

except that after a trial on the merits in a criminal case, there shall be no appeal from a judgment of acquittal. The Supreme Court may provide by rule for appeals to the Appellate Court from other than final judgments of Circuit Courts. **The Appellate Court may exercise original jurisdiction when necessary to the complete determination of any case on review.** The Appellate Court shall have such powers of direct review of administrative action as provided by law. (Source: Illinois Constitution.)

Translation: This Court may issue Writs of **Mandamus**, Prohibition, Habeas Corpus, or any other writ, in an exercise of its jurisdiction if needed to complete review of a case properly before it.

Argument:

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.

Assuming that Watts was justified in Intervening (both by this court's case law, cited in the Intervention motion) as well as to properly sue Younes (to defend his interests) and defend Daniggelis (for the same reason), Watts is a party, and thus qualifies for fee waiver, and by extension, preparation of the record on appeal in case number 1-18-0091—enforceable by mandamus.

In order for a writ of mandamus to be successful, (1) plaintiff must have a clear right to the relief requested; and, (2) the defendant must have a clear duty to perform the act in question. While state law does not have the third element [(3) no other adequate remedy must be available to the plaintiff], nonetheless, Watts may satisfy this element too: Watts represents to this court that Patricia A. O'Brien, the deputy chief of Civil Appeals, in the court below, told him by phone that no appeal could be considered if the record wasn't prepared, but the record can't be prepared unless he wins an appeal of the fee waiver denial (read: “catch-22”), so Mandamus appears to be the only remedy. (Unless the court could consider an appeal on a partial, stipulated, record, which seems difficult at best.) One of the interesting aspects of Illinois mandamus statutes is that, unlike their federal counterparts, the petitioner isn't required to show that “no other adequate means [exist to attain the relief]” *Allied Chemical Corp. v. Daiflon, Inc.*, 449 U.S. 33, 35 (1980) (per curiam); *Holmes v. United States Bd. of Parole*, 541 F.2d 1 243, 1 249 (7th Ci r. 1 976).

Nonetheless, Watts may satisfy this element too.

Looking at the exhibits, we see Ex.A, plaintiff's Intervention motion, giving clear proof that he has a right to intervene, and be a named party. This court (Exhibit "B") granted fee waiver, and Watts applied for the same in the court below (Exhibit "C"). But they had a different legal analysis (Ex.D), violating the "Law of the Case," and contradicting both this court's holding (Ex.B) as well as the case law on this. (This court reviews issues of law *de novo*, as you have just as good a view as the trial court.) Exhibit "E" is a bookkeeping issue, showing which service addresses are outdated—and, more-importantly, showing that the plaintiff (and unknown nonLawyer, who is poor, and not local) attempts to comply with the letter, and Spirit, of the law in re service of filings. Exhibit "F" is a selected order in the case in question, where even the judge who ruled wrongly documents massive mortgage fraud. Then, Exhibit "G", the docketing statement, by plaintiff, in 1-18-0091, is a snapshot of this case, giving a concise summary of the various mortgage fraud. In Exhibit "H", we see this court chew out Galic, the attorney of the other main defendant, giving rise to justifying claims Watts' interests weren't being represented.

Finally – **This Court violated a direct command of the Illinois Supreme Court, here recently, in a related case, arising out of the same trial court case:**

[Date: 5/6/2015] 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. 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 tho Movant admits that he sometimes disagrees with this court's rulings, in the past, refusing to give Daniggelis justice, and even tho 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, four (4) 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) 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?

Conclusion:

Therefore, I ask This Court to issue a writ of mandamus compelling intervention, fee waiver, and preparation of the record on appeal. (See the motion for extension of time in 1-18-0091, where I show that this court may ask for only selected items in the record, for the sake of time.)

Respectfully submitted,

/s/ Gordon Wayne Watts

Verification by Certification

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

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

Date: Friday, 16 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" |

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
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- * **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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