChicagoCityScape.com/landmarks-commission-still-threatening-fines-if-house-in-historic-district-isnt-worked-on-once-390f052a2ab2>

9. (B) The Result in the Trial Court(s)

[[#1—First]] In the underlying **Chancery Division** case, which stretched on **for almost a decade**, numerous judges kept ignoring the clear fraud which I've documented above (and in **both** my filings, **and** the exhibits to said filings, which reference documentary evidence from the record). [[#2—Secondly]] Then, based on the illegal transfer of title, which was permitted by the ruling in Chancery, the **Civil Division**, in a FED (Forcible Entry Detainer aka eviction) case, kicked Daniggelis out of his own home. [[#3—Third]] Also, I affirm, by means of this filing,

that Daniggelis told me, on one occasion, that when all seemed lost, he jumped up in court, in Chancery, before Judge Otto, and exclaimed that if he weren't right as a matter of law, then why would Stewart Title have settled for a large sum of monies, at which time, he reported to me that Judge Otto suddenly, and unexpectedly, responded by directing that this case must be transferred to the **Law Division**, from which it is presently being appealed by the undersigned appellant. [Note: The Law Division transfer, in #3, may have happened before the Civil Division conclusion, in #2, above, but the Law division case is, indeed, the last *–and only remaining–* case – based on the underlying mortgage fraud/foreclosure issues, **common to all three (3) cases.**]

[[#4—Lastly]] Initially, there were questions about whether the **Law Division** case could over-rule the various Orders issued in the **Chancery** case, handing title to **Younes**, and, many legal scholars, even the famous Wikipedia – https://en.wikipedia.org/wiki/Circuit_Court_of_Cook_County#Law_Division – insisted that the Law Division could only do A-B-and-C, but no mention of vacating or over-ruling a bad Chancery ruling.

However, in spite of numerous “urban legends” that claim that **the Law Division** is unable to do anything other than limited monetary torts, the undersigned appellant did diligent research into this matter: See the “9/11/2017” motion by Defendant, Gordon Wayne Watts, filed before Hon. DIANE M. SHELLEY, in the Law Division case *sub judice*, documenting that the local rules of the Cook County circuit courts, specifically GENERAL ORDER NO. 1.2,2.1 - County Department, place **no** limitations or restriction prohibiting a Law Division judge (particularly, a senior or circuit judge, **such as Judge Shelley**) from reversing an incorrect title-transfer ruling by a Chancery Division judge (such as junior or Associate **Judge Michael F. Otto**, who entered the erroneous order in question on **May 15, 2014**, thereby proving Watts' claim that **The IL Supreme Court is correct** when it states that Circuit Judges, **such as Judge Shelley**, “can hear **any** circuit court case.” (Emphasis added for clarify) <http://www.IllinoisCourts.gov/CircuitCourt/CCInfoDefault.asp>

Source:

<http://www.CookCountyCourt.org/Manage/DivisionOrders/ViewDivisionOrder/tabid/298/ArticleId/188/GENERAL-ORDER-NO-1-2-2-1-County-Department.aspx>

Defendant-Appellant, Watts, showed Judge Shelley (viz Watts' “9/11/2017” motion) that she had the authority to vacate the incorrect Chancery rulings, but Judge Shelley, presiding over this Law Division case being appealed, chose not to, for reasons known only to her and The Almighty. For that reason, the undersigned now appeals to this reviewing court.

[[#5—Overtime]] Since Judge Shelley's court refused an opportunity to vacate an illegal ruling arising out of Chancery (Judge Michael F. Otto's order, stripping title from Daniggelis, without him being paid a dime, and taking house, land, and hundreds of thousands of dollars of equity, without any payment to Daniggelis), the matter was appealed. However, Judge Flannery refused to comply with statutory and case law in regards to Intervention, Fee Waiver, and Preparation of the Record on appeal, necessitating the instant appeal in 1-18-0572.

This five (5) prong summary, is the “result in the Trial Court” in this matter.

10 . Briefly state the general issues proposed to be raised (failure to include an issue in this statement will not result in the waiver of the issue on appeal):

*** In the instant appeal (1-18-0572), I shall raise the following issues:**

1. Mixed Issues of Fact and Law: Whether, the facts in the court below, justify Watts' timely Motion for Intervention:

Looking at the exhibits, we see Exhibit "A", a proper motion to Intervene, and plaintiff documents in excruciating detail a mere fraction of his interests, which are not being represented by defendant, Daniggelis, whose attorney has gotten This Court very angry at him for failure to prosecute this case the last time it came before you, as documented by the June 16, 2016 ORDER, in case number 1-14-2751, by this court, royally chewing out Galic, the attorney for Daniggelis (see Exhibit "H"). Since Galic isn't doing his job, therefore, Watts' interests weren't being represented, thereby justifying intervention.

If trial court's claim is true, then this is an admission by the trial court that it refused to comply with This Court's holding on Intervention: Where intervention as of right is asserted, "the trial court's jurisdiction is limited to determining timeliness, inadequacy of representation and sufficiency of interest; once these threshold requirements have been met, the plain meaning of the statute directs that the petition be granted." City of Chicago v. John Hancock Mutual Life Ins. Co., 127 Ill.App.3d 140, 144 (1st Dist. 1984). [See Exhibit "A", documentation to Intervene as of right] Petitioner satisfies all 3 requirements, giving Watts the right to intervene under 735 ILCS 5/2-408(a)(3). Trial court's refusal to comply with its ministerial duty and This Court's holdings re Intervention is also subject to a MANDAMUS WRIT to force trial court to obey the law: See again, e.g., Exhibit "A", which gives documentation to support the claim.

2. Issue of Law: Whether the trial court (Judge Flannery) was legally justified in denying Fee Waiver.

3. Issue of Law: Whether the trial court erred in its refusal to remove its self-imposed roadblock Order, which was a roadblock to the Preparation of the Record on Appeal. [Note: While quite illegal, there may have been genuine concerns about wasted man-hours in the preparation of this Record, which is unusually large, and, per the "Playing the Devil's Advocate," discussion, *supra*, I give the benefit of the doubt to the trial court's actions, and impute pure motives. *Additionally*, since Judge Flannery's possible motive was a genuine and legitimate concern of the Circuit Court, I shall –per my Motion to Extend Time in **1-18-0091**, the sister case, suggest that a much smaller, limited "Record" is all that is necessary, and specifically enumerate only those filings which are necessary for This Court to successfully complete review on the merits.] **Commentary: Some of the issue at law (next page) are so complex that either an 'en banc' sitting of This Court and/or certification of selected "questions of law" to the IL Supreme Court might be needed to properly complete review of these matters.**

*** In the underlying “sister case” (1-18-0091), I shall raise the following issues:**

1. Issue of Law: Whether, as a matter of law, the CIRCUIT COURT'S Law Division is permitted plenary authority to rule on or vacate 'all' orders arising from the Chancery Division, as was argued in the 9-11-2017 motion, and summarised above. **(Standard of Review: *de novo*, as this court has just as good a grasp on the law as the trial courts)**

2. Whether it's finally clear that Daniggelis is the victim of mortgage fraud, which even Judge Otto's March 08, 2013 Order admits:

A. Issue of Fact as raised regarding **Otto's** false claims that documents weren't signed, even tho the record says otherwise. **The standard of review** here “Clearly Erroneous” (aka: Plain Error aka Manifest Error).

B. Issues of Law (which are reviewed *de novo*, as this court has as good a grasp on law as trial courts), regarding forgery & fraud. Here, the courts below *again* made “clear error,” “plain error,” “manifest error,” or even “plainly nonsense,” depending on your verbiage.

3.(A) Issue of Law: Whether the ILLINOIS RULES OF PROFESSIONAL CONDUCT definition of a lawyer, as an officer of the court, is sufficient to sustain **an “ineffective counsel” argument**, in “civil appeal” cases, such as how **Galic** is documented to have continually failed **Daniggelis**. (Since Illinois recognises attorneys as 'Officers of the Court', and not merely private citizens, then Galic's failure is legally equivalent to a failure of the Judicial Branch, and thus Daniggelis' **Due Process** was denied, and no further legal argument is needed to advance an 'Ineffective Counsel' defense... *or is it?* This court reviews my legal claim *de novo*.)

ARTICLE VIII. ILLINOIS RULES OF PROFESSIONAL CONDUCT OF 2010, Preamble: a Lawyer’s Responsibilities reads: “[1] A lawyer, as a member of the legal profession, is a representative of clients, **an officer of the legal system** and a public citizen having special responsibility for the quality of justice.”

Cite: http://www.IllinoisCourts.gov/supremecourt/rules/art_viii/artviii_new.htm

3.(B) Issue of Law—Constitutionality & other standards: Whether this court will refuse to hear the merits of this case and deny Daniggelis **Due Process** because of ineffective counsel. This may not be illegal (*yet... see 3.A., above*) but it certainly runs afoul of the other three major standards:

I. **Unconstitutionally** denying Daniggelis his **Federal Due Process** rights to have a fair day in court—as codified in **Rule 10-100(a) (Illinois Supreme Court Commission on Access to Justice)**, which states: “The Illinois Supreme Court Commission on Access to Justice is established to promote, facilitate, and enhance equal access to justice with an emphasis on access to the Illinois civil courts and administrative agencies for all people, particularly the poor and vulnerable.” Cite: http://www.IllinoisCourts.gov/SupremeCourt/Rules/Art_X/Art_X.htm

II. **Immoral**, as his house was stolen, and he wasn't paid a dime, and was made

homeless, sleeping in his rental van, there for a spell, and stressed out, as he is elderly. Do morals matter anymore?

III. **Impractical:** While this court was not bound by law to accept my *amicus curiae* briefs, it only delayed the inevitable to refuse to review them with scrutiny: This caused additional delays and headaches for all parties – both the litigants (victims) and the court.

4.(A) Issue of Law: Whether a trial (circuit) court's refusal to rule on a motion (and issue a responsive motion) constitutes a denial of First Amendment Redress and Due Process. – This issue is raised because appellant notices a pattern of silence in the trial courts, particularly touching *pro se* litigants (which also implicates **Equal Protection**). Appellant is not suggesting that a trial court must “rule on” **all** motions, as *some* motions are clearly erroneous, nor should a clearly vexatious litigant be acknowledged. However, if, as in the appeal, *sub judice*, a litigant moves to Intervene, and carefully documents the costs and interests—as the July 7, 2017 motion to intervene, by Intervenor, Gordon Wayne Watts, and no explicit ruling issues, this leaves litigants and court officials confused. **PROOF:** Appellant-Defendant, Watts, represents to This Court that Deputy Chief, Patricia O'Brian, in the Civil Appeals Division, is very intelligent, and also dedicated in answering technical questions about appeals, but even she was negatively influenced by a lack of an explicit ruling on the 7-7-2017 motion *supra*: She insisted, in a recent phone conversation, that the undersigned defendant, whose name appears on docket, was not a “party” to this case, and not qualified for a Fee Waiver, and that any appeal of that could not proceed without payment of the fee **for which the applicant is exempt**. (The undersigned is a food stamp recipient, and can ****barely**** pay printing & mailing costs.)

4.(B) Issue of Law: Whether inability to appeal a denial of Application for Fee Waiver unless fees are paid constitutes a “catch-22” denial of Due Process: can't appeal without paying huge fees, and can't pay huge fees without winning appeal if waiver is denied in circuit court. [*Note: If Mandamus is a proper remedy for wrongly denial of fee waiver, as hinted supra, then this issue is a moot question, and may be safely ignored.*]

4.(C) Issue of Law: Whether one's name appearing on docket is sufficient indication of party status, as defendant, Watts, alleges, or insufficient, as O'Brian claimed. [Hint: Since a person may bring suit *de novo* to sue Joseph Younes, and thus make one plaintiff and a party, thus this cross-complaint against Younes is legally indistinguishable, making me a party.] The concern, here, is that trial courts may “abuse their discretion” & prevent a person from being a party in order to slow or stop their appeal of a bad ruling, thus impeding their Due Process.

5. Issue of Law: Whether all parties to a case must be served when making motions to the court. – This seems like a “no brainer,” and a waste of This Court's time; however, even a cursory review of the court below shows that many litigants often serve just 1 or 2 parties, **and FAIL to serve all the parties, proper**. As this is endemic **and common practice**, but a clear violation of **the most basic professional legal standards**, this matter *must* be addressed already. This Court can clearly see, in **my** Certificate of Service, that the undersigned is **respectful** to the other parties, and serves **ALL** parties ((#1)) **hard copies** by mail; ((#2)) via **e-mail** when possible;

((#3)) by e-File, when it became available; **and, lastly**, ((#4)) My online docket, which **all** may view for free, has not just 'docket entries,' but the filings themselves, for download/viewing.

6.((A)) Issue of Law: Whether the trial court's **repeated delays** in preparing the Record on Appeal, in at least 1 of the 2 prior related appeals, implicates **Due Process**. While it is without dispute that **Galic**, as attorney for Daniggelis, was *negligent* in moving for “extension of time” in such cases, the court (*and not the parties*) prepares the **Record on Appeal**. (And, now with new **electronic standards**, the court also *transmits* the Record to the Reviewing Court—instead of having the appellant do so, as in the the recent past.)

6.((B)) Issue of Law: Whether this reviewing court can consider the merits of the 2 other related cases (even though those appeals have expired), which are the ****same**** issues raised in the case at bar being appealed, here – e.g., this case *sub judice*. [Hint: Since the merits were never reached, there wouldn't be violation of *Res Adjudicata*, nor would any issues be collaterally estopped. I will argue that this reviewing court can consider the case *sub judice*, rule on it, and dispose of all issued raised in the 2 related cases.]

7. Issue of Law: Whether the trial courts, below, committed **Manifest Error** in applying the **“Burden of Proof” backwards** regarding ownership of 1720 N. Sedgwick (house & property, which has hundreds of thousands of dollars of equity, as many of us have documented in our past filings, below). [Daniggelis was forced to prove that his house was his, beyond all reasonable doubt, even though the circuit court should clearly have demanded that **Younes** and **Shelton** be the ones to meet this threshold before just snatching house, land, & equity.]

8. Issue of Law: Whether ((a)) Younes' admission of a conspiracy (see *infra*), from which he later profits & benefits; or ((b)) Judge Otto's admission of facts supporting & documenting fraud claims (see *supra*); or, ((c)) Younes' repeated attempts to gut, demolish, and destroy Daniggelis' house (see recent **DNAinfo** stories, as cited in various filings by Appellant, or see the *City of Chicago v. Younes, et. al.* case in Civil: 2014-M1-400775) are **individually or collectively sufficient** for this court to make a referral to the IARDC for discipline against Younes, for unprofessional conduct, not unlike the recent IARDC action against **Younes' former law partner, Paul Shelton, who lost both his broker's license, and then his law license.**

*** Documentation that Shelton was Younes' former law partner:** March 21, 2011 complaint against Atty. Paul L. Shelton, by the IARDC Administrator, Commission No. 09-CH-58: http://www.iardc.org/rd_database/rulesdecisions.html (Look up case by entering 'Younes')

*** Documentation that Younes admitted conspiracy, and then benefited from it, thus implicating himself:** EXHIBIT-Exhibit-D(2.) “Younes complaints to OAG about Linda Green conspiracy: Feb 06, 2013” – an exhibit in the “04/21/2017” motion filed by “pro se” (e.g., appellant, Gordon Wayne Watts), which is a Public Records document that the Office of Attorney General released, showing a complaint that Younes had made against DocX, U.S. BanCorp, Nationwide Title Clearing, and Bank of America, N.A., regarding the infamous “Linda Green” fraud assignments.

9. Issue of Law: Whether appellant has to document *all* of his 'interests' under Intervention case law (and 735 ILCS 5/2-408(a)(3)) to make a full claim, or whether some (which is hard to document) can safely be estimated, *CoC v. Hancock Mutual*, 127 Ill.App.3d 140, 144 (1st Dist. 1984), which **This Court** decided regarding Intervention.

10. Issue of Law: Whether the **Application for Fee Waiver** in this appellate court must be served upon all parties; or, rather, can it be served *ex parte*, as the Circuit Court's "approved form" allows? This is a matter of **Equal Protection** (litigants in this court have a higher standard), as well as **Due Process** (financially indigent litigants—like the undersigned appellant—are struggling to just print and mail the service copies in question). If **Due Process** is not offended by the court *below* allowing a Fee Waiver application to be served *ex parte*, on the court alone, then why must indigent applicants, to this court, serve all the parties *extra* paperwork that costs to print and mail? And—which paperwork the other litigants probably don't care to read? [[Side-note: While this appellant is not ashamed to release his financial statements or admit financial poverty, some litigants may feel this is 'private' information, not appropriate to share with other parties in a case. *However*, if a Fee Waiver application is served on all parties at the same time as the Docketing Statement, as the rules require, then the extra costs would probably add little—if any—costs to postage, and only require printing of additional paperwork, which could be double-sided to save paper.]]

Miscellaneous Court issues implicating Due Process

11.(A) Issue of Law: Did Judge Sanjay T. Taylor's January 17, 2017 order, in the case *sub judice*, offend **Due Process** when the judge threatened to dismiss the case (punish the victim, Mr. Daniggelis) for the failure of the Sheriff's Department to serve a party a subpoena (a "body attachment," as the order describes)?

11.(B) Issue of Law: Is issue 11.(A), *supra*, a moot point, in light of the fact that Daniggelis had a **compelling case for summary judgment, and did not need to issue a subpoena?** [Hint: The July 24, 2012 Order, by then-Judge Mathias W. DeLort, now a member of This Honourable Court, royally chews out Daniggelis' attorney, Andjelko Galic, for focusing too much on invalidating the actual underlying foreclosure suit by questioning ownership based on the infamous "Linda Green" assignment fraud issues –instead of focusing on the actual mortgage fraud in question, which, of course, was the illegal transfer of title from Daniggelis to Younes, without any payment to Daniggelis, and by clear & obvious used of a "photocopy forgery-fraud" signature, and for purposes other than the mere refinancing for which Daniggelis initial sought help—which we now know is even documented and supported by a 2013 ruling by Judge Otto.]

11.(C) Issue of Law: Does it offend **Due Process** for the trial court to enter a ruling, but refuse to provide the litigant with a copy of the ruling, making it impossible to appeal said ruling? Clarification: I know this seems "trivial," and, really, it is (in most cases), but a ****very**** common practice of the circuit court (Chancery, Law, and Civil Divisions, at the least) is to usually no provide a copy (either mailed or electronic, e.g., a scanned image from the

Verification by Certification

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

<http://www.ILGA.gov/legislation/ilcs/documents/073500050K1-109.htm>

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

Date: Sunday, 25 March 2018

/s/Gordon Wayne Watts
Gordon Wayne Watts

INDEX TO THE EXHIBITS

<u>Instrument</u>	<u>Docket/Tab#</u>
** Motion for Intervention (in 2 file formats: Court-Stamped Image & text-searchable)	Exhibit "A"
** Fee Waiver ORDER (Granted by This Court)	Exhibit "B"
** Fee Waiver application (to trial court) with verified request to prepare the Record on Appeal	Exhibit "C"
** Fee Waiver ORDER (Denied by Trial Court)	Exhibit "D"
** Returned Mail & web-tracking (to document updated addresses & Service of filings)	Exhibit "E"
** Judge OTTO's 3-8-2013 ORDER	Exhibit "F"
*** Docketing Statement (bundled with Court-Stamped Fee Waiver app)	Exhibit "G"
** June 16, 2016 ORDER by this court in 1-14-2751, chewing out Galic, the attorney for Daniggelis, to verify Watts' interests were not being represented by Galic, thus justifying Intervention	Exhibit "H"
** Email from Odyssey eFileIL (Tyler Host), e.g., clerical error of clerk mistakenly returning filing when she overlooked Art. VI, Sec. 6, of the ILLINOIS Constitution giving your appeals court original jurisdiction	Exhibit "I"
** Tracking Receipts For 03-16-2018 filings	Exhibit "J"
** Verified request to Circuit Court for Preparation of the Record on Appeal	Exhibit "K"

In the Appellate Court of Illinois, First District

Docket Number: 1-18-0572

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

NOTICE OF FILING

To: See attached Service List

PLEASE TAKE NOTICE that today, **Sunday, 25 March 2018**, I am causing to be filed with the **ILLINOIS 1st Appellate Court** my Docketing Statement and Notice of Appearance of Counsel for Appellant ; Certification of Appellant ; Verification by Certification ; INDEX TO THE EXHIBITS ; NOTICE OF FILING ; an Updated/Corrected SERVICE LIST ; Certificate of Service ; and , all the Exhibits referenced herein, copies of which are attached hereto and are (or were) herewith served upon you. [You were previously served hard copies of all the exhibits, A—H, in the 03/16/2018 Motion to Extend time in **1-18-0091**, and got electronic service of Exhibits I and J, because the Mandamus petition, **1-18-0538**, had to be refiled due to clerical error; consequently, Exhibits I, J, and K appear below.]

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

Respectfully submitted,
/s/ Gordon Wayne Watts
(Electronic Signature)
Gordon Wayne Watts

Gordon Wayne Watts, *pro se* [Code: '99500' = Non-Lawer, *pro se*]
821 Alicia Road, Lakeland, FL 33801-2113
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Email: Gww1210@aol.com / Gww1210@gmail.com

SERVICE LIST

- * **1st District Appellate Court**, Clerk's Office, 160 North LaSalle St., Chicago, IL 60601 (312) 793-5484 , Office Hours: 8:30a.m.-4:30p.m., Mon-Fri, Excl. Holidays **[served by eFiling only, since this The Court no longer accepts paper filings]**
- * **CIVIL APPEALS DIVISION**: Richard J. Daley Center, 50 West Washington St., Room 801 Chicago, IL 60602 – (312) 603-5406, Hours: 8:30a.m.-4:30p.m., Mon-Fri, Excl. Holidays Attention: Deputy Chief, Patricia O'Brian, PAOBrien@CookCountyCourt.com **[served by all means, as Rule 326 requires for Motions for Extension of Time]**
- * **Hon. Timothy C. Evans**, Chief Judge (Ph 312-603-6000, 4299, 4259 TTY: 6673) Circuit Court of Cook County, 50 W. Washington St., Room 2600, Richard J. Daley Center Chicago, IL 60602 Courtesy copy via: Timothy.Evans@CookCountyIL.gov **[served by email / electronic service only, as a courtesy, since this is an appeal]**
- * **Hon. James P. Flannery, Jr.**, Circuit Judge–Presiding Judge, Law Division 50 W. Washington St., Room 2005, Chicago, IL 60602, Ph:312-603-6343, Courtesy copy via: James.Flannery@CookCountyIL.gov **[served by email / electronic service only, as a courtesy, since this is an appeal]**
- * **Law Division and Hon. Diane M. Shelley, Circuit Judge**, **[served by email / electronic service only, as a courtesy, since this is an appeal]** Law@CookCountyCourt.com ; ccc.LawCalendarW@CookcountyIL.gov ; Diane.Shelley@CookCountyIL.gov
- * **Richard B. Daniggelis** [true owner of 1720] 312-774-4742, c/o John Daniggelis 773-327-7198 2150 North Lincoln Park West, Apartment #603, Chicago, IL 60614-4652
- * **Richard B. Daniggelis (who receives mail, via USPS mail-forwarding at his old address)** 1720 North Sedgwick St., Chicago, IL 60614-5722
- * **Andjelko Galic** (Atty#:33013) Cell:312-217-5433, Fax:312-986-1810, Phone:312-986-1510 845 Sherwood Road, LaGrange Park, IL 60526-1547 **(Please take note of Mr. Galic's new address)** Email: AndjelkoGalic@Hotmail.com ; AGForeclosureDefense@Gmail.com
- * **Robert J. More** (Anselm45@Gmail.com) [Note: **More's** name is **misspelled** on docket as: “MOORE ROBERT”] P.O. Box 6926, Chicago, IL, 60680-6926, PH: (708) 317-8812
- * **Associated Bank, N.A.**, 200 North Adam Street, Green Bay, WI 54301-5142

SERVICE LIST (continued from above)

MERS (Mortgage Electronic Registration Systems, Inc.) <https://www.MersInc.org/about-us/about-us> a nominee for HLB Mortgage, (703) 761-0694 / (800)-646-MERS (6377) / 888-679-MERS (6377) ATTN: Sharon McGann Horstkamp, Esq., Corporate Counsel, Mortgagee: <https://www.MersInc.org/component/content/article/8-about-us/401-sharon-horstkamp> Senior Vice President, Chief Legal and Legislative Officer, and Corporate Secretary for MERSCORP Holdings, Inc. – Telephone No.: (703) 761-1270, Facsimile No.: (703) 748-0183, SharonH@MersInc.org ; SharonH@MersCorp.com Cc: Janis Smith, 703-738-0230, VP, Corp. Comm. is no longer with MersCorp, and Amy Moses (AmyM@MersCorp.com ; AmyM@MersInc.org) has replaced her as an email contact; Sandra Troutman 703-761-1274, E: SandraT@MersInc.org ; SandraT@MersCorp.com) Dir, Corporate Communications, Karmela Lejarde, Communications Manager, Tel~ 703-761-1274, Mobile: 703-772-7156, Email: KarmelaL@MersInc.org ; KarmelaL@MersCorp.com C/o: MERS (Mortgage Electronic Registration Systems, Inc.), 1901 East Vorhees Street, Suite 'C', Danville, IL 61834-4512

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* **Stewart Title, Attn: Leigh Curry**
<http://www.Stewart.com/en/stc/chicago/contact-us/contact-us.html>
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or: PKing@KingHolloway.com ; One North LaSalle Street, Suite 3040, Chicago, IL 60602

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* **Paul L. Shelton, Pro Se, (Atty. #15323, disbarred per IARDC)**
E-mail: PMSA136@Gmail.com ; PLShelton@SBCGlobal.net
3 Grant Square, SUITE #363, Hinsdale, IL 60521-3351

* **Erika R. Rhone** [ph:(773) 788-3711], 22711 Southbrook Dr., Sauk Village, IL 60411-4291

In the Appellate Court of Illinois, First District

Docket Number: 1-18-0572

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

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

* The undersigned **Defendant-Appellant, Gordon Wayne Watts**, hereby certifies under penalties of perjury as provided by law pursuant to 735 ILCS 5/1-109, that the above Docketing Statement and Notice of Appearance of Counsel for Appellant ; Certification of Appellant ; Verification by Certification ; INDEX TO THE EXHIBITS ; NOTICE OF FILING ; an Updated/Corrected SERVICE LIST ; Certificate of Service ; and, all the Exhibits referenced herein, copies of which are attached hereto and are herewith served upon you—and upon the parties listed in the attached Service List, above – this Sunday, **25 March 2018**, via **the Odyssey eFileIL (TylerHost.net) Electronic Filing system** if they're e-file registered.

* I'm concurrently serving all parties via **First Class U.S. Postal Mail** –*except The Appeals Court (which only accepts eFiling), or as otherwise indicted in the Service List—or here*: You were previously served hard copies of all the exhibits, A—H, in the 03/16/2018 Motion to Extend time in **1-18-0091**, and got electronic service of Exhibits I and J, because the Mandamus petition, **1-18-0538**, had to be refiled due to clerical error; consequently, Exhibits I, J, and K appear below.

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

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

_____	<u>/s/ Gordon Wayne Watts</u>
(Actual Signature, if served upon clerk)	(Electronic Signature)
Gordon Wayne Watts	Gordon Wayne Watts

Gordon Wayne Watts, *pro se* [Code: '99500' = Non-Lawer, *pro se*]
821 Alicia Road, Lakeland, FL 33801-2113
PH: (863) 688-9880 [home] or (863) 409-2109 [cell]
Web: <http://www.GordonWatts.com> / <http://www.GordonWayneWatts.com>
Email: Gww1210@aol.com / Gww1210@gmail.com

Email from Odyssey re Clerical Error, since corrected – Exhibit “I”

3/18/2018

Gmail - Filing Returned for Envelope Number: 725407 in Case: 725407, for filing Petition



Gordon Watts <gww1210@gmail.com>

Filing Returned for Envelope Number: 725407 in Case: 725407, for filing Petition

no-reply@tylerhost.net <no-reply@tylerhost.net>
To: gww1210@gmail.com

Fri, Mar 16, 2018 at 10:31 AM



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Envelope Number: 725407
Case Number: 725407
Case Style:

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Return Reason(s) from Clerk's Office	
Court	File & Serve
Returned Reason	Incorrect Venue
Returned Comments	The Illinois Supreme Court has original jurisdiction over mandamus petitions

Document Details	
Case Number	725407
Case Style	
Date/Time Submitted	3/16/2018 4:32 AM CST
Filing Type	EFile
Filing Description	Petition for a Writ of Mandamus. Yes, appellate courts have original jurisdiction under Art. VI, sec. 6, Illinois Constitution.
Activity Requested	Petition
Filed By	Gordon Watts
Filing Attorney	

<https://mail.google.com/mail/u/0/h/11u2yv1h3ioyu/?&msg=1622f3919a9c0624&th=16234a92816ecbdb&ser=AIKcX57uJMqMuKvApodMv6OQ2NaiCNAwlg&v=pt> 1/1

EXHIBIT-J – Tracking Receipts For 03-16-2018 filings

Here are the tracking receipts for all three (3) of the Friday, 16 March 2018 filings, which I filed on that day. (I put all 3 filings in the same envelope, to save postage.)

- **My notice of appeal** of the denial of the fee waiver in GMAC v. Watts, et. al., case number 1-18-0091, before the ILLINOIS 1st Appellate Court. (The trial court denied fee waiver, not the appeals court.)
- **My motion to extend time, & concurrent motions** in GMAC v. Watts, et. al., case number 1-18-0091.
- **My petition for a Writ of Mandamus** to compel the circuit court to comply with their ministerial duties to grant intervention, grant fee waiver, & prepare the Record on Appeal, matters where they have no discretion per statutory & case law. See Art. VI, Sec. 6, IL Const. which gives appellate courts original jurisdiction.

Notice, if you would, that I found the post office closed near the end of the business day, so the delivery rolled over til the next business day, Saturday, 03-17-2018.

Via FedEx Office, 3rd-Party Commercial carrier:

- Tracking number: 7801-3137-1157 for the Notice of appeal paperwork sent to the **Civil Appeals Division** of Cook County, IL circuit court.
- Tracking number: 7801-3139-7363 for the Mandamus filing I sent to **Judge Jamees P. Flannery**, presiding judge, Law Division, which is required of me to serve him as a defendant party to this action.

Via USPS, the United States Postal Service:

- Richard Daniggelis c/o John Daniggelis
- Paul Shelton & Erika Rhone
- Richard Daniggelis via his old street address (the house/property that was stolen via mortgage fraud), which should get to him, as I understand he has mail forwarding ; Atty. Galic ; Robert J. More ; Associated Bank ; M.E.R.S. ; COHON/RAIZES ; Stewart Title ; Atty. Indyke ; Atty. Peter King ; and,
- Joseph Younes (home) ; Joseph Younes (work)

See below.

Gordon Wayne Watts

(<http://GordonWatts.com> / <http://GordonWayneWatts.com>)



Address: 4525 S FLORIDA AVE
LAKELAND
FL 33813

Location: LALK
Device ID: -BTC01
Transaction: 910192905177

FedEx Ground
780031371157 0.7 lbs. (S) 9.46
Declared Value 0

Recipient Address: *Civil Appeals Division*
Civil Appeals Division
Richard J. Daley Center
50 W Washington St., Rm 801
Chicago, IL 60602
3126035406

Scheduled Delivery Date is 3 business days.

Pricing option: STANDARD RATE

Package Information: YOUR PACKAGING
12 x 9 x 1

FedEx Ground
780131397363 0.8 lbs. (S) 9.46
Declared Value 0

Recipient Address: *Judge Flannery*
Honorable James P. Flannery
Law Division
50 W Washington St., Rm 2005
Daley Center
Chicago, IL 60602
3126036343

Scheduled Delivery Date is 3 business days.

Pricing option: STANDARD RATE

Package Information: YOUR PACKAGING
12 x 9 x 1

Shipment subtotal: \$18.92
Total Due: \$18.92

FedEx SENDER Account
*****2650

M = Weight entered manually
S = Weight read from scale
T = Taxable item

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1.800.463.3339

Mar 17, 2018 2:53:44 PM

SOUTHSIDE BR
6000 S FLORIDA AVENUE
LAKELAND, FL 33813-9996

03/17/2018 03:19:12 PM

Product Description	Sale Qty	Receipt Unit Price	Final Price
CHICAGO, IL 60614 Zone-5 First-Class Mail® Large Envelope 0 lb. 11.20 oz. * Expected Delivery Day Tuesday, March 20.			\$3.31
Issue Postage: <i>Re ch</i>			\$3.31
Total:			\$3.31

Paid by: *John Dainley*
DebitCard \$3.31
Account #: XXXXXXXXXXXX0256
Approval #: 031722
Transaction #: 149
4445023595397-99
Receipt #: 184057

SSK Transaction #: 37
USPS® #: 114922-9552

Thanks.
It's a pleasure to serve you.

ALL SALES FINAL ON STAMPS AND POSTAGE.
REFUNDS FOR GUARANTEED SERVICES ONLY.

SOUTHSIDE BR
6000 S FLORIDA AVENUE
LAKELAND, FL 33813-9996

03/17/2018 03:40:47 PM

Product Description	Sale Qty	Receipt Unit Price	Final Price
HINSDALE, IL 60521 <i>Shelton</i> Zone-5 First-Class Mail® Large Envelope 0 lb. 11.20 oz. * Expected Delivery Day Tuesday, March 20.			\$3.31
Issue Postage:			\$3.31
CHICAGO HEIGHTS, IL 60411 Zone-5 First-Class Mail® Large Envelope 0 lb. 11.20 oz. * Expected Delivery Day Tuesday, March 20.			\$3.31
Issue Postage: <i>Rhone</i>			\$3.31
Total:			\$6.62

Paid by: *(Signature)*
MasterCard \$6.62
Account #: XXXXXXXXXXXX0256
Approval #: 031722
Transaction #: 073
4445023595397-99

SSK Transaction #: 39
USPS® #: 114922-9552

Thanks.
It's a pleasure to serve you.

ALL SALES FINAL ON STAMPS AND POSTAGE.
REFUNDS FOR GUARANTEED SERVICES ONLY.

SOUTHSIDE BR
6000 S FLORIDA AVENUE
LAKELAND, FL 33813-9996

03/17/2018 03:23:37 PM

Product Description	Sales Qty	Receipt Unit Price	Final Price
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CHICAGO, IL 60614-5722 *Rich* \$9.85
Zone-5
Priority Mail 2-Day® with up to
\$50.00 Insurance and USPS
Tracking™ included *1720 N. Sedgwick*
%% USPS Tracking #: 9505 5000 1793 8076 0002 67
1 lb. 0.30 oz. *via Priority*
* Expected Delivery Day Monday, March 19.

Issue Postage: \$9.85

LA GRANGE PARK, IL 60526 \$3.31
Zone-5 *GALIC*
First-Class Mail® Large Envelope
0 lb. 11.20 oz.
* Expected Delivery Day Tuesday, March 20.

Issue Postage: \$3.31

CHICAGO, IL 60680 *More* \$3.31
Zone-5
First-Class Mail® Large Envelope
0 lb. 11.20 oz.
* Expected Delivery Day Tuesday, March 20.

Issue Postage: \$3.31

GREEN BAY WI 54301 *Associated Bank* \$3.31
Zone-6
First-Class Mail® Large Envelope
0 lb. 11.20 oz.
* Expected Delivery Day Tuesday, March 20.

Issue Postage: \$3.31

DANVILLE, IL 61834-4512 \$9.85
Zone-5 *M.E.R.S.*
Priority Mail 2-Day® with up to
\$50.00 Insurance and USPS
Tracking™ included
%% USPS Tracking #: 9505 5000 1793 8076 0002 74
1 lb. 0.20 oz.
* Expected Delivery Day Monday, March 19.

Issue Postage: \$9.85

CHICAGO, IL 60604 *COAGN / RATZES* \$3.31
Zone-5
First-Class Mail® Large Envelope
0 lb. 11.20 oz.
* Expected Delivery Day Tuesday, March 20.

Issue Postage: \$3.31

CHICAGO, IL 60601 *STWARD TITLE* \$3.31
Zone-5
First-Class Mail® Large Envelope

Zone-5 *COAGN / RATZES*
First-Class Mail® Large Envelope
0 lb. 11.20 oz.
* Expected Delivery Day Tuesday, March 20.

Issue Postage: \$3.31

CHICAGO, IL 60601 *STWARD TITLE* \$3.31
Zone-5
First-Class Mail® Large Envelope
0 lb. 11.20 oz.
* Expected Delivery Day Tuesday, March 20.

Issue Postage: \$3.31

CHICAGO, IL 60601 *INDYKE* \$3.31
Zone-5
First-Class Mail® Large Envelope
0 lb. 11.20 oz.
* Expected Delivery Day Tuesday, March 20.

Issue Postage: \$3.31

CHICAGO, IL 60602 *KING* \$3.31
Zone-5
First-Class Mail® Large Envelope
0 lb. 11.20 oz.
* Expected Delivery Day Tuesday, March 20.

Issue Postage: \$3.31

CHICAGO, IL 60645 *Younis (Home)* \$3.31
Zone-5
First-Class Mail® Large Envelope
0 lb. 11.20 oz.
* Expected Delivery Day Tuesday, March 20.

Issue Postage: \$3.31

CHICAGO, IL 60602 *Younis (Work)* \$3.31
Zone-5
First-Class Mail® Large Envelope
0 lb. 11.20 oz.
* Expected Delivery Day Tuesday, March 20.

Issue Postage: \$3.31

Total: \$49.49

Paid by: MasterCard \$49.49
Account #: XXXXXXXXXXXX0256
Approval #: 031721
Transaction #: 072
4445023595397-99

SSK Transaction #: 38
USPS® #: 114922-9552

%% Text your tracking number to 28777 (2USPS) to get the latest status. Standard Message and Data rates may apply. You may also visit USPS.com USPS Tracking or call 1-800-222-1811, or use this self-service kiosk (or any self-service kiosk at other Postal locations).

Save this receipt as evidence of insurance. For information on filing an insurance claim go to <https://www.usps.com/help/claims.htm>.

Thanks.
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ALL SALES FINAL ON STAMPS AND POSTAGE. REFUNDS FOR GUARANTEED SERVICES ONLY.

Request for Preparation of Record on Appeal **EXHIBIT K** (Rev. 8/28/08) CCA 0025

APPEAL TO THE APPELLATE COURT OF ILLINOIS
FROM THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION, First Municipal District, Calendar "W"

GMAC, et. al., Plaintiffs / Appellees
Plaintiff/Appell }
Daniggelis, Watts, v. }
Younes, et. al., Defendants / Appellants }
Reviewing Court No. _____
Circuit Court No. 2007 - CH - 29738
Honorable Diane M. Shelley, Circuit Judge
Trial Judge _____
Date Notice of Appeal Filed Monday, 08 January 2018

REQUEST FOR PREPARATION OF RECORD ON APPEAL

Attorney (or Party if no attorney):

Name: Mr. Gordon Wayne Watts Cook County Attorney Code No. 99500 or Pro Se 99500
Address: 821 Alicia Road, City: Lakeland State: Florida Zip: 33801-2113
Telephone Number: H: 863-688-9880 / C: 863-409-2109
Attorney for: Pro Se E-mail Address (optional) Gww1210@aol.com / Gww1210@Gmail.com
Name of Party GordonWatts.com GordonWayneWatts.com

NOTICE IS HEREBY GIVEN to the Clerk of the Circuit Court of Cook County that
Mr. Gordon Wayne Watts requests the preparation of the Record on Appeal in the above case.
Name

DESIGNATION OF RECORD

The Clerk of the Circuit Court of Cook County shall prepare the Record on Appeal in accordance with Illinois Supreme Court Rule 321. The record on Appeal shall include the common law record, which consists of trial documents filed and judgments and orders entered by the trial court and:

- All documentary exhibits entered at trial, except for those other exhibits that cannot ordinarily be included for review and are subject to motion.
- Reports of Proceedings prepared in accordance with Illinois Supreme Court Rule 323.
- Certificate in Lieu of Record on Appeal pursuant to Illinois Supreme Court Rule 325.
- Documents filed under seal on the following dates and unsealed: _____
A copy of the trial court Order authorizing these documents to be unsealed for the purpose of inclusion in the Record on Appeal is attached hereto or will be provided by the Appellant to the Civil Appeals Division at least 30 days in advance of the date on which the Record on Appeal is scheduled to be transmitted to the Appellate Court. Upon return of the Record on Appeal to the Circuit Court, it is the responsibility of the parties to obtain an Order resealing these records, if the records are to be resealed.
- Documents filed under seal on the following dates, which are to remain sealed: _____
Please note that, pursuant to Rule 17 of Appellate Court of Illinois, "No record, exhibit, or brief may be filed under seal in the Appellate Court, unless Appellate Court has first given leave for filing under seal, notwithstanding that the material was filed under seal in the Circuit Court."

FEEES

Payment may be made by Cash, Check or Money Order. Cash payments accepted for in-person payments only.
Checks or money order should be made to *Clerk of the Circuit Court of Cook County*. Pursuant to 705 ILCS 105/27.2a(k) and 27.2(k), the Clerk of the Circuit Court of Cook County must charge fees for Records on Appeal in advance as follows:

100 pages or less, \$110
100 - 200 pages, \$185
Each page in excess of 200, \$.30/page

Reduced fee for Local Governments and School Districts, \$50

All prescribed fees are due in advance of transmission of the Record on Appeal. It is understood and agreed that once a request for preparation of a Record on Appeal is made by submission of this form, the Appellant is responsible for the costs of preparing the Record on Appeal, regardless of whether the Appeal is successful, dismissed, the time is extended, or a party elects to not transmit the Record on Appeal to the Appellate Court. The Clerk of the Circuit Court of Cook County reserves the right to pursue a claim to recover the costs and expenses, including reasonable attorneys' fees, related to preparation of the Record on Appeal.

Mr. Gordon Wayne Watts (Type or print name) [Signature] (Signature of Appellant or Appellant's Attorney)

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

MONDAY, 08 January 2018