

NO. 1-15-0662
Trial Court No.: 2014-M1-701473

IN THE APPELLATE COURT OF ILLINOIS
FIRST DISTRICT

Joseph Younes, Esq.,)	
)	
Plaintiff)	
vs.)	
)	
Richard B. Daniggelis,)	
)	
Defendant)	

Motion for Wavier of Court Fees

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 am moving This Court for Wavier of Court Fees, and I state that:

I have received Food Stamps (SNAP) within the past 4 weeks, and am struggling just to pay for printing & mailing costs for these pleadings. (See the huge service list for proof of this.) According to 735 ILCS 5/5-105, I qualify as an indigent person.

I certify that everything above is true and correct to the best of my knowledge. I understand that making a false statement in this motion could be perjury.

Motion for Leave to appear as interested party, heir / legatee and *Amicus Curiae*

The arguments for why I might be a useful “Friend of the Court” appear in the “Motion for leave to file *Amicus Curiae* brief,” which I filed in the trial court below (see Supporting Record *and/or* order a Supplement to the Record), but here is a summary:

1) After speaking with the defendant, who alleged his signature was photocopied, I discovered that two documents in the trial court had IDENTICAL signatures, which is impossible: no mere mortal can sign his/her name exactly the same twice in a row.

2) While the trial court did have this documentation on file, nonetheless, the arguments (e.g., proof) of photocopied signatures (forgery fraud) –and other frauds –were not addressed or brought to the attention of the trial court by any attorney, and the defendant did not know how to communicate to the court. (He is not a lawyer.)

3) Therefore, my conscience compelled me to show the court what was “hidden in plain sight,” and I am doing so today—by way of these pleadings.

4) As I mentioned in the pleadings in the court below, I lost a 4-3 split decision as 'Next Friend' of Terri Schiavo, on the merits, which suggests I know something about law, and may be useful to This Court to sleuth the detective work of “getting to the truth.”

5) In addition to that which I presented to the court below, it is of no small moment that, while other *pro se* litigants were routinely denied participation, I was granted permission to proceed as *Amicus Curiae* in another, more recent, high-profile case (see Exhibits: WATTS-A—C) in Federal Appeals Court, before the U.S. 11th Circuit.

6) Although I did not mention this to the trial court, it is true that the defendant, a friend of mine, promised, if he was able, to give me an unspecified amount of assistance for the advancement of certain shared causes and beliefs. **Whether or not** Mr. Daniggelis is able to pay me anything (I am not seeking any payment from him—but will gladly accept a donation from anyone at this time, as I am very deeply “under water” financially), his offer *de facto* constitutes a legacy and perforce makes me an unnamed heir / legatee and, therefore, also an interested party.

7) Under Common Law doctrine of *Res ipsa loquitur* (Latin for "the thing speaks for itself"), the plaintiff, in this case, is presumed to be negligent if he/she/it had exclusive control of whatever caused the injury (forged signature of Mr. Daniggelis and other things) even if there was no specific evidence of an act of negligence. (But actually, I do provide evidence of the fraud in my *Amicus* brief, thus making an even *stronger* case for fraud!) Thus, even if I were a total stranger to the parties (an *amicus*, but not an heir/legatee), the forgery is plain even to a blind man: the duplicate signature sure didn't “sign itself.”

I therefore respectfully move This Honourable Court for leave to appear as interested party, heir / legatee, **and** *Amicus Curiae* in the above-styled case.

Motion to Supplement Record Instanter

Pursuant to Supreme Court Rule 329, Supplemental Record on Appeal, material omissions in the record may be corrected by stipulation of the parties or by the trial court, either before or after the record is transmitted to the reviewing court, **or by the reviewing court or a judge thereof.** The trial court retains jurisdiction regarding supplemental record preparation. Therefore, motions for leave to file a supplemental record **should be filed in the first instance in the trial court. (I am so doing.)** (See: IL Appellate Court 1st Dist. Local R.19, SUPPLEMENTALRECORDS) The trial court was kind enough to docket the following items (see Court Docket: “Activity Date: 8/10/2015” / “Attorney: PRO SE”) which I filed:

- “AFFIDAVIT OF GORDON WAYNE WATTS”
- “Notice of Motion”
- “Motion for leave to file *Amicus Curiae* brief”
- “*AMICUS CURIAE* BRIEF OF GORDON WAYNE WATTS IN SUPPORT OF DEFENDANT / APPELLANT, RICHARD B. DANIGGELIS”
- Exhibits 'Watts-A' through 'Watts-G' Filed, along with an “INDEX TO THE EXHIBITS”

This case was appealed to the 1st Appellate Court, in case number 1-15-0662 *Younes v Daniggelis*, and I trusted my filings would be “on record” for the reviewing court to review. However, Chief Deputy Clerk, Patricia O'Brien was kind enough to

inform me that my filings wouldn't be included in the Record on Appeal, since I filed them **after** the notice of appeal. **It is true that I was tardy & late** in filing these pleadings, but that wasn't through any fault of my own: (see the "Supporting Record"). This screen shot of an email I sent to the trial court is proof that, on 06-30-2014, I made a formal request for public records related to fraud which Mr. Daniggelis described to me in case numbers 2007-CH-29738 (*GMAC v Daniggelis*) and 2014-M1-701473 (*Younes v. Daniggelis*). And, this was well before the "Notice of Appeal" filed on 05/6/2015 in the CH case or the 02/26/2015 "Notice of Appeal" filed in the M1 Civil case. However, even after **many** lengthy conversations by email and phone, in the which I requested an estimated cost for the records, I received no formal reply until July 16, 2015 (see "Supporting Record" in this motion). Therefore, I wasn't able to file any pleadings to prove fraud, since I needed documentation, not mere hearsay, to verify & prove my claims.

As stated *supra*, motions for leave to file a supplemental record **should be filed in the first instance in the trial court. (I am so doing.)** (See: IL Appellate Court 1st Dist. Local R.19, SUPPLEMENTALRECORDS) However, such motions may be filed initially in the Appellate Court if the movant shows that filing a motion in the trial court would not be practical. – **I will do so now:**

In *GMAC v. Daniggelis* (2007-CH-29738), Atty. Andjelko Galic, representing Defendant, Richard B. Daniggelis, filed a Notice of Appeal on 05/6/2015 and made a "REQUEST FOR PREPARATION OF RECORD" on 07/14/2015, and that case is on appeal in your court in NO. 1-14-2751. The Record on Appeal in NO. 1-14-2751 was due on July 08, 2015, and is LONG OVERDUE, and there are no Motions for Extension of Time, nor any similar orders granting an extension.

In *Younes v. Daniggelis* (2014-M1-701473), Atty. Andjelko Galic, representing Defendant, Richard B. Daniggelis, filed a Notice of Appeal on 02/26/2015 and made a "REQUEST FOR PREPARATION OF RECORD" on 04/21/2015, and that case is on appeal in your court in NO. 1-15-0662. The Record on Appeal in NO. 1-15-0662 was due on April 30, 2015, and is LONG OVERDUE, and there are no Motions for Extension of Time, nor any similar orders granting an extension.

Additionally, Atty. Galic has missed many court dates in the trial court **–and was late filing a Notice of Appeal in one case above:** Galic made a late appeal to the First Appellate Court, which was denied, but appealed to the Illinois Supreme Court, which, on 03/25/2015, entered the following order: "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)) This case is pending before your appeals court in case #:1-14-2751.

**** Both appeals *supra* are in jeopardy of being dismissed for want of prosecution,**

making the filing of a motion in the trial court impractical: The time-delays that might accrue in the trial court are not worth the risk, thus filing such motion in the trial court would not be practical. (Galic, who is representing Daniggelis *pro bono*, is a man of honour and integrity, an intelligent & hard-working attorney to boot, and a persona friend of mine, so I do not mean any disrespect, but the cold, hard facts are laid bare: he failed to make key arguments in his mortgage fraud defense and he is repeatedly late in his filings and other appearances, and it is necessary for This Court to allow my filings to help “bridge the gap,” so that The Scales of Justice may work properly.)

In addition to all that, Mr. Daniggelis is homeless, and this places his life at some risk and jeopardy: This is his only home. (It is true that he *might* qualify for placement in an elder facility run by the Sheriff's Department, but he has chosen to decline this placement. While I was unable to get clarification from him just now on that head, it is my reasoned guess that such facilities don't allow free entry and exit at night, necessary for him to move his belongings into storage, & with no acceptance of his pet dog, which is of great importance to him.) Whether Mr. Daniggelis' life is in danger due to his being homeless or not, I do not know, but clear fraud was committed in this case, and moreover, it is overdue for being dismissed due to the Record on Appeal being very late.

Since my *Amicus Curiae* brief – alone – is sufficient to show clear fraud, This Court may safely **Supplement the Record Instante**, and rely upon my statements of fact, arguments at law, and documentation – in the attached **Supporting Record (Rule 328)** to verify:

Rule 328. Supporting Record

Any party [Gordon Wayne Watts] seeking relief from the reviewing court [Motion to Supplement Record Instante] before the record on appeal is filed [right now] shall file with his or her application an appropriate supporting record containing enough of the trial court record to show an appealable order or judgment, a timely filed and served notice of appeal (if required for appellate jurisdiction), and any other matter necessary to the application made. The supporting record must be authenticated by the certificate of the clerk of the trial court or by the affidavit of the attorney or party filing it. The supporting record shall bear a cover page with a caption of the appeal. The cover page shall be clearly labelled "Supporting Record." The numbering of volumes and pages of the supporting record shall conform to the requirements of Rule 324.

PRAYER FOR RELIEF: Please grant my motion for leave to file a supplemental record with all of the items enumerated *in the Supporting Record*.

Notice of three Scrivener's Errors

First Error: In “IV. Argument – E. Predatory (sub-prime) lending,” *inter alia*, of my “*AMICUS CURIAE* BRIEF OF GORDON WAYNE WATTS IN SUPPORT OF

DEFENDANT / APPELLANT, RICHARD B. DANIGGELIS,” I referred to Joseph Younes as having represented Daniggelis as his lawyer. This claim was based on the “NOTICE OF MOTION,” docketed on June 23, 2006 in *Deutch Bank Nat'l v. Daniggelis*, NO. 04-CH-10851, wherein Younes entered an appearance for Daniggelis. However, when I recently spoke by phone with Daniggelis, he complained that my statement on that head was an “inaccuracy,” and was very angry with me insofar as he claimed that Younes was **never** his lawyer. For the purposes of verification, I, Gordon Wayne Watts, now state, assert, and certify under penalties of perjury as provided by law pursuant to 735 ILCS 5/1-109 (Sec. 1-109. Verification by certification.), that Richard Daniggelis, the defendant in this case, did indeed tell me this. THEREFORE, I may, possibly, have made a 'Scrivener's Error' in my claims that Younes was Daniggelis' lawyer. (I do not know what actually transpired; I only know what I see in Younes' Notice and what Daniggelis told me, and I suspect that there was either an honest misunderstanding on the part of both men –or, in the alternative, perhaps Younes entered an appearance without Daniggelis' authorisation and permission. **But, I presume both men to be innocent until proven guilty, and infer an honest understanding** here. Nonetheless, I feel this should be “looked into” further, and therefore am mentioning it now.)

Second Error: In my affidavit, *supra*, I said: “The property which is the subject of all this litigation, 1720 N. Sedgwick St., Chicago IL 60614, is a house and land which was in Daniggelis' family for many years, and, at some point, **passed down to him**, with him as the sole owner.”

While this over-broad “passed down to him” language seemed technically correct to me, given that I did not know the details of how it was “passed down” (inheritance, gift, purchase, buyout, etc.?), when speaking with Mr. Daniggelis by phone recently, he said this was imprecise and an inaccurate description: He claims that he bought out the shares of other relatives, in gaining ownership of his house. **Let this notice serve as a correction.**

Third Error: On page 1 of my affidavit, I said: “...Robert. J. More, [] was his [Mr. Daniggelis'] tenant from about Jan 2011 until about Oct 2013...,” which was seemingly contradicted by my statement in “IV. Argument – I. Civil Damages” of my *Amicus* brief, where I made the claim that “While Younes complains he could not collect rent while a cloud hung over the title, likewise Daniggelis could not collect rent as well.” I mistakenly omitted a clarification here of the civil damages Daniggelis incurred: While it is true that More did occasional research and introduced Daniggelis to Galic (which might constitute “a little rent”), I was human and made a scrivener's error of omission, and what I meant to say in “IV. Arg. I” was this:

“While Younes complains he could not collect rent while a cloud hung over the title, likewise Daniggelis was also unable to collect rent “of any substance” or attract any actual 'regular' renter willing to pay any “substantial” amount. The spectre of eviction that hung over the property “like a dark cloud” scared off any prospective renters (besides an occasional freeloader or transient) who were looking for a stable place to live.”

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

The undersigned, hereby certifies under penalties of perjury as provided by law pursuant to 735 ILCS 5/1-109, that the above **Motion for Wavier of Court Fees, Motion for Leave to appear as interested party, heir / legatee and Amicus Curiae, Motion to Supplement Record Instanter, and Notice of three Scrivener's** Errors was delivered to the following parties as indicated:

1st District Appellate, Clerk's Office, 160 North LaSalle St., Chicago, IL 60601
(312) 793-5484 – Office Hours: 8:30 - 4:30

Andjelko Galic, Esq. (atty for Defendant, Daniggelis) (Atty No.: 33013)
134 N. LaSalle St., STE 1040 – Email: AndjelkoGalic@Hotmail.com
CHICAGO IL, 60602 (Cell: 312-217-5433, FAX: 312-986-1810, PH: 312-986-1510)

Richard B. Daniggelis (Defendant), 1720 N. Sedgwick, Chicago, IL 60614-5722

William D. and Linda D. Gerould, (Owners of record of subject property, according to <http://CookRecorder.com>) 49 Lorelei Lane, Menlo Park, CA 94025-1715

Mr. Robert J. More (Anselm45@Gmail.com) (Former tenant of Daniggelis)
P.O. Box 6926, Chicago, IL, 60680-6926 ; PH: (608) 445-5181

KING HOLLOWAY LLC (Atty. for Joseph Younes)
<http://www.KingHolloway.com/contact.htm> Attn: Peter M. King, Esq. PKing@khl-law.com One North LaSalle Street, Suite 3040, Chicago, IL 60602
(312) 780-7302 / (312) 724-8218 / Direct: (312) 724-8221

Peter King (Atty. for Joseph Younes) (Atty. No.: 48761)
c/o: King Holloway LLC, 101 N. Wacker Dr., STE 2010 ; Chicago, IL 60606

Perry Perelman (Atty no: 57398) (PPerelman@PerelmanDorf.com) (Atty. for Joseph Younes) PERELMAN | DORF, LLC <http://PerelmanDorf.com/contact/> Email: Info@PerelmanDorf.com 2059 W. Chicago Ave., Chicago, IL 60622 ; PH: (312) 888-9608 / FAX: +1-312-674-7644

Joseph Younes Law Offices / <http://ChicagoAccidentAttorney.net>
120 W Madison St Ste 1405, Chicago, IL 60602-4128 ; Phone: (312) 372-1122
Fax: (312) 372-1408, Email is thought to be: RoJoe69@yahoo.com per <http://www.ZoomInfo.com/p/Joseph-Younes/599467626>)

Craig A. Cronquist, Esq., c/o: Maloney & Craven, P.C. (Attys. for Joseph Younes)
2093 Rand Road, DesPlaines, IL 60016

Paul L. Shelton, Shelton Law Group, LLC, 700 E. Ogden Ave., STE 101, Oak Brook, IL 69559

Paul L. Shelton (PLShelton@SBCGlobal.net) (PMSA136@aol.com)
<http://www.il-reab.com/agents/26812-paul-l-shelton-shelton-associates-hinsdale-il-60523>
c/o: Shelton Law Group, LLC, <https://www.youtube.com/user/PaulSheltonLawGroup>
1010 Jorie Blvd. #144, Oak Brook, IL 60523 ; (630) 993-9999, (630) 333-4009, (630) 286-5100

I, Gordon Wayne Watts, the undersigned, hereby certify under penalties of perjury as provided by law pursuant to 735 ILCS 5/1-109, that the above notice and all attached pleadings (the attached “**SUPPORTING RECORD FOR Motion to Supplement Record Instanter PURSUANT TO SUPREME COURT RULE 328 AND OTHER RELIEF,**” with supporting Exhibits and an Index of said Exhibits) were served upon all parties listed above, this 16th day of August, 2015 by the following methods:

- **FedEx 3rd-party commercial Carrier:** Every party was served by FedEx [[with delivery confirmation and tracking, should it be necessary to verify service]] excepting the cases of a PO Box, which are not serviced by FedEx –and Mr. Daniggelis who is not always home to receive a FedEx delivery, since he was evicted.
- **United State Postal Service:** Those parties with PO Boxes were served by USPS, *as was* Mr. Daniggelis.
- **Facsimile:** I am not serving any parties by FAX. [[I am neither willing nor able to receive FAX transmissions.]]
- **Electronic Mail:** In every case where I could obtain an email address (see above) for a party, I am effecting service by email, and attaching said documents in PDF form. [[I consent to service by email at the email addresses listed below.]]
- **Electronic Filing:** If I am able to successfully register an account with the Cook County, IL Clerk of the Circuit Court, I shall effect service electronically therewith.
- **Internet:** I shall, when practically possible, post a TRUE COPY of this filing – and related filings – online at my official websites, *infra*.

Signature: _____ Date: _____

Gordon Wayne Watts, Amicus Curiae*
821 Alicia Road, Lakeland, FL 33801-2113 – PH: (863) 688-9880
Web: www.GordonWatts.com / www.GordonWayneWatts.com
Email: Gww1210@aol.com / Gww1210@gmail.com
Date: Sunday, 16 August 2015

* Watts, acting counsel of record, is not a lawyer. Per Local Rule 2.1, “Notice of Hearing of Motions,” Watts, appearing pro se, is giving notice of his motion

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 14-14061-AA

JAMES DOMER BRENNER, *et al.*

Plaintiffs-Appellees,

versus

JOHN H. ARMSTRONG, *et al.*

Defendants-Appellants.

No. 14-14066-AA

SLOAN GRIMSLEY, *et al.*

Plaintiffs-Appellees,

versus

JOHN H. ARMSTRONG, *et al.*

Defendants-Appellants.

Appeals from the United States District Court
for the Northern District of Florida

Exhibit: WATTS-A

ORDER:

Clare Anthony Citro's motions for leave to file out of time and for leave to file a brief as *amicus curiae* are DENIED.

Gordon Wayne Watts's motion for leave to file an amended *amicus curiae* brief is GRANTED.


UNITED STATES CIRCUIT JUDGE

Exhibit: WATTS-B

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING
56 Forsyth Street, N.W.
Atlanta, Georgia 30303

John Ley
Clerk of Court

For rules and forms visit
www.call.uscourts.gov

January 06, 2015

Anthony Citro
254 SW 7TH ST
DANIA, FL 33004-3948

Gordon Wayne Watts
821 ALICIA RD
LAKELAND, FL 33801-2113

Appeal Number: 14-14061-AA ; 14-14066 -AA
Case Style: James Brenner, et al v. John Armstrong, et al
District Court Docket No: 4:14-cv-00107-RH-CAS

This Court requires all counsel to file documents electronically using the Electronic Case Files ("ECF") system, unless exempted for good cause.

The enclosed order has been ENTERED.

Sincerely,

JOHN LEY, Clerk of Court

Reply to: David L. Thomas, AA/rvg
Phone #: (404) 335-6169

MOT-2 Notice of Court Action

Exhibit: WATTS-C