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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

U.S. DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
FILED

2018 NOV 13 P 1:59

Steven Alan Magritz,
Petitioner

STEPHEN C. DRIES
CLERK

v.

Case No. 18-C-0455

JON E. LITSCHER,
Respondent

VERIFIED BILL QUIA TIMET

VERIFICATION

The undersigned Petitioner, Steven Alan Magritz, herein "I", "me" or "my", of my own personal knowledge and under pain and penalty of perjury under the laws of the United States of America, depose and declare that all of the factual statements made in this instant "VERIFIED BILL QUIA TIMET" are true and correct, except as to those individual statements specifically made upon information and belief, and as to such matters, I verily believe the same to be true.

1. On July 20, 2018, I filed a Motion For Summary Judgment in the above captioned matter pursuant to Fed. R. Civ. P. 56 and Civil L. R. 56.
2. Also on July 20, 2018, in support of my Motion For Summary Judgment I filed a memorandum of law, Civil L. R. 56(b)(1)(A).
3. Also on July 20, 2018 I filed a statement of material facts, Rule 56(c)(1) in the form of an affidavit / declaration, Rule 56(c)(4) and Civil L. R. 56(b)(1)(C) and (D)

which was executed pursuant to Title 28 United States Code § 1746(1), unsworn declarations under penalty of perjury executed without the United States.

4. My statement of material facts filed pursuant to Civil L. R. 56(b)(1)(C) consists of 150 separately numbered statements of fact pursuant to said local rule.

5. Respondent (“opposing party”) was served my motion for summary judgment and the aforementioned memorandum (“brief”) and statement of facts in support on or about July 23, 2018.

6. Respondent has had more than ninety (90) days in which to controvert my statement of facts filed with this court under penalty of perjury on July 20, 2018.

7. Civil L. R. 56(b)(2), “**Opposing Party’s Materials in Opposition**” states:

Each party opposing a motion for summary judgment must file within 30 days of service of the motion and the materials required by subsection (b)(1), above:

(A) a memorandum of law;

(B) a concise response to the moving party’s statement of facts that must contain:

(i) a reproduction of each numbered paragraph in the moving party’s statement of facts followed by a response to each paragraph, including, in the case of any disagreement, specific references to the affidavits, declarations, parts of the record, and other supporting materials relied upon, and

(ii) a statement, consisting of short numbered paragraphs, of any additional facts that require the denial of summary judgment, including references to the affidavits, declarations, parts of the record, and other supporting materials relied upon to support the facts described in that paragraph. A non-moving party may not file more than 100 separately-numbered statements of additional facts; and

(C) any opposing affidavits, declarations, and other materials referred to in Fed. R. Civ. P. 56(c).

8. As of today, Respondent has *not* filed nor have I received *any* opposing materials to my motion for summary judgment.

9. As of today, Respondent has not denied, controverted or opposed even one of my 150 statements of fact filed July 20th with my motion for summary judgment.

10. Civil L. R. 56(b)(4), “Effect of Uncontroverted Statements of Fact”, states:

The Court will deem uncontroverted statements of material fact admitted solely for the purpose of deciding summary judgment.

11. Each and every statement of material fact which I filed with the court on July 20, 2018, more than ninety (90) days ago which, by my calendar is significantly more than the thirty (30) days in which Respondent was required to file opposing materials, remains uncontroverted, and therefore must be deemed admitted for the purpose of deciding summary judgment.

12. Respondent has chosen to not file any materials opposing my motion for summary judgment, respondent is *months* past the thirty (30) days allowed to file opposing materials, and my 150 statements of material facts in support of summary judgment are uncontroverted, therefore this court is duty bound to grant me summary judgment.

13. I fear suffering additional injury from the current restraint of my liberty, including but not limited to emotional distress and reincarceration, every single day that this court “delays” in granting me summary judgment.

14. I fear this court is frustrating the will and intent of Congress to avoid unnecessary delay in litigation, especially considering Congress’ 1946 amendment to the rule making changes “in the interest of more expeditious litigation.”

15. I fear this court is delaying granting me summary judgment because it may be more concerned with maintaining the [corrupt corporate “State of Wisconsin”]

status quo instead of following the rule of law and protecting my constitutionally secured right to liberty.

16. I fear this court is delaying granting me summary judgment until such time as my petition for habeas corpus ad subjiciendum might be deemed "unavailable".

I MOVE THE COURT for summary judgment, *instanter*, to wit:

1. I, Steven Alan Magritz, by whatever "name" restrained, immediately be set at liberty;
2. Any and all restraints on my liberty by State of Wisconsin and/or Department of Corrections and/or any other department or agency of the public corporation named State of Wisconsin be declared null and void and of no force and effect;
3. Ozaukee County Circuit Court had no personal jurisdiction over me in case no. 2011CF236;
4. Ozaukee County Circuit Court had no subject matter jurisdiction in case no. 2011CF236;
5. Sandy A. Williams infringed upon or violated my constitutionally secured rights;
6. Adam Yale Gerol infringed upon or violated my constitutionally secured rights;
7. Ozaukee County case no. 2011CF236 is VOID ab initio;
8. The record of conviction be expunged;
9. I be awarded compensation for 12,936 hours of false imprisonment;
10. Sandy A. Williams and Adam Yale Gerol are tortfeasors vis-à-vis me;
11. Any and all other additional and lawful or equitable remedy the court has authority to provide.

/s/

Steven Alan Magritz

Executed this November 12, 2018 A.D..

Certificate of Service

Re: Steven Alan Magritz v. JON E. LITSCHER
Case No. 18-cv-455-LA

I certify the following is being served by United States mail, postage prepaid, on Daniel J. O'Brien, State of Wisconsin, Department of Justice, P.O. Box 7857, Madison, WI 53707:

"VERIFIED BILL QUIA TIMET".

Dated this November 13, 2018 A.D.

/s/


Steven Alan Magritz