

O.B. (3)

NO. 1-14-2751

Trial Court No.: 2007 CH 29738

IN THE APPELLATE COURT OF ILLINOIS

FIRST DISTRICT

FILED APPELLATE COURT
1ST DIST

2016 JUN 17 PM 2:14

STEVEN H. RAYD
CLERK OF COURT

GMAC Mortgage, LLC n/k/a Bank of America, N.A. aka)
)
 "LaSalle Bank National Association," aka "US Bank, NA.")
 as trustee for Morgan Stanley Loan Trust 2006-16AX,)
)
 Plaintiff)
)
 Vs.)
)
 Richard B. Daniggelis)
)
)
)
 Defendant)

EMERGENCY MOTION EX PARTE FOR REINSTATEMENT OF APPEAL

1. Richard B. Daniggelis , the defendant, proceeding In Forma Paperis, and pro se, because my attorney, Andjelko Galic, has left the country for some personal reason and did not respond to a May 17, 2016 motion by J.Younes to dismiss the case for lack of timely progress. It appears this court dismissed this case on June 8,2016 despite a pending motion by Mr Galic on or about May 15, 2016 asking for an extention to file answers or motions.

2. I have not received any response from Mr. Galic despite leaving him telephone messages and sending him e-mails this week since learning of the dismissal order, There have been no replies to my submissions to his office.

3. Due to the status of the dismissal and the uncertainty of action by my Attorney, I am filing this Emergency Motion to Reinstate my case on the basis of the pending Motion to Extend

or if there is no valid pending motion, then to request this Emergency Motion to reinstate my case because of the inaction of my attorney and to give me time to find my attorney or hire another one.

4. I respectfully ask This Court to grant my motion instanter due to the emergency nature of my situation, allow me to proceed ex parte without contacting the other parties and having the Court serve them their service copies which I cannot do because I am In Forma Pauperis.

**EMERGENCY MOTION, ex parte, FOR TEMPORARY RESTRAINING ORDER
AND INJUNCTION WITH STAY PENDING APPEAL**

5. If the court decides it cannot decide instanter, I move that the Court grant a stay of enforcement over any lower courts action and over any further gutting of and destruction of the inside of my house which has been in my family since my family owned it in the early 1900's.

6. J. Younes has been gutting the inside of my house since the issue of the dismissal Order on June 8, 2016 and hauling away the debris. It is imperative that this be stopped until all these issues are decided. It will be clear from the evidence that the illegal transfer by forged deed and documents should be set aside and title cleared in my name to reinstate my ownership and large financial equity. The evidence will make the likelihood of my winning the decision over whelming.

Certificate of Service

The undersigned, hereby certifies under penalties of perjury as provided by law pursuant to

735 ILCS 5/1-109, that I am only serving this court because I am In Forma Pauperis, and I respectfully ask this court to serve all parties who might need to be served.

Respectfully submitted,

I WILL SERVE BY US MAIL
ON JUNE 17, 2016

Richard Daniggelis
Richard B. Daniggelis, pro se

Motion for Waiver of Court Fees

1. Pursuant to Supreme Court Rule 298 (Application for Waiver of Court Fees) and IL Appellate Court, 1st Dist. Local RULE 13 (WAIVER OF FEES), I hereby move This Court for Waiver of Court Fees.
2. Attached is my notarized statement assets and liabilities

Respectfully submitted

Richard B. Danniggelis, pro se

AFFIDAVIT

I, Richard Daniggelis, hereby attesting and giving a sworn statement that the foregoing statements are true:

- 1) Paul Shelton, an attorney who fraudulently transferred the title of my house in Lincoln Park, Chicago, Illinois in July 2006 was disbarred in January 2016 for mortgage fraud (see attached).
- 2) Paul Shelton, transferred the title from my name Richard Daniggelis, to the name of Joseph Younes, an attorney who was his former partner for ten (10) years according to Paul Shelton.
- 3) I made out a sworn statement to this effect in April 2007 that the deed that was used in a closing, was forged (see attached).
- 4) The two attorneys Joseph Younes and Paul Shelton arranged a closing without my knowledge or authorization whatsoever.
- 5) The deed was prepared by Paul Shelton, whose name is on the top of the deed (see attached).
- 6) Paul Shelton, was a real estate attorney and an agent for Stewart Title and Stewart Title was the Title Company that handled the closing.
- 7) The forged deed was notarized by Paul Shelton's wife, Lisa Vitek, whom, I never saw before the day she was in court giving false testimony that I gave her my driver's license at the time of the notarizing (see attached).
- 8) I never accepted any money what so ever for my house.
- 9) I was told that Joseph Younes never brought any of his own money to the closing and that there was a man named Larouche who was involved financially during the closing.
- 10) As I maintain, I was the rightful owner, I stayed in the house, going to court representing myself as well as well as having pro bono attorneys. Andjelko Galic has represented me for about the last five (5) years.

- 11) I am still in court in spite of the preponderance of evidence where even the one who prepared the deed, Paul Shelton, was disbarred this year for mortgage fraud. Joseph Younes the one who, together with Paul Shelton, arranged the closing, is still practicing law and his name is still on my title.

- 12) Joseph Younes is being investigated in the same way Paul Shelton was investigated by the Attorney General's Office, the State Attorney's Office and the ARDC which disbarred Paul Shelton and are all seeking to find out how my house was put in Joseph Younes' name.

STATE OF ILLINOIS)
) SS
COOK COUNTY)

Richard Daniggelis
Signature of Affiant

Subscribe and sworn before me:

This _____ day of _____, by

Signature of Notary

My Commission expires on: _____

APPEAL NO. 1-14-2751

IN THE APPELLATE COURT, STATE OF ILLINOIS
FIRST DISTRICT

GMAC Mortgage

) Appeal from the Circuit Court of
) Cook County

) Trial Court No. _____

) Presiding Judge _____

Richard B. Daniggelis

ORDER

EMERGENCY MOTION EX PARTE FOR
REINSTATEMENT OF APPEAL IS HEREBY
DENIED. **ORDER ENTERED**

JUN 21 2016

APPELLATE COURT, FIRST DISTRICT

Name: RICHARD DANIGGELIS

Mary Ann Keen
Justice

Attorney for: PRO SE

[Signature]
Justice

Address: 1720 N. SEDGWICK ST (Add)

James F. Sime
Justice

City: CHICAGO

Phone: 312 774-4742

STEVEN M. RAVID, CLERK OF THE APPELLATE COURT, FIRST DISTRICT