NOTICE NOTICE NOTICE

Steven Alan Magritz
Attn: Magritz, Steven Alan, Agent
c/o N53 W34261 Road Q
Okauchee, Wisconsin [53069]

To:
Gino J. Agnelio, Clerk of Court
c/o United States Court of Appeals for the Seventh Circuit
Everett McKinley Dirksen United States Courthouse
219 S. Dearborn Street, Room 2722
Chicago, Illinois, 60604
7019 0160 0000 1258 9638

Re: Case Number 19-1518, filed March 21, 2019 A.D.

Dear Gino J. Agnelio, Clerk of Court,

On May 6, 2019 I talked with a deputy clerk and was informed as follows:

1) My Request for a Certificate of Appealability which was filed **WITH** the Notice of Appeal has **NOT** been forwarded to Seventh Circuit Justice Brett Kavanaugh as stipulated pursuant to 28 U.S.C. § 2253(c)(1), and,
2) **NO judges** have "as yet" been assigned to my appeal and **NO timetable** for such exists.

Enclosed please find for filing a currently dated **REPLACEMENT** REQUEST directed to Justice Kavanaugh.

I am mailing my **REPLACEMENT** Request **DIRECTLY** to Justice Kavanaugh. For YEARS I have been abused under color of law by corrupt, unaccountable public officers. It is time to put a stop to the malversation and hold the *real* criminals accountable.

Date: May 7, 2019 A.D.

By: Magritz, Steven Alan, Agent

Steven Alan Magritz
Attn: Magritz, Steven Alan, Agent
c/o N53 W34261 Road Q
Okauchee, Wisconsin [53069]

REQUEST to Circuit Justice Brett Kavanaugh
for a
Certificate of Appealability, Case Number 18-C-0455,
District Court of the Eastern District of Wisconsin

To:
Circuit Justice Brett Kavanaugh, Seventh Circuit Court of Appeals
c/o The Supreme Court of the United States
One First Street, N.E.
Washington, D.C. 20543,
and,
c/o United States Court of Appeals for the Seventh Circuit
Everett McKinley Dirksen United States Courthouse
219 S. Dearborn Street, Room 2722
Chicago, IL 60604

INTRODUCTION

This septuagenarian was heartbroken, reduced to tears, perhaps more so than most people, watching the vicious, politically motivated character assassination inflicted upon Justice Kavanaugh during his confirmation hearing. Since 2001, after exposing corruption in government, I have had my reputation destroyed, my business which was built solely upon my character ruined, my *very* valuable property in which I held vested rights granted by the United States of America prior to statehood stolen at gunpoint and turned into a county park, my personal property stolen, my finances reduced to penury, and my liberty taken from me when I petitioned for redress of grievances, all by corrupt attorneys and judges. My story could have been included in Sidney Powell's book, *Licensed to Lie*.

This Request for a Certificate of Appealability is made to Circuit Justice Kavanaugh, *explicitly* Circuit Justice Kavanaugh, and most emphatically *not* to District Court Judge Lynn Adelman of the District Court of the Eastern District of Wisconsin. Further this request is not made to a judge *nor* to the court of appeals, but directly to Circuit Justice Brett Kavanaugh.

Question: Should the dismissal of a petition for writ of habeas corpus filed under 28 U.S.C. § 2254 be allowed to stand wherein the District Court judge *knowingly* applied a *fabricated, conjured up, non-existent* state "rule" to "find" a "procedural default", resulting in the continuing cover-up of a politically motivated, out-of-control, state court judge who manifested egregious, antagonistic bias or prejudice in pursuing a personal vendetta to punish and imprison an informant, victim, and witness of crime?

This Request is made under Rule 22(b), "Certificate of Appealability", of the Federal Rules of Appellate Procedure ("FRAP"), pursuant to Title 28 U.S.C. § 2253, Appeal. On March 22, 2018, petitioner filed a petition for habeas corpus under 28 U.S.C. § 2254 in the United States District Court, Eastern District of Wisconsin (Milwaukee). On November 28, 2018, District Court Judge Lynn Adelman dismissed the petition based upon an *alleged* procedural default premised upon a *fabricated, known non-existent* "rule". Adelman declined to issue a Certificate of Appealability. On February 28, 2019, Adelman denied a Rule 60 (b)(3), (b)(4), (b)(6) motion for Relief. On March 18, 2019, Adelman denied a second Rule 60 motion, this time made under Rule 60(b)(1), based upon Adelman's "mistake or

inadvertence" in applying a *non-existent* "rule" to "find" a procedural default. Adelman, *with knowledge that his dismissal order was based upon a fabricated, non-existent "rule"*, denied the 60(b)(1) motion for relief in a curt, four sentence "Order". Adelman's denial of the 60(b)(1) motion is *his acknowledgement* that he knowingly, purposely, intentionally applied a *fabricated, conjured up, non-existent state "rule"* to justify dismissal of the petition for habeas corpus with the result being a continued cover-up of the malversation of the out-of-control state judge, whose husband is a prosecutor.

This Request encompasses both the initial dismissal of the habeas petition on November 28, 2018, the denial on February 22, 2019 of the Rule 60 (b)(3), (b)(4), (b)(6) motion filed on December 20, 2018, and the denial on March 18, 2019 of the Rule 60(b)(1) motion filed on March 12, 2019. Both Rule 60 motions and briefs, and the motion for reconsideration, are incorporated herein by reference, Dkt. 18 (motion), Dkt. 19 (brief), Dkt. 22 (reconsideration motion), Dkt. 25 (motion), & Dkt. 26 (brief), respectively.

Because the egregious animus manifested by the "unexplainable" numerous, odious, dissimulations of Judge Adelman *are beyond belief and shock the conscience*, Brief in Support Dkt. 19, Brief in Support Dkt. 26, and Reconsideration motion Dkt 22, *are attached hereto and incorporated herein* by reference in their entirety.

Collateral Attacks

Title 28 U.S. Code § 2253 reads, in pertinent part: "(c)(1) Unless a ***circuit justice*** or judge issues a certificate of appealability, an appeal may not be taken to

the court of appeals from— (A) the final order in a habeas corpus proceeding in which the detention complained of arises out of process issued by a Statecourt; ..."

Title 28 Section 2253(c) and Appellate Rule 22(b) require petitioners attacking criminal convictions to file a notice of appeal and obtain a certificate of appealability before being allowed to proceed on appeal. *Evans v. Cir. Ct. of Cook Cy., Ill.*, 569 F.3d 665 (7th Cir. 2009). An appeal will not be certified under § 2253(c) unless the petitioner can make a substantial showing of the denial of a constitutionally secured right. If the district court's decision was based on an [alleged] procedural shortcoming, the petitioner must demonstrate not only a debatable constitutional claim, but also that the procedural ruling is debatable. *Davis v. Borgen*, 349 F.3d 1027 (7th Cir. 2003).

"When the district court denies a habeas petition on procedural grounds without reaching the prisoner's underlying constitutional claim, a COA should issue when the prisoner shows, at least, that jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right (sic) and that jurists of reason would find it debatable whether the district court was correct in its procedural ruling." *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

In this case, Judge Adelman's denial on procedural grounds is not merely "debatable", it is ***flat out wrong***, and *knowingly, purposely, intentionally "wrong"* as demonstrated, in spades, in Adelman's March 18, 2018 denial of the Rule 60(b)(1) motion filed March 12 which *clearly evidenced Adelman's dismissal was based upon a fabricated, non-existent "rule"*. Adelman's denial was short, curt, and non-

responsive, thus acknowledging his "mistake" was not a mistake, but rather the *calculated, intentional application of a fabricated, non-existent "rule".*

Alleged Procedural Default

There was *NO* "procedural default", but rather a "*mistaken* or *inadvertent*" application of a *non-existent "rule"* by Judge Adelman. In the Decision and Order, Dkt. 16, dated November 28, 2018, dismissing the petition for habeas corpus, on page five (5) Judge Adelman stated:

> In the present case, the Wisconsin Court of Appeals rejected Magritz's habeas petitions based on a state procedural rule: the rule that a criminal defendant cannot seek habeas relief with respect to claims that he could have raised on direct appeal or in a motion under Wis. Stat. § 974.06. There is no doubt (sic) that the Wisconsin Court of Appeals actually relied on this state-law procedural ground in denying Magritz's habeas petitions, ..."

And on page 6 Adelman stated:

> Here, Magritz decided to forego his direct-appeal rights, and therefore the Wisconsin Court of Appeals' rejection of his federal claims involved a principled application of well-established Wisconsin law.

BUT - there is no such "law". It is *nonsense.* There is no state law, *nor can there be any law, federal or state,* which denies a man remedy by habeas corpus merely because he does not file a direct appeal. Adelman took this non-existent "law" or "rule" from one of the *twelve (12) or more false representations to the court* made by the attorneys for the respondent in their brief for dismissal filed on May 29, 2018. On July 12, 2018, petitioner *Noticed* Adelman of the false representations by way of a sixteen (16) page "*Mandatory Judicial Notice – FRE 201(c)(2) With Exhibits A through J (22 pages)*" in support, Dkt. 10, signed under the pains and penalty of perjury, which is incorporated herein by reference.

The record of the district court *extensively* evidences egregious, rapacious, unrefuted, pervasive, outrageous, *antagonistic* bias by State court judge Williams, therefore remedy by way of motion to the sentencing court would be not

only futile, inadequate or ineffective, but also foolish, ridiculous, and masochistic. The egregious *exhibited* bias of Williams, *known as a "structural defect" or "structural error"* in the proceedings, requires that the controlling, and "well-established Wisconsin law" relevant to this case be applied and adhered to, namely:

Wisconsin Statute § 974.06:

> (8) A petition for a writ of habeas corpus or an action seeking that remedy in behalf of a person who is authorized to apply for relief by motion under this section shall not be entertained if it appears that the applicant has failed to apply for relief, by motion, to the court which sentenced the person, or that the court has denied the person relief, **unless it also appears that the remedy by motion is inadequate or ineffective** to test the legality of his or her detention. (emphasis added)

Section (8) was taken *directly* from 28 U.S.C. § 2255. The Seventh Circuit recognized this prohibition on habeas corpus would have been unconstitutional except for the "saving" clause, *Stirone v. Markley*, 345 F.2d 473, (7th Cir. 1965), to wit:

> **"unless it also appears that the remedy by motion is inadequate or ineffective to test the legality of his or her detention."**

In *Stirone*, 475-476, the Seventh Circuit Court of Appeals said:

> "For an even more fundamental reason section 2255 is not a deprivation of constitutional rights. Habeas corpus **continues to be available** when the remedy under that section is shown[1] to be "inadequate ***or*** ***ineffective***." The section 2255 provision merely prescribes a procedure different from that of habeas corpus whereby one ***may*** collaterally attack a conviction. So long as this procedure is available ***with provision for habeas corpus*** in the event a section 2255 proceeding is "**inadequate *or* *ineffective***," there is no constitutional issue." (emphasis added).

This applicability of Wis. Stat. § 974.06(8) is expounded upon at length and in detail in **Dkt. 18**, Motion for Relief, Fed. R. Civ. P., Rule 60; **Dkt. 19**, Memorandum in Support (of Dkt. 18); **Dkt. 22**, Motion for Reconsideration of Denial of Rule 60 Motion for Relief; **Dkt. 25**, Motion for Relief, Fed. R. Civ. P. Rule 60(b)(1); and, **Dkt.**

[1] The statute uses the term "appears".

26, Memorandum in Support (of Dkt. 25); all five (5) documents are incorporated herein by reference as if set out fully at length herein. Judge Adelman did *error*.

Constitutional Issues

The innumerable violations of petitioner's constitutionally secured rights, including but not limited to denial of substantive and procedural due process, have been extensively detailed beginning with petitioner's initial filing under 28 U.S.C. § 2254 on March 22, 2018, which consisted of a 28 page application plus 142 pages of exhibits, all incorporated therein by reference, which were subsequently bolstered by an additional 175 plus pages of exhibits, affidavits, memorandum, etc., all of which are incorporated herein by reference.

Most, if not all, of the exhibited, manifested, or evidenced deprivations of petitioner's constitutionally secured rights by the trial court judge, Sandy A. Williams, could be subsumed under the umbrella of *extreme, antagonistic judicial bias* arising out of a politically motivated *personal vendetta* for exposing the malversation of Williams when she was a prosecutor and then later a judge.

Petitioner, a victim/witness of crimes, filed criminal reports/affidavits against an attorney who was the county Corporation Counsel. These "criminal complaints" were filed with the governor, lieutenant governor, state attorney general, legislators, judges, sheriff, county prosecutor, and others.

Sandy A. Williams was named in petitioner's final complaint filed in 2011 charging Williams with misprision of felony for refusing to prosecute her associate, the county Corporation Counsel. Petitioner sued Williams in 2012 in federal court

(dismissed for want of jurisdiction) for breach of fiduciary duty and misconduct in public office. In 2013 Williams was featured on the www.OzaukeeMob.org website as a corrupt prosecutor, and, as a corrupt judge for ruling on her own cause in a motion brought by petitioner in the county court in 2011. At the sentencing hearing in February, 2016, Williams verbally and visually expressed her displeasure and disdain at having been featured on the OzaukeeMob website.

The following "constitutional issues" were set forth as "grounds" in the petition filed March 22, 2018. As stated above, most can be attributed to the animus and prejudgment disposition for a judicial lynching by state court judge Williams:

- Petitioning for redress of grievances was converted into a "crime".
- Freedom of speech on a matter of public interest was converted into a "crime".
- Failure to give "fair notice" that correcting the public record could be construed as a "crime".
- Biased judge, a "*structural defect*" or "*structural error*"; Brady material/ affidavits/ exculpatory evidence twice removed from court clerk's files – concealed and never returned (judge is chief suspect); gagged and threatened by judge from introducing or even mentioning Brady material.
- Denial of assistance of counsel, a "*structural defect*" *or* "*structural error*", at preliminary hearing, *at arraignment*, and throughout the entire persecution. The attorney who was appointed by judge Williams to sit next to the "targeted man" was explicitly, on the record, not accepted as counsel, stand-by or otherwise.
- Biased prosecutor, a former assistant to judge Williams when she was prosecutor; suspect in removal and concealment of court records, supra; estopped from prosecuting by 2012 agreement and foreknowledge that his "Criminal Complaint" was false; sued for breach of fiduciary duty in 2012 for filing a known false "Criminal Complaint" in December, 2011.
- Fraud upon the court by the prosecutor at the preliminary hearing by suborning false testimony from his witness, which testimony both the prosecutor and judge Williams had *known for four years was false.*
- No notice of preliminary hearing, no notice of arraignment; from day of false arrest without a warrant in September, 2015, throughout the star-chamber proceedings, and until transport to state prison in February, 2016, the

"targeted man" was held *incommunicado in solitary confinement*, without a single telephone call to an attorney or anyone else, and without visitors.

- Denial of witnesses in defense – identical or similar to prosecutor's witnesses.
- Obstruction of justice, jury tampering, removal of defense witness from witness stand during trial, thus preventing witness from introducing Brady material.
- Confrontation clause violation: there were no witnesses against the "defendant"; prosecutor's star witness, a title insurance company attorney, testified there was no injured party or damage to property, thus no *corpus delicti*, which was brought to court's attention in writing, but ignored.
- Fraud upon the court by judge Williams by ignoring the captive's plea of "*non assumpsit by way of confession and avoidance*" for himself, a man, and entering a *Liar's Plea* of "not guilty" for the "defendant", thereby creating a controversy when none existed.
- Prevented from presenting a defense to which the prosecutor's complaint "opened the door", but the "door" was slammed shut by Judge Sandy A. Williams' threats (plural) and gag orders (plural).
- No *mens rea* element in the "charging statute"; no *mens rea* was ever alleged, let alone proven; and no *mens rea* instruction was given to the jury.
- The trial court was in want of subject matter jurisdiction because there was no *corpus delicti*.
- The charging statute is unconstitutional in that it is so standardless that it authorizes or encourages seriously discriminatory or wanton enforcement.
- The "trial" court was in want of personal jurisdiction over the man who was falsely mustered, imprisoned, and who is currently restrained of his liberty by public officers who are in want of knowledge. The man was kidnapped and "forced" to undergo persecution for a pseudo "complaint" or "charges" against a Registered Business Name, Minnesota File Number 1072311400028, which has no contract with the public *corporation* named "State of Wisconsin", Wis. Stat. 706.03(1)(b).

In further support of the issues of denial of due process, denial of a fair trial, and denial of assistance of counsel, attached hereto and incorporated herein is Dkt. 9, Affidavit of Bias, 8 pages, with all exhibits Dkt. 9-1 through Dkt. 9-7, for a total of twenty-five (25) pages. Also incorporated herein by reference, but not attached, are Dkt. 12 and Dkt. 13, Statement of Facts, and Memorandum in Support of Summary Judgment, respectively.

I REQUEST / MOVE Justice Kavanaugh forthwith issue a Certificate of Appealability to the Seventh Circuit Court of Appeals.

Declaration under 28 U.S.C. § 1746 (1):
I, declare under the pains and penalties of perjury of the laws of the United States of America that the foregoing facts are true and correct, and as for any statement made upon information, reason, or belief, I believe and so charge them to be true.
Executed on this May 7th, 2019.

By: Magruty, Steven Alan Agent, Power-of-Attorney, NameHolder

ATTACHMENT # 2 of 5, TO:

REQUEST to Circuit Justice Brett Kavanaugh
for a
Certificate of Appealability, Case Number 18-CV-0455,
District Court of the Eastern District of Wisconsin,
to
Seventh Circuit Court of Appeals Case Number 19-1518

Documents attached:

1) *District Court February 22, 2019 denial* of first Rule 60 motion (b)(3), (b)(4), (b)(6), Dkt. 21;
2) Motion for Reconsideration, February 28, 2019, Dkt. 22.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

STEVEN ALAN MAGRITZ,
Petitioner,

v. **Case No. 18-C-0455**

JON E. LITSCHER,
Respondent.

DECISION AND ORDER

On November 28, 2018, the court entered an order and a judgment dismissing a petition for a writ of habeas corpus filed by Steven Alan Magritz under 28 U.S.C. § 2254. On December 20, 2018, Magritz filed a motion for relief from the judgment and order under Federal Rule of Civil Procedure 60(b). I consider that motion below.

Magritz first argues that the order and judgment must be set aside under Rule 60(b)(4) because the respondent committed fraud. The alleged fraud involved misstating the reasoning behind the state court of appeals's denial of Magritz's state habeas petitions. However, the respondent did not misstate the state court's reasoning. Moreover, the state court's opinions are part of the federal record, and any statements I made about the contents of those opinions were based on a review of the opinions rather than on the respondent's representation of the contents of the opinions. Thus, Magritz is not entitled to relief under Rule 60(b)(3).

Next, Magritz argues that the order and judgment must be set aside under Rule 60(b)(6) because I am biased and should have recused myself under 28 U.S.C. § 455(b)(1). Magritz states the following in support of his claim that I am biased:

> In his Decision and Order, Adelman evidenced bias or prejudice by *fabricating* his own false "facts" or "findings", utilizing *known* false statements made in respondent's aforesaid motion to the Court, disregarding or intentionally misapplying *clearly stated* Wisconsin statute and cases, and postulating an incredulous scenario, with which no honest person or jurist could agree, in order to "justify" his "decision" and order.

ECF No. 18 at 2 (emphasis in original). However, my opinion was based on my understanding of the record and the law. Magritz obviously disagrees with my ultimate ruling, but "[j]udicial rulings alone almost never constitute a valid basis for a bias or partiality motion." *Liteky v. United States*, 510 U.S. 540, 555 (1994). The proper remedy for disagreement with a judicial ruling is an appeal, not a recusal motion. *Id.* Thus, Magritz is not entitled to relief under Rule 60(b)(6).

Finally, Magritz argues that the order and judgment must be set aside under Rule 60(b)(4) because they are void. But here Magritz merely restates his claims that the judgment was procured by fraud and that I was not fair and impartial. ECF No. 18 at 2–3. As I have already rejected those claims, I also conclude that the order and judgment are not void.

For the reasons stated, **IT IS ORDERED** that the petitioner's motion for relief under Federal Rule of Civil Procedure 60 is **DENIED**.

Dated at Milwaukee, Wisconsin, this 22nd day of February, 2019.

s/Lynn Adelman
LYNN ADELMAN
District Judge

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

Steven Alan Magritz,
Petitioner

v.

Case No. 18-C-0455

JON E. LITSCHER,
Respondent

MOTION FOR RECONSIDERATION of DENIAL of RULE 60 MOTION FOR RELIEF

Comes now Petitioner, Steven Alan Magritz, the living man, in want of counsel, and as and for a Motion for Reconsideration of the Decision and Order of Lynn Adelman, Dkt. 21, dated February 22, 2019 denying my Motion for Relief, Fed. R. Civ. P., Rule 60, Dkt. 18, filed December 20, 2018, shows the Court as follows. Terms such as I, me, my, myself, etc., refer to Steven Alan Magritz.

On March 22, 2018 A.D., I filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petition was assigned to Lynn Adelman.

On July 12, 2018 A.D., I filed a sixteen page Mandatory Judicial Notice, *signed under penalty of perjury*, with twenty-two pages of exhibits in support, noticing the court of fraud upon the court by respondent's attorneys in their brief in support of their motion to dismiss. *None* of the facts regarding the attorneys' fraud stated in my Mandatory Judicial Notice of fraud upon the court *have ever been rebutted*. *One* of most egregious false statements by the attorneys was that I was denied habeas corpus relief in the state appellate courts because I had *failed to file*

a direct appeal. This was parroted by Adelman to justify a procedural default decision and order.

On July 20, 2018 A.D., I filed a Motion for Summary Judgment, a twenty-two page Statement of Facts *signed under penalty of perjury*, and a thirteen page Memorandum in Support.

On November 13, 2018 A.D., I filed a Verified Bill Quia Timet expressing my fear that the court was frustrating the will and intent of Congress and delaying granting me summary judgment.

On November 28, 2018 A.D., Lynn Adelman issued a Decision and Order granting respondent's motion to dismiss my petition and denying my motion for summary judgment. Also on November 28th the Court, by and through its Clerk, entered a judgment dismissing my petition.

On December 20, 2018 A.D., I filed a "MOTION FOR RELIEF, Fed. R. Civ. P. Rule 60", a "MEMORANDUM IN SUPPORT OF PETITIONER'S MOTION FOR RELIEF, Fed. R. Civ. P. Rule 60", and a "Praecipe to the Clerk" in which I noticed the Clerk that "Lynn Adelman has been **disqualified** in case no. 18-C-0455" and further, that my motion and memorandum were to be presented to the chief judge.

Adelman's November 28th Decision and Order was replete with a false, slanderous, unsubstantiated accusation against me; false statements; outright fabrications; a false, twisted, perverted "application" of non-existent law, *and more*, all of which I evidenced and exposed in a twenty-two page Memorandum in support of my Rule 60 motion, *signed under the penalty of perjury*, the charges which,

individually and in totality, evidenced fraud upon the court by Lynn Adelman, d/b/a judge. Adelman's fraud, deceit, misrepresentation, dishonesty, lack of integrity, want of good faith, and fraud upon the court disqualified him as judge, and evidenced pervasive, outrageous, *antagonistic* bias, thus I proclaimed: "I hereby disqualify Lynn Adelman for bias or prejudice."

My Memorandum in Support of my Rule 60 motion, Dkt. 19, is incorporated herein by reference in its entirety as if fully reproduced herein.

The apparent motivation behind Adelman's "bias or prejudice" is obvious, plain, and simple – to *continue to run interference for and cover-up the corruption of a fellow judge*, state court judge Sandy A. Williams. Williams is married to a prosecutor. Adelman's misconduct is obstruction of justice on steroids. Adelman's wanton disregard for the law and defiance of the Constitution and laws of the United States of America is not unlike the corruption and cover-ups being exposed and routed out at the highest levels of government in Washington, D.C.

As "justification" for dismissing my petition for writ of habeas corpus, Adelman defied and denied the Constitution by parroting the false, ludicrous, ridiculous statement by respondent's [state] attorneys that my petition had been denied at the state level because I had *failed to file a direct appeal* of the politically motivated persecution by the state court judge. Regarding "Procedural Default", Dkt. 16-6, Adelman stated,

> Here, Magritz decided to forego his direct-appeal rights, and therefore the Wisconsin Court of Appeals' rejection of his federal claims involved a principled application of well-established Wisconsin law.

The main problem with Adelman's statement is that it is blatantly, patently *false*. The record of this Court evidences the Wisconsin Court of Appeals did *not* reject my

federal claims for failure to file a direct appeal. For a judge to assert and claim that a man restrained of his liberty by a biased, rogue state court judge must first file a direct appeal *or else is precluded from remedy by a writ of habeas corpus* is *rebellion* against both the federal and state Constitutions and utter disregard of the laws of the United States of America and of Wisconsin.

As set forth on page 3 of my Memorandum in Support of my Rule 60 motion, Dkt. 19, the applicable, governing state law is Wis. Stat. § 974.06 (8), which was taken *directly* from 28 U.S.C. § 2255. Adelman cannot justify his flagrant disregard of the law, especially since the *state law was taken directly from federal law.*

On February 22, 2019 A.D., Adelman issued a Decision and Order, Dkt. 21, denying my motion for relief under Rule 60 *after I had disqualified him for his earlier fraud upon the court* which I had "graciously" referred to as bias or prejudice out of respect for the institution of the courts, which is supposed to dispense "justice" rather than "just-us". In his February 22nd decision and order Adelman heaped more fraud upon this honorable Court.

Fraud number one, February 22nd decision and order, Dkt. 21: On page 1, paragraph 2 Adelman wrote:

> The alleged fraud involved misstating the reasoning behind the state court of appeals's denial of Magritz's state habeas petitions. However, the respondent did not misstate the state court's reasoning.

Fact: The "alleged" (sic) fraud which I evidenced to this Court, Dkt. 10, consisted of at least a dozen false representations / fraudulent statements made by the respondent's attorneys. The most relevant one here being:

> Magritz's failure to pursue direct review in state court is in and of itself fatal to his federal habeas petition. Dkt. 7:13.

As stated above, Adelman parroted and embellished this false, ludicrous, ridiculous statement in his "decision", Dkt. 16-6, that I had procedurally defaulted and therefore Adelman denied me relief by way of the writ of habeas corpus.

Fraud number two. Dkt. 21-1: Adelman *falsely* wrote in paragraph 3:

> Next, Magritz argues that the order and judgment must be set aside under Rule 60(b)(6) because I am biased and should have recused myself under 28 U.S.C. § 455(b)(1).

FACT: I did *not* argue that Adelman *should have* recused himself under § 455(b)(1). My twenty-two (22) page Memorandum in support of my Rule 60 motion *evidenced* at length and in detail that Adelman's pervasive "bias or prejudice", much of which was actually fraud upon the court, was the grounds or the reason that justified relief in the interest of justice. The antagonistic bias and fraud upon this Court *exhibited* by Adelman are "extraordinary circumstances"[1] which are *grounds* for relief under Rule 60(b)(6).

Fraud number three. In the very first paragraph on page 2, Adelman cites only the second sentence of a summarizing paragraph in my motion which offers only a broad-brush, detail-less condensation of my twenty-two page Memorandum. Adelman omits the first sentence of said paragraph, which declares Adelman's "bias or prejudice" constitutes the "*grounds*" for relief under Rule 60(b), rather than his *subsequent fraudulent claim* that I was motioning the court for his recusal:

> I am entitled to relief and so move the Court pursuant to Rule 60(b)(6) for bias or prejudice, Title 28 § 455(b)(1) of the presiding officer, Lynn Adelman.

[1] *LILJEBERG v. HEALTH SERVICES ACQUISITION CORP.*, 486 U.S. 847, 864 (1988).

Fraud number four. Adelman fraudulently asserts my Rule 60(b)(6) motion was a motion for his recusal, which is *absurd* since *I had already disqualified him for fraud upon the court* which I had politely ("politically correctly") termed "bias or prejudice". Adelman *deceitfully, deceptively, fraudulently* cites *and uses* Liteky v. United States, 510 U.S. 540, which is a case wherein "*Before trial petitioners moved to disqualify*[2] *the District Judge* pursuant to 28 U. S. C. § 455(a)."[3] My Rule 60(b)(6) motion was for relief from a judgment obtained by fraud upon the court by respondent's attorneys, and, much more importantly and legally significant, *fraud upon the court by presiding judge Lynn Adelman* evidenced and exhibited by and through pervasive, egregious antagonistic "bias or prejudice" which is repugnant and shocks the conscience. My Rule 60 motion most assuredly was *not a motion for Adelman to recuse* himself. No way. Absolutely not. Injuries already had been suffered. I did *not* motion, ask for, petition, request, beg, etc. for the recusal of Adelman, I *ORDERED disqualification for Adelman's Fraud Upon the Court.* Fraud by a judge is unacceptable. Period.

Adelman's options were to *repent* of his fraud, "man up" by "asserting" he had made a "mistake", and rule according to the law, *or*, compound his "error" by committing additional fraud upon the court. Adelman chose the latter, thus *compounding his "error"* and causing to be mailed to me via U.S. mail his

[2] JUSTICE SCALIA wrote: Section 455(a) of Title 28 of the United States Code requires a federal judge to "disqualify himself in any proceeding in which his impartiality might reasonably be questioned." This case presents the question whether required recusal under this provision is subject to the limitation that has come to be known as the "extrajudicial source" doctrine. (510 U.S. 540, 541)
[3] *Id.*, 510 U.S. 540, 542.

fraudulent "DECISION AND ORDER" in apparent violation of Title 18 § 1341 to defraud me of the intangible right of honest services, Title 18 § 1346.

Fraud number five. On page 2, Dkt. 21, Adelman stated the following regarding his "understanding" at the time of signing the fraudulent "Decision and Order":

> However, my opinion was based on my understanding of the record and the law.

This is a troubling statement for several reasons:

First. *If true*, it is akin to Andrew McCabe admitting on the nationally televised 60 Minutes program to having committed sedition. Adelman has been an attorney for more than fifty (50+) years and has been a federal judge for *decades*, yet his *understanding* of the law was contrary to the federal Constitution, contrary to Wisconsin's Constitution, contrary to federal law Title 28 § 2255, and contrary to Wisconsin Statute § 974.06(8). Adelman *fabricated* a "well established law", fraudulently asserting that my failing to file a direct appeal resulted in a "procedural default". That is fraud upon the court and upon me, Adelman's victim. *That* was Adelman's "understanding" (sic) of the law at the time.

Second. Then Adelman, after having been tutored in the "law" via my Rule 60 Motion for Relief, by a layman with no legal training, that he had ruled contrary, and egregiously contrary, to all written law, and having been given the opportunity to correct by and through my Rule 60(b)(6) motion, refused to correct his "error", thus signifying that his "error" was intentional, purposeful, with scienter, with malice aforethought, *fraud upon this Court* and upon me.

Third. That Adelman's "*understanding of the record*" at the time of his decision was so defective and deficient that he made mistakes in judgment is just too big of a pill to swallow. No one meticulously sorts through a record, as Adelman obviously did, to pick and choose items from different sources and places, and then misstate or mischaracterize them, *by accident*. A tornado going through a junkyard and creating a Boeing 747 is more likely. Since Adelman had a "corrected", *more perfect understanding* of the record by virtue of my Memorandum than he had on February 22nd when issuing the defective / deficient / fraudulent decision and order, he had the duty and obligation to vacate the November 28, 2018 judgment. But Adelman did *not* vacate the judgment. Adelman's *uncorrected* "mistakes" scream *fraud upon this honorable Court.*

Bias or prejudice. Bias on the part of a judge is deemed a "structural error" or a "structural defect" which violates due process and voids a judgment issued by a biased judge[4]. The twenty-two page Memorandum in support of my Rule 60 motion *charges* and evidences pervasive, outrageous, antagonistic bias against me. Nowhere in Adelman's two page denial of my motion did Adelman deny or refute any of the numerous charges / instances of bias evidenced in the Memorandum. Adelman did not deny that the Memorandum evidenced pervasive antagonistic bias by Adelman. Adelman had a duty to protect himself and deny the

[4] There is irony in the fact that federal judge Lynn Adelman, who is expected to dispense justice and display honesty, integrity, and good faith toward Magritz in providing Magritz remedy from blatant, egregious, retaliatory acts of biased state court judge Sandy Williams, himself exhibits and evidences pervasive, outrageous, *antagonistic* bias in an obvious effort to protect Williams.

charges of bias against him. Adelman did not deny that he was biased. Adelman agreed, *nihil dicit*, he was biased.

When a reasonable person, knowing all of the relevant facts, would question the impartiality of a justice, judge, or magistrate under 28.U.S.C. § 455, a judgment rendered by such a person must be vacated, and the vehicle for doing so is Rule 60(b)(6). *Liljeberg v. Health Services Acquisition Corp.*, 486 U.S. 847 (1988). In Liljeberg, a judgment was rendered, and ten (10) months after judgment facts were discovered that gave rise to the *appearance* of impartiality by a reasonable observer, even though the judge was not conscious of the circumstances creating the *appearance* of impropriety. The judgment was vacated on a Fed. R. Civ. P. Rule 60(b)(6) motion. If a judgment is vacated under Rule 60(b)(6) based upon the *appearance of impartiality*, how much more so is it imperative that a judgment be vacated when the ruling comes from Lynn Adelman whose *documented* bias or prejudice is pervasive, outrageous, antagonistic, not refuted, not denied, and admitted *nihil dicit*.

Adelman's fraudulent Decision and Order dated February 22, 2019 A.D. is Refused For Fraud, so marked, and returned with this Motion For Reconsideration.

I move this honorable Court for reconsideration[5] of Lynn Adelman's February 22, 2019 denial, Dkt. 21, of my Rule 60 Motion For Relief, Dkt. 18.

Steven Alan Magritz

Dated this February 28, 2019 A.D.

Steven Alan Magritz

[5]Denial is abuse of discretion, *Harrison v. Byrd*, 765 F.2d 501.

ATTACHMENT # 2 of 5, TO:

REQUEST to Circuit Justice Brett Kavanaugh
for a
Certificate of Appealability, Case Number 18-CV-0455,
District Court of the Eastern District of Wisconsin,
to
Seventh Circuit Court of Appeals Case Number 19-1518

Documents attached:

1) *District Court February 22, 2019 denial* of first Rule 60 motion (b)(3), (b)(4), (b)(6), Dkt. 21;
2) Motion for Reconsideration, February 28, 2019, Dkt. 22.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

STEVEN ALAN MAGRITZ,
Petitioner,

v. **Case No. 18-C-0455**

JON E. LITSCHER,
Respondent.

DECISION AND ORDER

On November 28, 2018, the court entered an order and a judgment dismissing a petition for a writ of habeas corpus filed by Steven Alan Magritz under 28 U.S.C. § 2254. On December 20, 2018, Magritz filed a motion for relief from the judgment and order under Federal Rule of Civil Procedure 60(b). I consider that motion below.

Magritz first argues that the order and judgment must be set aside under Rule 60(b)(4) because the respondent committed fraud. The alleged fraud involved misstating the reasoning behind the state court of appeals's denial of Magritz's state habeas petitions. However, the respondent did not misstate the state court's reasoning. Moreover, the state court's opinions are part of the federal record, and any statements I made about the contents of those opinions were based on a review of the opinions rather than on the respondent's representation of the contents of the opinions. Thus, Magritz is not entitled to relief under Rule 60(b)(3).

Next, Magritz argues that the order and judgment must be set aside under Rule 60(b)(6) because I am biased and should have recused myself under 28 U.S.C. § 455(b)(1). Magritz states the following in support of his claim that I am biased:

> In his Decision and Order, Adelman evidenced bias or prejudice by *fabricating* his own false "facts" or "findings", utilizing *known* false statements made in respondent's aforesaid motion to the Court, disregarding or intentionally misapplying *clearly stated* Wisconsin statute and cases, and postulating an incredulous scenario, with which no honest person or jurist could agree, in order to "justify" his "decision" and order.

ECF No. 18 at 2 (emphasis in original). However, my opinion was based on my understanding of the record and the law. Magritz obviously disagrees with my ultimate ruling, but "[j]udicial rulings alone almost never constitute a valid basis for a bias or partiality motion." *Liteky v. United States*, 510 U.S. 540, 555 (1994). The proper remedy for disagreement with a judicial ruling is an appeal, not a recusal motion. *Id.* Thus, Magritz is not entitled to relief under Rule 60(b)(6).

Finally, Magritz argues that the order and judgment must be set aside under Rule 60(b)(4) because they are void. But here Magritz merely restates his claims that the judgment was procured by fraud and that I was not fair and impartial. ECF No. 18 at 2–3. As I have already rejected those claims, I also conclude that the order and judgment are not void.

For the reasons stated, **IT IS ORDERED** that the petitioner's motion for relief under Federal Rule of Civil Procedure 60 is **DENIED**.

Dated at Milwaukee, Wisconsin, this 22nd day of February, 2019.

s/Lynn Adelman
LYNN ADELMAN
District Judge

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

Steven Alan Magritz,
Petitioner

v.

Case No. 18-C-0455

JON E. LITSCHER,
Respondent

MOTION FOR RECONSIDERATION of DENIAL of RULE 60 MOTION FOR RELIEF

Comes now Petitioner, Steven Alan Magritz, the living man, in want of counsel, and as and for a Motion for Reconsideration of the Decision and Order of Lynn Adelman, Dkt. 21, dated February 22, 2019 denying my Motion for Relief, Fed. R. Civ. P., Rule 60, Dkt. 18, filed December 20, 2018, shows the Court as follows. Terms such as I, me, my, myself, etc., refer to Steven Alan Magritz.

On March 22, 2018 A.D., I filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. The petition was assigned to Lynn Adelman.

On July 12, 2018 A.D., I filed a sixteen page Mandatory Judicial Notice, *signed under penalty of perjury*, with twenty-two pages of exhibits in support, noticing the court of fraud upon the court by respondent's attorneys in their brief in support of their motion to dismiss. *None* of the facts regarding the attorneys' fraud stated in my Mandatory Judicial Notice of fraud upon the court *have ever been rebutted*. *One* of most egregious false statements by the attorneys was that I was denied habeas corpus relief in the state appellate courts because I had *failed to file*

a direct appeal. This was parroted by Adelman to justify a procedural default decision and order.

On July 20, 2018 A.D., I filed a Motion for Summary Judgment, a twenty-two page Statement of Facts *signed under penalty of perjury*, and a thirteen page Memorandum in Support.

On November 13, 2018 A.D., I filed a Verified Bill Quia Timet expressing my fear that the court was frustrating the will and intent of Congress and delaying granting me summary judgment.

On November 28, 2018 A.D., Lynn Adelman issued a Decision and Order granting respondent's motion to dismiss my petition and denying my motion for summary judgment. Also on November 28th the Court, by and through its Clerk, entered a judgment dismissing my petition.

On December 20, 2018 A.D., I filed a "MOTION FOR RELIEF, Fed. R. Civ. P. Rule 60", a "MEMORANDUM IN SUPPORT OF PETITIONER'S MOTION FOR RELIEF, Fed. R. Civ. P. Rule 60", and a "Praecipe to the Clerk" in which I noticed the Clerk that "Lynn Adelman has been **disqualified** in case no. 18-C-0455" and further, that my motion and memorandum were to be presented to the chief judge.

Adelman's November 28th Decision and Order was replete with a false, slanderous, unsubstantiated accusation against me; false statements; outright fabrications; a false, twisted, perverted "application" of non-existent law, *and more*, all of which I evidenced and exposed in a twenty-two page Memorandum in support of my Rule 60 motion, *signed under the penalty of perjury*, the charges which,

individually and in totality, evidenced fraud upon the court by Lynn Adelman, d/b/a judge. Adelman's fraud, deceit, misrepresentation, dishonesty, lack of integrity, want of good faith, and fraud upon the court disqualified him as judge, and evidenced pervasive, outrageous, *antagonistic* bias, thus I proclaimed: "I hereby disqualify Lynn Adelman for bias or prejudice."

My Memorandum in Support of my Rule 60 motion, Dkt. 19, is incorporated herein by reference in its entirety as if fully reproduced herein.

The apparent motivation behind Adelman's "bias or prejudice" is obvious, plain, and simple – to *continue to run interference for and cover-up the corruption of a fellow judge*, state court judge Sandy A. Williams. Williams is married to a prosecutor. Adelman's misconduct is obstruction of justice on steroids. Adelman's wanton disregard for the law and defiance of the Constitution and laws of the United States of America is not unlike the corruption and cover-ups being exposed and routed out at the highest levels of government in Washington, D.C.

As "justification" for dismissing my petition for writ of habeas corpus, Adelman defied and denied the Constitution by parroting the false, ludicrous, ridiculous statement by respondent's [state] attorneys that my petition had been denied at the state level because I had *failed to file a direct appeal* of the politically motivated persecution by the state court judge. Regarding "Procedural Default", Dkt. 16-6, Adelman stated,

> Here, Magritz decided to forego his direct-appeal rights, and therefore the Wisconsin Court of Appeals' rejection of his federal claims involved a principled application of well-established Wisconsin law.

The main problem with Adelman's statement is that it is blatantly, patently *false*. The record of this Court evidences the Wisconsin Court of Appeals did *not* reject my

federal claims for failure to file a direct appeal. For a judge to assert and claim that a man restrained of his liberty by a biased, rogue state court judge must first file a direct appeal *or else is precluded from remedy by a writ of habeas corpus* is *rebellion* against both the federal and state Constitutions and utter disregard of the laws of the United States of America and of Wisconsin.

As set forth on page 3 of my Memorandum in Support of my Rule 60 motion, Dkt. 19, the applicable, governing state law is Wis. Stat. § 974.06 (8), which was taken *directly* from 28 U.S.C. § 2255. Adelman cannot justify his flagrant disregard of the law, especially since the *state law was taken directly from federal law.*

On February 22, 2019 A.D., Adelman issued a Decision and Order, Dkt. 21, denying my motion for relief under Rule 60 *after I had disqualified him for his earlier fraud upon the court* which I had "graciously" referred to as bias or prejudice out of respect for the institution of the courts, which is supposed to dispense "justice" rather than "just-us". In his February 22nd decision and order Adelman heaped more fraud upon this honorable Court.

Fraud number one, February 22nd decision and order, Dkt. 21: On page 1, paragraph 2 Adelman wrote:

> The alleged fraud involved misstating the reasoning behind the state court of appeals's denial of Magritz's state habeas petitions. However, the respondent did not misstate the state court's reasoning.

Fact: The "alleged" (sic) fraud which I evidenced to this Court, Dkt. 10, consisted of at least a dozen false representations / fraudulent statements made by the respondent's attorneys. The most relevant one here being:

> Magritz's failure to pursue direct review in state court is in and of itself fatal to his federal habeas petition. Dkt. 7:13.

As stated above, Adelman parroted and embellished this false, ludicrous, ridiculous statement in his "decision", Dkt. 16-6, that I had procedurally defaulted and therefore Adelman denied me relief by way of the writ of habeas corpus.

Fraud number two. Dkt. 21-1: Adelman *falsely* wrote in paragraph 3:

> Next, Magritz argues that the order and judgment must be set aside under Rule 60(b)(6) because I am biased and should have recused myself under 28 U.S.C. § 455(b)(1).

FACT: I did *not* argue that Adelman *should have* recused himself under § 455(b)(1). My twenty-two (22) page Memorandum in support of my Rule 60 motion *evidenced* at length and in detail that Adelman's pervasive "bias or prejudice", much of which was actually fraud upon the court, was the grounds or the reason that justified relief in the interest of justice. The antagonistic bias and fraud upon this Court *exhibited* by Adelman are "extraordinary circumstances"[1] which are *grounds* for relief under Rule 60(b)(6).

Fraud number three. In the very first paragraph on page 2, Adelman cites only the second sentence of a summarizing paragraph in my motion which offers only a broad-brush, detail-less condensation of my twenty-two page Memorandum. Adelman omits the first sentence of said paragraph, which declares Adelman's "bias or prejudice" constitutes the "*grounds*" for relief under Rule 60(b), rather than his *subsequent fraudulent claim* that I was motioning the court for his recusal:

> I am entitled to relief and so move the Court pursuant to Rule 60(b)(6) for bias or prejudice, Title 28 § 455(b)(1) of the presiding officer, Lynn Adelman.

[1] *LILJEBERG v. HEALTH SERVICES ACQUISITION CORP.*, 486 U.S. 847, 864 (1988).

Fraud number four. Adelman fraudulently asserts my Rule 60(b)(6) motion was a motion for his recusal, which is *absurd* since *I had already disqualified him for fraud upon the court* which I had politely ("politically correctly") termed "bias or prejudice". Adelman *deceitfully, deceptively, fraudulently* cites *and uses* Liteky v. United States, 510 U.S. 540, which is a case wherein "*Before trial petitioners moved to disqualify*[2] *the District Judge* pursuant to 28 U. S. C. § 455(a)."[3] My Rule 60(b)(6) motion was for relief from a judgment obtained by fraud upon the court by respondent's attorneys, and, much more importantly and legally significant, *fraud upon the court by presiding judge Lynn Adelman* evidenced and exhibited by and through pervasive, egregious antagonistic "bias or prejudice" which is repugnant and shocks the conscience. My Rule 60 motion most assuredly was *not a motion for Adelman to recuse* himself. No way. Absolutely not. Injuries already had been suffered. I did *not* motion, ask for, petition, request, beg, etc. for the recusal of Adelman, I *ORDERED disqualification for Adelman's Fraud Upon the Court.* Fraud by a judge is unacceptable. Period.

Adelman's options were to *repent* of his fraud, "man up" by "asserting" he had made a "mistake", and rule according to the law, *or*, compound his "error" by committing additional fraud upon the court. Adelman chose the latter, thus *compounding his "error"* and causing to be mailed to me via U.S. mail his

[2] JUSTICE SCALIA wrote: Section 455(a) of Title 28 of the United States Code requires a federal judge to "disqualify himself in any proceeding in which his impartiality might reasonably be questioned." This case presents the question whether required recusal under this provision is subject to the limitation that has come to be known as the "extrajudicial source" doctrine. (510 U.S. 540, 541)
[3] *Id.*, 510 U.S. 540, 542.

fraudulent "DECISION AND ORDER" in apparent violation of Title 18 § 1341 to defraud me of the intangible right of honest services, Title 18 § 1346.

Fraud number five. On page 2, Dkt. 21, Adelman stated the following regarding his "understanding" at the time of signing the fraudulent "Decision and Order":

> However, my opinion was based on my understanding of the record and the law.

This is a troubling statement for several reasons:

First. *If true*, it is akin to Andrew McCabe admitting on the nationally televised 60 Minutes program to having committed sedition. Adelman has been an attorney for more than fifty (50+) years and has been a federal judge for *decades*, yet his *understanding* of the law was contrary to the federal Constitution, contrary to Wisconsin's Constitution, contrary to federal law Title 28 § 2255, and contrary to Wisconsin Statute § 974.06(8). Adelman *fabricated* a "well established law", fraudulently asserting that my failing to file a direct appeal resulted in a "procedural default". That is fraud upon the court and upon me, Adelman's victim. *That* was Adelman's "understanding" (sic) of the law at the time.

Second. Then Adelman, after having been tutored in the "law" via my Rule 60 Motion for Relief, by a layman with no legal training, that he had ruled contrary, and egregiously contrary, to all written law, and having been given the opportunity to correct by and through my Rule 60(b)(6) motion, refused to correct his "error", thus signifying that his "error" was intentional, purposeful, with scienter, with malice aforethought, *fraud upon this Court* and upon me.

Third. That Adelman's "*understanding of the record*" at the time of his decision was so defective and deficient that he made mistakes in judgment is just too big of a pill to swallow. No one meticulously sorts through a record, as Adelman obviously did, to pick and choose items from different sources and places, and then misstate or mischaracterize them, *by accident*. A tornado going through a junkyard and creating a Boeing 747 is more likely. Since Adelman had a "corrected", *more perfect understanding* of the record by virtue of my Memorandum than he had on February 22nd when issuing the defective / deficient / fraudulent decision and order, he had the duty and obligation to vacate the November 28, 2018 judgment. But Adelman did *not* vacate the judgment. Adelman's *uncorrected* "mistakes" scream *fraud upon this honorable Court.*

Bias or prejudice. Bias on the part of a judge is deemed a "structural error" or a "structural defect" which violates due process and voids a judgment issued by a biased judge[4]. The twenty-two page Memorandum in support of my Rule 60 motion *charges* and evidences pervasive, outrageous, antagonistic bias against me. Nowhere in Adelman's two page denial of my motion did Adelman deny or refute any of the numerous charges / instances of bias evidenced in the Memorandum. Adelman did not deny that the Memorandum evidenced pervasive antagonistic bias by Adelman. Adelman had a duty to protect himself and deny the

[4] There is irony in the fact that federal judge Lynn Adelman, who is expected to dispense justice and display honesty, integrity, and good faith toward Magritz in providing Magritz remedy from blatant, egregious, retaliatory acts of biased state court judge Sandy Williams, himself exhibits and evidences pervasive, outrageous, *antagonistic* bias in an obvious effort to protect Williams.

charges of bias against him. Adelman did not deny that he was biased. Adelman agreed, *nihil dicit*, he was biased.

When a reasonable person, knowing all of the relevant facts, would question the impartiality of a justice, judge, or magistrate under 28.U.S.C. § 455, a judgment rendered by such a person must be vacated, and the vehicle for doing so is Rule 60(b)(6). *Liljeberg v. Health Services Acquisition Corp.*, 486 U.S. 847 (1988). In Liljeberg, a judgment was rendered, and ten (10) months after judgment facts were discovered that gave rise to the *appearance* of impartiality by a reasonable observer, even though the judge was not conscious of the circumstances creating the *appearance* of impropriety. The judgment was vacated on a Fed. R. Civ. P. Rule 60(b)(6) motion. If a judgment is vacated under Rule 60(b)(6) based upon the *appearance of impartiality*, how much more so is it imperative that a judgment be vacated when the ruling comes from Lynn Adelman whose *documented* bias or prejudice is pervasive, outrageous, antagonistic, not refuted, not denied, and admitted *nihil dicit*.

Adelman's fraudulent Decision and Order dated February 22, 2019 A.D. is Refused For Fraud, so marked, and returned with this Motion For Reconsideration.

I move this honorable Court for reconsideration[5] of Lynn Adelman's February 22, 2019 denial, Dkt. 21, of my Rule 60 Motion For Relief, Dkt. 18.

Steven Alan Magritz

Dated this February 28, 2019 A.D.

Steven Alan Magritz

[5]Denial is abuse of discretion, *Harrison v. Byrd*, 765 F.2d 501.

ATTACHMENT # 3 of 5, TO:

REQUEST to Circuit Justice Brett Kavanaugh
for a
Certificate of Appealability, Case Number 18-CV-0455,
District Court of the Eastern District of Wisconsin,
to
Seventh Circuit Court of Appeals Case Number 19-1518

Documents attached:

1) *District Court March 4, 2019 denial* of Motion for Reconsideration, Dkt. 24;
2) Second Rule 60 motion under (b)(1), mistake or inadvertence, March 12, 2019, Dkt. 25;
3) Memorandum / brief in support of motion, March 12, 2019, Dkt. 26;
4) *District Court March 18, 2019 denial* of second Rule 60 motion, Dkt. 27.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

STEVEN ALAN MAGRITZ,
Petitioner,

v. **Case No. 18-C-0455**

JON E. LITSCHER,
Respondent.

DECISION AND ORDER

On November 28, 2018, the court entered an order and a judgment dismissing a petition for a writ of habeas corpus filed by Steven Alan Magritz under 28 U.S.C. § 2254. On December 20, 2018, Magritz filed a motion for relief from the judgment and order under Federal Rule of Civil Procedure 60(b). I denied that motion in an order dated February 22, 2019. On February 28, 2019, Magritz filed a motion for reconsideration of my denial of his Rule 60 motion. However, there is no such thing as a motion for reconsideration of the denial of a Rule 60 motion. If Magritz believes that either my original decision or my denial of his Rule 60 motion was in error, then his only remaining remedy is to file an appeal and request a certificate of appealability from the Seventh Circuit Court of Appeals. Accordingly, Magritz's motion for reconsideration will be denied.

For the reasons stated, **IT IS ORDERED** that the petitioner's "motion for reconsideration of denial of Rule 60 motion for relief" is **DENIED**.

Dated at Milwaukee, Wisconsin, this 4th day of March, 2019.

s/Lynn Adelman
LYNN ADELMAN
District Judge

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

Steven Alan Magritz,
Petitioner

v.

JON E. LITSCHER,
Respondent

Case No. 18-C-0455

MOTION FOR RELIEF, Fed. R. Civ. P. Rule 60(b)(1) By Legal Representative

Comes now the undersigned Legal Representative of the defendant in the state court, STEVEN ALAN MAGRITZ, aka STEVEN A MAGRITZ, aka Steven Alan Magritz, among other derivatives, and as and for relief pursuant to Fed. R. Civ. P. Rule 60(b)(1) from the Decision and Order signed by district judge Lynn Adelman on November 28, 2018, and the Judgment of the Court signed by clerk Stephen C. Dries on November 28, 2018, shows the Court as follows:

Rule 60(b)(1) provides for relief from final judgments that are the product of *mistake, inadvertence*, surprise or excusable neglect. This provision applies to errors by judicial officers as well as parties.

In Adelman's Decision and Order on November 28, 2018, Adelman, by *mistake or inadvertence*, ruled according to a *non-existence* state "law" provided to him by attorneys Schimel and O'Brien, ostensibly attorneys for respondent. Said attorneys *falsely* informed the court that since petitioner had not filed a direct appeal in the State courts, petitioner had "procedurally defaulted" and therefore

habeas corpus remedy was not available to petitioner. There is no such state law. Petitioner did not "procedurally default". Adelman *mistakenly or inadvertently* used *non-existent* state "law" to dismiss petitioner's habeas corpus petition. Regarding "Procedural Default", Dkt. 16-6, Adelman stated:

> Here, Magritz decided to forego his direct-appeal rights, and therefore the Wisconsin Court of Appeals' rejection of his federal claims involved a principled application of well-established Wisconsin law.

The problem with Adelman's statement is that it is *not true.* The record of this Court evidences the Wisconsin Court of Appeals did *not* reject petitioner's federal claims for failure to file a direct appeal, *nor could it have relied on such a non-existent "law".*

The applicable state law that Adelman *must* apply is:

Wisconsin Statute § 974.06:

> (8) A petition for a writ of habeas corpus or an action seeking that remedy in behalf of a person who is authorized to apply for relief by motion under this section shall not be entertained if it appears that the applicant has failed to apply for relief, by motion, to the court which sentenced the person, or that the court has denied the person relief, **unless it also appears that the remedy by motion is inadequate or ineffective** to test the legality of his or her detention. (emphasis added)

Section (8) was taken *directly* from 28 U.S.C. § 2255. The Seventh Circuit recognized this prohibition on habeas corpus would have been unconstitutional except for the "saving" clause, *Stirone v. Markley*, 345 F.2d 473, (7th Cir. 1965), to wit:

> **"unless it also appears that the remedy by motion is inadequate or ineffective to test the legality of his or her detention."**

The record of this court evidences egregious, unrefuted, pervasive, outrageous, *antagonistic* bias by the judge of the State court, thus habeas corpus remedy was

the only remedy available to petitioner since it "**appears that the remedy by motion is inadequate or ineffective** to test the legality of his or her detention."

Sua sponte:

In addition to being so moved by this motion, this Court, having been Noticed of judicial *mistake or inadvertence*, has the duty and authority to *sua sponte* correct its own *mistake or inadvertence* and vacate the November 28, 2018 judgment.

Incorporated herein by reference is the Memorandum in Support of this motion, as well as the Affidavit(s), Briefs, Notices and Exhibits referenced and incorporated therein.

The capacity and standing of this Legal Representative[1] to move this court is evidenced by the attached Certificate of Existence and Registration by Steve Simon, Secretary of State of Minnesota, file number 1072311400028, and, the Certification of durable power of attorney and attorney-in-fact, and, acknowledgement and acceptance of appointment, all three documents incorporated herein by reference.

The undersigned Legal Representative moves this Court to vacate the judgment dated November 28, 2018 pursuant to Fed. R. Civ. P. Rule 60(b)(1) for mistake or inadvertence by Lynn Adelman, the judicial officer of the court.

Dated this March 12, 2019 A.D.

By: Magnuson, Steven Alan Legal Representative, Attorney-in-Fact, Agent

[1] See Jay M. Zitter, Who is "Legal Representative" Within Provision of Rule 60(b) of Federal Rules of Civil Procedure Permitting Court to Relieve "Party or His Legal Representative" From Final Judgment or Order, 136 A.L.R. Fed. 651 (1997 and Supp. 2009).

Office of the Minnesota Secretary of State
Certificate of Existence and Registration

I, Steve Simon, Secretary of State of Minnesota, do certify that: The entity listed below was filed under the chapter of Minnesota Statutes listed below with the Office of the Secretary of State on the date listed below and that this entity or filing is registered at the time this certificate has been issued.

Name:	STEVEN ALAN MAGRITZ
Date Filed:	03/04/2019
File Number:	1072311400028
Minnesota Statutes, Chapter:	333
Home Jurisdiction:	Minnesota

This certificate has been issued on: 03/04/2019

Steve Simon
Secretary of State
State of Minnesota

DURABLE POWER OF ATTORNEY CERTIFICATION
A CERTIFICATION AS TO THE VALIDITY OF DURABLE POWER OF ATTORNEY AND ATTORNEY-IN-FACT'S AUTHORITY

Waukesha County, State of Wisconsin

I, Magritz, Steven Alan, affirm under God that STEVEN ALAN MAGRITZ™/SM, (Principal) granted me authority as the Attorney-In-Fact in their Durable Power of Attorney (DPOA) dated March 9, 2019.

I further affirm under God that I have first-hand knowledge that the Principals are alive and have not revoked their DPOA or my authority to act under their DPOA and the DPOA and my authority to act under the DPOA has not terminated.

Magritz, Steven Alan — March 9, 2019
Attorney-in-Fact's Signature: Magritz, Steven Alan — Date

Magritz, Steven Alan, Attorney-in-Fact
c/o N53W34261 Road Q
Okauchee, Wisconsin [53069]

Jurat

State of Wisconsin)
)
County of Waukesha)

On this ninth (9th) day of March, 2019, before me appeared Magritz, Steven Alan as Attorney-in-Fact of this DURABLE POWER OF ATTORNEY CERTIFICATION who proved to me to be the above-named person, in my presence executed the DURABLE POWER OF ATTORNEY CERTIFICATION, that he executed the same as his free act and deed and he solemnly affirmed under God that the statements in this document are true to the best of his knowledge and belief.

Bonnie Dixon
Notary Signature

Bonnie Dixon
Notary Printed Name

Seal

BONNIE DIXON
Notary Public
State of Wisconsin

ACKNOWLEDGEMENT AND ACCEPTANCE OF APPOINTMENT OF POWER OF ATTORNEY FOR STEVEN ALAN MAGRITZ

I, Magritz (Surname), Steven Alan (Given Name) as Primary Attorney-in-Fact named in this Durable Power of Attorney for STEVEN ALAN MAGRITZ™/SM, Principal, attached hereto, hereby acknowledge and accept appointment as Primary Attorney-in-Fact in accordance with the foregoing instrument.

Magritz, Steven Alan
Primary Attorney-in-Fact's Signature

March 9, 2019
Date

State of Wisconsin,

County of Waukesha

This instrument was acknowledged before me on March 9, 2019 by Magritz, Steven Alan (Surname, Given Name) as Primary Attorney-in-Fact for the Principal, STEVEN ALAN MAGRITZ™/SM.

Bonnie Dixon
Notary Public Signature

seal

BONNIE DIXON
Notary Public
State of Wisconsin

My commission expires: 10/09/2020

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

Steven Alan Magritz,
Petitioner

v.

JON E. LITSCHER,
Respondent

Case No. 18-C-0455

MEMORANDUM IN SUPPORT OF Legal Representative's MOTION FOR RELIEF, Fed. R. Civ. P. Rule 60(b)(1)

The most compelling circumstances for the issuance of the writ of habeas corpus are when government officers acting under color of law, a state circuit court judge in this instant matter, abuse the power of the state for personal or political purposes to retaliate against and punish those with whom they disagree. The retaliation by, and pervasive, outrageous, *antagonistic,* extreme bias manifested by State judge Sandy Williams during a star-chamber "trial" replete with "structural errors" resulting in the unlawful incarceration of petitioner Steven Alan Magritz, has heretofore been swept under the rug by state appellate courts and now exacerbated, by mistake or inadvertence, by District Court Judge Lynn Adelman.

Summary

Incorporated herein by reference are the following documents previously filed with this court: Dkt. 8, Brief; Dkt. 9, Affidavit of Bias with attachments Dkt. 9-1 through 9-7; Dkt. 10, Mandatory Judicial Notice, with attachments Dkt. 10-1

through 10-10; Dkt. 13, Memorandum in Support of Motion for Summary Judgment; Dkt. 19, Memorandum in Support of Petitioner's Motion for Relief.

The November 28, 2018 Decision and Order of Lynn Adelman finding a "procedural default" evidences, on its face, *mistaken or inadvertent* disregard for the controlling law of this case, Wis. Stat. § 974.06(8), *which was taken directly from Title 28 U.S. Code § 2255.* Adelman substituted the controlling law with a *non-existent* "law", which was in fact an uttered *fabrication*, provided to Adelman by the ostensible attorneys for the respondent.

Federal Rule of Civil Procedure Rule 60, Relief from Judgment or Order, states in pertinent part:

> (b) GROUNDS FOR RELIEF FROM A FINAL JUDGMENT, ORDER, OR PROCEEDING. On motion and just terms, the court may relieve a party or its legal representative from a final judgment, order, or proceeding for the following reasons:
>
> (1) mistake, inadvertence, surprise, or excusable neglect;

Mistake or Inadvertence.

Judge Adelman *mistakenly or inadvertently* used *non-existent* state "law" to dismiss petitioner's habeas corpus petition based on an alleged "procedural default". Regarding "Procedural Default", Dkt. 16-6, Adelman stated,

> Here, Magritz decided to forego his direct-appeal rights, and therefore the Wisconsin Court of Appeals' rejection of his federal claims involved a principled application of well-established Wisconsin law.

However there is no state law, *nor can there be any law, federal or state*, which denies a man remedy by habeas corpus merely because he does not file a direct appeal. Further, the record of this court *extensively* evidences egregious, unrefuted, pervasive, outrageous, *antagonistic* bias by State court judge Williams, therefore

remedy by way of motion to the sentencing court would be not only futile, inadequate or ineffective, but also foolish and ridiculous. The egregious exhibited bias of Williams, *known as a "structural defect" or "structural error"* in the proceedings, requires that the controlling, and "well-established Wisconsin law" relevant to this case be followed, to wit:

Wisconsin Statute § 974.06:

> (8) A petition for a writ of habeas corpus or an action seeking that remedy in behalf of a person who is authorized to apply for relief by motion under this section shall not be entertained if it appears that the applicant has failed to apply for relief, by motion, to the court which sentenced the person, or that the court has denied the person relief, **unless it also appears that the remedy by motion is inadequate or ineffective** to test the legality of his or her detention. (emphasis added)

Section (8) was taken *directly* from 28 U.S.C. § 2255. The Seventh Circuit recognized this prohibition on habeas corpus would have been unconstitutional except for the "saving" clause, *Stirone v. Markley*, 345 F.2d 473, (7th Cir. 1965), to wit:

> **"unless it also appears that the remedy by motion is inadequate or ineffective to test the legality of his or her detention."**

Take Notice of the word "appears". Notice also the disjunctive conjunction "or" between the words "inadequate" and "ineffective". Based upon the extensive evidence of manifested bias filed with this Court, see docket items referenced *supra*, it would "appear" that remedy by motion to the sentencing court would be "inadequate or ineffective" to test the legality of petitioner's detention.

In *Stirone*, 475-476, the Seventh Circuit Court of Appeals said:

> "For an even more fundamental reason section 2255 is not a deprivation of constitutional rights. Habeas corpus **continues to be available** when the

> remedy under that section is shown[1] to be "inadequate ***or ineffective***." The section 2255 provision merely prescribes a procedure different from that of habeas corpus whereby one ***may*** collaterally attack a conviction. So long as this procedure is available ***with provision for habeas corpus*** in the event a section 2255 proceeding is "**inadequate *or ineffective***," there is no constitutional issue." (emphasis added).

(Judge Adelman's "mistakes" in recitation of facts in the November 28th Decision and order were set forth in Dkt. 19.)

Procedural Default

There was *NO* "procedural default", but rather a *mistaken or inadvertent* application of a non-existent "rule" by Judge Adelman. On page 5 of the Decision and order Judge Adelman states:

> In the present case, the Wisconsin Court of Appeals rejected Magritz's habeas petitions based on a state procedural rule: the rule that a criminal defendant cannot seek habeas relief with respect to claims that he could have raised on direct appeal or in a motion under Wis. Stat. § 974.06. There is no doubt (sic) that the Wisconsin Court of Appeals actually relied on this state-law procedural ground in denying Magritz's habeas petitions, ..."

BUT - there is no such rule. Consider the following:

- ***If*** there is such a rule, ***then it is written.***
- Where is it written?
- What exactly is the wording of that rule?
- If there is such a rule, why wasn't it quoted or cited?
- If the alleged "rule" conflicts with the Constitution, is it lawful?
- Is the alleged rule judge-made?
- If the alleged rule is judge-made, what is the case cite?
- If the alleged rule is a statute, what is the wording of that statute?

The applicable "rule" is actually a statute, Wisconsin Statute § 974.06(8), set forth above, which Judge Adelman mistakenly or inadvertently omits. An extensive discussion of said omission is set forth in Dkt. 19, incorporated by reference.

[1] The statute uses the term "appears".

Wisconsin Statute § 974.06(8), the controlling statute in this case, clearly states that a person is not required in all cases or instances to file a motion with the sentencing court for remedy. A person can file a petition for habeas corpus if it *appears* that the remedy by motion would be *inadequate*. Also, *a person can file a petition for habeas corpus if it* ***appears*** *that the remedy by motion would be* ***ineffective***.

This provision in the statute to petition for habeas corpus rather than filing a motion with the sentencing court when it ***appears*** that the remedy by motion would be ***ineffective*** is clearly designed to be the remedy and is especially appropriate in cases where the judge manifests bias against the accused.

It is evident that State court judge Sandy Williams, who retaliated against and persecuted the petitioner, a whistleblower and victim of crime, in the most open, blatant, and brazenly manifested ways, and refused several times to recuse herself, as *extensively* and *exhaustively* evidenced to *this* Court, would *not* have a "come to Jesus moment" and provide remedy for the egregious injuries *she* had *intentionally* inflicted. For anyone to believe otherwise is akin to believing that a girl child who was viciously and brutally beaten and raped by a pedophile could return to the rapist and expect to be miraculously "un-raped".

The remedy by habeas corpus was and is clearly the only viable option for remedy in this situation in as much as Williams was retaliating against petitioner, a whistleblower, for having filed criminal complaints against Williams, suing Williams for misconduct in public office and breach of fiduciary duty, and publicly

exposing her malversation. The bias which Williams' manifested crossed the red line from "mere" misconduct in public office to felonious misconduct in public office. It was so egregious that the appellate judges in State of Wisconsin didn't want to touch it. The record of *this* Court uncontrovertibly evidences that fact. The Great Writ of habeas corpus ad subjiciendum was created to protect the people from tyranny such as that of Sandy Williams.

Judge Adelman thus failed, *by mistake or inadvertence,* to address the issue of obtaining remedy by habeas corpus when it *appears* that remedy by motion is *inadequate or ineffective,* which was clearly and obviously the sum and substance of the application of state law and the alleged procedural default. Petitioner's only possibility for remedy is in habeas corpus, which is constitutionally secured as well as explicitly recognized in Wis. Stat. § 974.06(8) when it ***appears*** that remedy by motion is ***inadequate or effective***. *The record of this Court evidences that petitioner did not procedurally default.*

Applicability of Fed. R. Civ. P. Rule 60(b)(1).

"However, if in granting the earlier judgment, the district court has *overlooked and failed to consider some controlling principle of law,* the district court may abuse its discretion by failing to grant 60(b) relief." *Harrison v. Byrd,* 765 F.2d 501, 503 (1985). "We likewise review the propriety of the initial summary judgment in the light of the factual opposition *inadvertently* overlooked by the district court, under the principle that, if the overlooked affidavit did preclude summary judgment, then *the district court abused its discretion* by failing to grant 60(b) relief

because of its *mistake or inadvertence* in overlooking that factual opposition creating a disputed issue of material fact had been timely filed." Id., 504. "Accordingly, we conclude that the district court abused its discretion in denying Harrison's Rule 60(b) motion." Id., 504. (Italics added)

"In *Jones v. Anderson-Tully Co.*, 722 F.2d 211, 212-13 & n. 3 (5th Cir.1984), the Fifth Circuit held that if an error affects the ***substantive rights*** of the parties, *it must be corrected under the provisions of Rule 60(b).*" "The mistake in the present case affects the *substantive rights* of the parties. It is not clerical, and if it in fact occurred, it is one of *mistake, inadvertence,* surprise, or excusable neglect governed by Rule 60(b)(1)." *OLLE v. HENRY & WRIGHT CORP.*, 910 F.2d 357, 363-364 (6th Cir., 1990). (Italics and bold added)

(Cites omitted) (noting that while relief from judgment is usually sought by motion of a party, "**nothing forbids the court to grant such relief** *sua sponte*") *JUDSON ATKINSON CANDIES, INC., v. LATINI-HOHBERGER DHIMANTEC,* 529 F.3d 371, 385 (2008). (Bold added)

Rule 60(b)(1) provides for relief from final judgments that are the product of *mistake, inadvertence,* surprise or excusable neglect. **This provision applies to errors by judicial officers** as well as parties. *See Buggs v. Elgin, Joliet & Eastern Ry. Co.*, 852 F.2d 318, 322 (7th Cir.1988); *Bank of California v. Arthur Anderson & Co.*, 709 F.2d 1174, 1176 (7th Cir.1983). *WESCO PRODUCTS CO. v ALLOY AUTOMOTIVE,* 880 F.2d 981, 984-985 (7th 1989). (Italics and bold added).

The November 28, 2018 Decision and Order by Judge Lynn Adelman and the Judgment signed by the clerk of court must be vacated and relief granted petitioner pursuant to the motion for relief under Fed. R. Civ. P. Rule 60(b)(1).

Dated this March 12, 2019 A.D.

By: Magritz, Steven Alan Legal Representative, Attorney-in-Fact, Agent

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:

Motion For Relief, Fed. R. Civ. P. Rule 60(b)(1)
Memorandum in Support

Dated this March 12, 2019 A.D.

By: Magritz, Steven Alan Agent

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

STEVEN ALAN MAGRITZ,
Petitioner,

v. **Case No. 18-C-0455**

JON E. LITSCHER,
Respondent.

ORDER

The petitioner has filed a motion for relief from judgment under Federal Rule of Civil Procedure 60(b). I previously rejected a motion filed by the petitioner under Rule 60(b), *see* ECF No. 21, and his current motion raises no non-frivolous issue for discussion. Accordingly, the motion will be denied.

IT IS ORDERED that the petitioner's motion for relief (ECF No. 25) is **DENIED**.

Dated at Milwaukee, Wisconsin, this 18th day of March, 2019.

s/Lynn Adelman
LYNN ADELMAN
District Judge

ATTACHMENT # 4 of 5, TO:

REQUEST to Circuit Justice Brett Kavanaugh
for a
Certificate of Appealability, Case Number 18-CV-0455,
District Court of the Eastern District of Wisconsin,
to
Seventh Circuit Court of Appeals Case Number 19-1518

Documents attached:

1) Evidence of manifested bias and retaliation by state court judge filed on July 12, 2018, in District Court, Dkt. 9.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WISCONSIN

Steven Alan Magritz,

Petitioner

v.

Case No. 18-C-0455

JON E. LITSCHER,

Respondent

AFFIDAVIT OF BIAS: IN SUPPORT OF PETITIONER'S BRIEF IN OPPOSITION TO RESPONDENT'S MOTION TO DISMISS

I, Steven Alan Magritz, Petitioner, submit this Affidavit of Bias in support of my Brief in Opposition to Respondent's Motion To Dismiss filed May 29, 2018. This affidavit will evidence not only the "appearance of bias" but also the "actual bias" or "judicial partiality" of trial court "judge" Sandy A. Williams in Ozaukee County case. No. 2011CF236 which was so egregious that it shocks the conscience. **TAKE NOTICE:** All exhibits, A-G, 17 pages, are incorporated herein by reference.

1. In 2003 I filed a "criminal complaint" titled "Affidavit of Criminal Report and Probable Cause By Witness and Victim of Criminal Activity" with then Ozaukee County District Attorney Sandy A. Williams reporting crimes committed by attorney Dennis E. Kenealy. Williams refused to prosecute Kenealy. Dkt. 1-3:8.

2. On July 13, 2011, I filed a "criminal complaint" titled "Report Of Criminal Activity By Victim/Witness" regarding Kenealy's crimes with both Ozaukee County Sheriff Straub and District Attorney Gerol. I also caused the "criminal complaint" to be mailed to Scott Walker, J.B. VanHollen, and James L. Santelle, U.S. Attorney.

3. On August 1, 2011 I filed a "Verified Motion For Determination of Probable Cause" in Ozaukee County Circuit Court, which was assigned case no. 2011JD01, and, "assigned" to none other than "judge" Sandy A. Williams, the former prosecutor who had refused to prosecute Kenealy. Dkt. 1-3:10.

4. On August 23, 2011, Williams, sitting in judgment of her own dereliction of duty in 2003, issued a "Decision and Order" which stated: "...it is not necessary to convene a proceeding to determine whether a crime has been committed."

5. Williams, by sitting in judgment of her own cause, cannot claim even the appearance of impartiality.

6. On August 30, 2011, I filed a "Refused For Fraud and, Praecipe To Sandy A. Williams" with the court, see exhibit "**Bias Ex. A**", incorporated herein by reference. I did not receive a response.

7. In the aforesaid "Refused For Cause" I stated that Williams was "judging her own cause" and "covering up her own dereliction of duty in 2003 in violation of DR's, EC's, and fiduciary duties."

8. *At the sentencing hearing* on February 11, 2016, case no. 2011CF236, Williams made reference to my 2011 "Refused For Fraud and, Praecipe To Sandy A. Williams", and verbally and facially expressed her obvious displeasure.

9. On December 9, 2011, I prepared a "criminal complaint" titled "12/09/2011 REPORT OF CRIMINAL ACTIVITY BY VICTIM/WITNESS" charging Williams et al. with crimes wherein I stated:

> Sandy A. Williams refused to investigate and refused to prosecute the crimes perpetrated by her fellow public officers, a dereliction of duty in violation of Wis. Stat. § 946.12 Misconduct in public office, and Misprision of felony in violation of 18 U.S.C. § 4.

10. My December 9th "criminal complaint" was filed in this present case, Case No. 18-C-0455: 1) separately, Dkt. 1-4:8-11; 2) as served upon D.A. Gerol with a "NOTICE", Dkt. 1-4:12-22; and 3) as part and parcel of witness Robert C. Braun's Affidavit filed in Ozaukee County Case No. 2011CF236.

11. A "duplicate original" signature of my December 9th "criminal complaint" was mailed by a notary public to the following public officers on December 9, 2011, Dkt. 1-3:15; see also attached exhibit, "**Bias Ex. B**":

> Governor Scott Walker, Lieutenant Governor Rebecca Kleefisch, Attorney General J.B. Van Hollen, A. John Voelker, Director of State Courts, Senator Glenn Grothman, Representative Daniel R. LeMahieu, J Mac Davis, Paul V. Malloy, Tom R. Wolfgram, Sandy A. Williams, Lt. Jeff Taylor, Ozaukee Press, James M. Brennan, pres., Wis. Bar.

12. My December 9th "criminal complaint" charging Williams et al. with crimes was filed in Ozaukee Case No. 2011CF236 twice, the first time on December 12, 2011, and, the second time on January 5, 2012, Dkt. 1-3:15; Dkt. 1-4:5-6; Dkt. 1-4:16-17; Dkt. 1-4:33-34.

13. My twice filed December 9th "criminal complaint" charging Williams with crimes was twice "removed" from the case file from behind the locked doors of the clerk of court, Dkt. 1-4:58, arraignment hearing transcript, and thereafter concealed. Dkt. 1-3:16.

14. Williams thereafter concealed my "criminal complaint" from the jury by issuing a gag order against me preventing me from mentioning or testifying regarding my affidavit/ "criminal complaint". Dkt.1-3:16.

15. Williams further concealed my "criminal complaint" from the jury by preventing me from introducing my "criminal complaint" as an exhibit during the pretend "trial". Dkt.1-3:16.

16. The only persons known to me with means, motive, and opportunity to "remove" from the file and conceal my exonerating and exculpatory "criminal

complaint" charging Williams et al. with crimes are Sandy A. Williams and Adam Y. Gerol. Dkt. 1-3:17.

17. On May 15, 2012, I filed a lawsuit against Sandy A. Williams et al. for Breach of Fiduciary Duty in federal court in the District of Columbia, Case No, 1:12-cv-00806-EGS, Dkt. 1-3:20-21; see also attached exhibit, "**Bias Ex. C**".

18. Since 2013 Sandy A. Williams has been featured as a corrupt attorney and corrupt judge at https://www.ozaukeemob.org/evil-sandy-a-williams.html on the OzaukeeMob.org website, which exposes public corruption in Ozaukee County and the theft of my private property.

19. At the sentencing hearing on February 11, 2016, case no. 2011CF236, Sandy A. Williams made reference to being "featured" with her picture on the Ozaukee Mob website, and verbally and facially expressed her obvious displeasure.

20. At the time of Williams' sentencing hearing comment expressing her dislike, disapproval, displeasure, irritation at being featured on the Ozaukee Mob website, I fully realized that a major motivating factor for the persecution Williams was inflicting on me was payback, her personal vendetta, for her being exposed as a corrupt public officer on the www.OzaukeeMob.org website, which perhaps aggravated her even more than my suing her in 2012 and refusing for fraud her dereliction of duty and judging her own cause in 2011 in case no. 2011JD01.

21. From the time of my false arrest in September of 2015 until I was transported to prison in February of 2016, I was held incommunicado in solitary confinement in the Ozaukee County jail; I was not allowed a single telephone call, and for the first two months was not given any indigent envelopes, therefore I could not contact anyone on the outside for assistance or file anything with the court for 6 weeks or so. Dkt. 1-3:19.

22. At the opening of the arraignment hearing on October 15, 2015, I swore myself in under the pains and penalty of perjury as evidenced on the transcript, Dkt. 1-4:50. I demanded that the surprise witness at the preliminary hearing on October 2, 2015, of which I did not receive notice, Dkt. 1-3:20, be immediately summoned so I could question him about the false testimony he had given. Williams refused my demand. Dkt. 1-4:52.

23. Also at the arraignment I stated on the record that the proceedings were a "malicious prosecution" formulated by district attorney Gerol acting in conjunction with attorney Kenealy and Williams, who had covered up Kenealy's crimes since 2002 when she was the district attorney. I stated there was no reason for Williams to continue the coverup for Kenealy since he was exposed and had resigned after I sued him, Gerol and Williams in federal court for breach of fiduciary duty. Dkt. 1-4:60-61. Williams refused to recuse herself, notwithstanding her personal interest in the outcome of the proceedings.

24. On November 20, 2015, I executed an Affidavit regarding my "Witness List" for the defense of my natural person. In paragraph # 23 I demanded: "I DEMAND an evidentiary hearing – immediately, before an unbiased judge, NOT Sandy A. Williams." See "**Bias Ex. D**", filed & certified December 16, 2015. A typed copy is also provided for this Court's convenience.

25. Williams refused to recuse herself. Williams also denied me an evidentiary hearing.

26. On December 1, 2015, I executed an Affidavit stating my status, character, non-consent, false arrest, and false imprisonment; I demanded evidence of personal jurisdiction over me, and again demanded: "I demand an immediate evidentiary hearing, before an unbiased judge, NOT Sandy A. Williams." See "**Bias Ex. E**", paragraph # 24, filed & certified December 16, 2015.

27. Williams again refused to recuse herself. Williams again also denied me an evidentiary hearing.

28. On December 20, 2015, I executed an "AFFIDAVIT – Of Prejudice, and, of Stolen Documents". Copies were mailed to Scott Walker, J.B. VanHollen, J. Denis Moran, Randy R. Koschnick, and the United States Attorney's Office in Milwaukee, WI. See "**Bias Ex. F**", filed & certified January 4, 2016. (A typed copy is also provided for this Court's convenience.)

29. Williams, embroiled, biased, angry, and hell-bent on executing her personal vendetta and retaliation against me, a victim and witness of crime, still refused to recuse herself.

30. Other examples of judicial partiality exhibited by "judge" Sandy A. Williams, include, but are not limited to, the following:

- I was not given Notice of the October 2, 2015 preliminary hearing ("prelim").
- At the surprise "prelim" hearing on October 2, prosecutor Gerol elicited false testimony from Ronald A. Voigt, which Williams knew or should have known was false since December 12, 2011, the date on which my "criminal complaint" was first filed with the court, yet Williams "found" the false testimony "sufficient" to bind-over for trial. Dkt. 1-3:22; Dkt. 1-4:10.
- Following the surprise "prelim", I demanded Voigt be recalled so I could question him. Williams refused to reopen the "prelim", thus knowingly denying me due process. Dkt. 1-3:26; Dkt. 1-4:52.
- At the "prelim" on October 2, 2015, Williams stated she would appoint a stand-by counsel and would reopen the "prelim" if requested by her stand-by counsel, but when her stand-by counsel Gary R. Schmaus requested in writing to reopen the "prelim", Williams refused to reopen, thereby knowingly and intentionally denying me due process. Dkt. 1-3:22-23.

- At the "arraignment hearing" on October 15, 2015, I did *NOT* have assistance of counsel. Dkt. 1-3:25.; Dkt. 1-4:49.
- At "arraignment" I demanded assistance of counsel at least six times, and Williams denied my demand each and every time. Dkt. 1-3:25.
- At "arraignment" Williams continually interrupted me, thus denying me the right to be heard. Dkt. 1-4:48-62, arraignment transcript.
- At "arraignment" Williams, knowing that I did NOT have an attorney or assistance of counsel and I had demanded assistance of counsel at least six (6) times, which Williams had repeatedly denied, "demanded" that I enter a plea to the "information" which had just moments before been shoved in front of me. Dkt. 1-3:26.
- Having often experienced the perfidy of Williams, I responded with a plea for myself, the living man, and not for the "defendant", and stated it three times: "Nonassumpsit, by way of confession and avoidance, and I demand you hear my plea immediately." Dkt. 1-3:26.
- Williams ignored my plea and entered a Liar's Plea of "not guilty" for the "defendant", thus creating a "controversy" for the court to hear which allowed her to continue executing her personal vendetta. Dkt. 1-3:26.
- Williams gagged and threatened me not to mention or talk about or challenge the fraudulently obtained void judgment which was the foundational premise of the prosecution, even though a void judgment can be challenged at any time in any proceedings. Dkt. 1-3:16.
- Williams gagged and threatened me not to mention or talk about or challenge the fraudulently obtained void judgment which was the foundational premise of the prosecution, even though the prosecutor had

"opened the door" to challenge in his "Criminal Complaint" with which he had instituted the proceedings. Dkt. 1-3:16.

- Williams gagged and threatened me not to mention or talk about my "criminal complaint" which I had twice filed in case no. 2011CF236 and had been twice "removed" from the court file and thereafter concealed from the court and the jury. Dkt. 1-3:16.
- Williams quashed my witnesses for my defense, although prosecutor Gerol had the identical or similar witnesses on his witness list. Dkt. 1-3:27-29.
- Williams ordered my witness off the witness stand when she found out he was going to testify about my exculpatory and exonerating affidavits "removed" (i.e., stolen) from the file of the clerk of court. Dkt. 1-3:29-30.
- Williams coached from the bench hostile witness Ronald A. Voigt who had given false testimony for the State at the "prelim" and whom I subpoenaed for trial. Dkt.1-3:30.
- Williams refused to give a mens rea instruction to the jury. Dkt. 1-3:31.
- Williams ignored the testimony of the State's expert witness, attorney Cheri Hipenbecker that there was no injured party or harm committed, i.e., corpus delicti, thus no cause of action, no subject matter jurisdiction. Dkt. 1-3:32-33.
- Williams ignored my Notice that Judgment notwithstanding the verdict was "obligatory", i.e., not guilty, and acquittal. See "**Bias Ex. G**", filed February 8, 2016.

I, Steven Alan Magritz, declare under the pains and penalties of perjury of the laws of the United States of America that the foregoing facts are true and correct, and as for any statement made upon information, reason, or belief, I believe and so charge them to be true. Executed on this July 4, 2018.

Steven Alan Magritz

Steven Alan Magritz

Bias Ex. A, 1 of 3

STATE OF WISCONSIN CIRCUIT COURT OZAUKEE COUNTY

The state of Wisconsin ex rel Steven Alan Magritz, Victim/Witness/Affiant/Movant

Ex Parte

REFUSED FOR FRAUD

AND,

PRAECIPE TO SANDY A. WILLIAMS

I, Steven Alan Magritz, *victim and witness of crime*, REFUSE FOR FRAUD the "*Decision and Order*" of Sandy A. Williams, d/b/a "Honorable".

NOTICE: **This lawful notification** to you, Sandy A. Williams, is sent pursuant to the federal and state Constitutions, and **pursuant to your oath of office and your position as a public officer and trustee** (a ***fiduciary***) **cum onere of the Public Trust** created by the Constitutions to which you swore an oath to uphold, and requires your written response to me, point by point, specific to the subject matter herein. Sandy A. Williams has a **fiduciary duty** to Steven Alan Magritz to display **good faith, honesty, and integrity**.

NOTICE: Notification of legal responsibility is "the first essential of due process of law."

NOTICE: "Silence can only be equated with fraud where there is a legal or moral duty to speak or when an inquiry left unanswered would be intentionally misleading." *U.S. v. Tweel* (1977), 550 F.2d 297, 299.

Bias Ex. A, 2 of 3

The document I just received from the Notary, dated August 22, 2011 and bearing the signature of Sandy A. Williams, is **REFUSED FOR FRAUD** as follows:

1. **FACT:** Both the caption and the "name" on your "Decision and Order" are egregiously offensive corruptions and debasement of the caption and my appellation on my Verified Motion For A Determination Of Probable Cause. Since Sandy A. Williams is highly trained in the law and knows that both the caption and the "names" are offensively corrupt, the conclusion is, and must be, that the corruption was intentional.
2. **FACT:** The "Decision and Order" falsely states that Steven A. Magritz made a "Request". I am Steven Alan Magritz, **not** Steven A. Magritz, and I did **NOT** make a "Request", I made a command. I am a **victim and witness of crime** reporting crimes, as I am duty bound to do. I am **not** a "Requester". Did you see me signing as "Requester", **or**, as a **victim and witness of crime?**
3. **FACT:** I notified the honorable Court out of necessity because the executive branch of government is sitting on its hands and not prosecuting. We need to obtain a determination and get warrants and process issued to arrest the criminal, Dennis E. Kenealy.
4. **FACT:** As a **victim and witness of crime**, I am blatantly being denied due process of law. Sandy A. Williams is in dereliction of duty and acting in conspiracy if she doesn't get process issued forthwith against the criminal(s).
5. **FACT:** Sandy A. Williams was Ozaukee County District Attorney for 21 years, was District Attorney in 2003 when I first reported the crimes of Dennis E. Kenealy, and as District Attorney refused to prosecute Dennis E. Kenealy in 2003. Sandy A. Williams was derelict in her duty in 2003 for refusing to prosecute Dennis E. Kenealy for his crimes.
6. **FACT:** Sandy A. Williams is now judging her own cause, which is, overseeing a criminal report that she was duty bound to prosecute in 2003 but refused to do so at that time. **Since current District Attorney Adam Y. Gerol has admitted that crimes were committed**, Sandy A. Williams is covering up her own dereliction of duty in 2003 in violation of DR's, EC's, *and* fiduciary duties.

Bias Ex. A, 3 of 3

7. **FACT:** The ongoing crimes of Dennis E. Kenealy **are being concealed by public officers from the public.** The public has a **right to know** when its *public officers* are in breach of the Public Trust and in **breach of their fiduciary duties as trustees of the Public Trust.**

PRAECIPE

I, Steven Alan Magritz, **VICTIM AND WITNESS OF CRIME**, herewith *praecipe* Sandy A. Williams to forthwith have a hearing at which we can discuss whether or not I have to reword my affidavit, or what I have to do to get process issued, unless Sandy A. Williams is acting in complicity and conspiracy with the executive branch of government by her silence, or by her refusal to have a hearing.

Steven Alan Magritz Dated this August 29, 2011.
Steven Alan Magritz, victim and witness of crime

Certificate of Mailing

I, the Undersigned, certify that I mailed the above REFUSED FOR FRAUD dated August 29, 2011, signed by Steven Alan Magritz, victim and witness of crime, via United States mail, certified mail number 7007 1490 0004 6545 1063, to Hon. Sandy A. Williams, P.O. Box 994, 1201 South Spring Street, Port Washington, WI 53074, on August ____, 2011, from Milwaukee, Wisconsin.

_____
Notary public

My commission expires: _____

Bias Ex. B

Certificate of Mailing

I, the Undersigned, certify that I mailed a 12/09/2011 Report of Criminal Activity By Victim/Witness dated December 9, 2011 with Cover Letter of same date regarding the acts of attorney Dennis E. Kenealy, corporation counsel for Ozaukee County, State of Wisconsin, via United States mail to the following listed persons on behalf of Steven Alan Magritz, on December 9th, 2011, from Milwaukee, Wisconsin.

Governor Scott Walker, 115 East Capitol, Madison, WI 53702

Lieutenant Governor Rebecca Kleefisch, 19 East Capitol, Madison, WI 53702

Attorney General J.B. Van Hollen, 114 East State Capitol, Madison, WI 53702-7857

A. John Voelker, Director of State Courts, 16 East State Capitol, Madison, WI 53702

Senator Glenn Grothman, 111 South 6th Avenue, West Bend, WI 53095

Representative Daniel R. LeMahieu, W6284 Lake Ellen Drive, Cascade, WI 53011

J Mac Davis, 515 West Moreland Blvd, Room 359, Waukesha, WI 53188

Paul V. Malloy, Branch I, P.O. Box 994, 1201 S. Spring St., Port Washington, WI 53074

Tom R. Wolfgram, Branch II, P.O. Box 994, 1201 S. Spring St., Port Washington, WI 53074

Sandy A. Williams, Branch III, P.O. Box 994, 1201 S. Spring St., Port Washington, WI 53074

Lt. Jeff Taylor, Sheriff's Dept., P.O. Box 994, 1201 S. Spring St., Port Washington, WI 53074

Ozaukee Press, 125 East Main St., Port Washington, WI 53074

James M. Brennan, pres., Wis. Bar, Cousins Center, 3501 South Lake Dr., Milwaukee, WI 53207

Notary public

My commission expires: 6-2-2013

KENNETH A. KRAUCUNAS NOTARY PUBLIC STATE OF WISCONSIN

Bias Ex. C, 1 of 2

with fraud, oppression, or malice, and Complainant is therefore entitled to punitive damages in the amount as determined at trial and within the jurisdiction of *this* Court.

FOURTH CAUSE OF ACTION

BREACH OF FIDUCIARY DUTY BY OFFICERS OF THE COURT

RETALIATION AGAINST VICTIM/WITNESS

127. Complainant incorporates and re-alleges all of the foregoing paragraphs as if set forth at length herein, and in particular paragraph number 87.

128. The good name of the State, be it that associated with the General Government or with the Government of one of the several States, must be especially protected with regard to the reputation of the high-calling to the judicial branch of government vis-à-vis the legislative or executive branches, both of which have earned near single-digit scores in the realm of honesty and integrity, since the support of the state by the people is directly proportional to the *perception of the people* that the public officers of the judicial branch will act equitably and righteously, and *will dispense justice*, and *justice* without respect to persons.

129. As set forth in Complainant's Affidavit in Support incorporated herein by reference in paragraph number 87, Respondents Dennis E. Kenealy, Sandy A. Williams, Rhonda K. Gorden, and Adam Y. Gerol are all attorneys and *officers of the court*, with Williams also being a judge, who have acted dishonestly and in breach of their fiduciary duties by engaging in various criminal acts including but not limited

Bias Ex. C, 2 of 2

to misprision of felony, abuse of legal process, malicious prosecution, and retaliation against a victim and witness of crime, Complainant Steven Alan Magritz.

130. The misuse and abuse of the justice system by these four public officer respondents by using the judicial system and the threat of force inherent in the police power of the state against Complainant constitutes particularly egregious acts of dishonesty and breach of fiduciary duty destructive of the good name of the state.

131. The wanton disregard for justice, for the rule of law, for their positions as Trustees of the Public Trust, and for the Constitutions of Wisconsin and The United States of America by Kenealy, Williams, Gorden, and Gerol is destructive of the good name of the state and contemptuous of the good name of the state.

132. As a result of these four Respondents' acts or conduct described in Complainant's Affidavit of Criminal Report which accompanies and is incorporated by reference in Complainant's Affidavit in Support of this Complaint and therefore in this Complaint, Complainant was subjected to Respondents' callous and wanton disregard for the rights of Complainant. As a direct and proximate result, Complainant suffers severe emotional distress and personal injuries and is in threat of physical violence and restraint of liberty resulting from these four Respondents abuse of legal process and/or malicious prosecution.

133. As a proximate result of the Respondents named Kenealy, Williams, Gorden, and Gerol, and each of them, for acts and conduct constituting breach of fiduciary duty and for threatened acts of violence or deprivation of liberty against

Bias Ex. D, 1 of 4

Ozaukee County Circuit

DEC 16 2015

Mary Lou Mueller
Clerk of Circuit Court/
Register in Probate

AFFIDAVIT

Previously filed "Witness List" for Defense of Natural Person, and, DEMAND for Justice, promptly and without delay Ozaukee County "case number 2011CF000236".

1. I, Steven Alan of the family Magnitz, a living man, state that I am competent, with sound mind, to testify to the facts herein, am of the age of majority, affirm that my "yes" be "yes" and my "no" be "no", and that the facts stated herein are true, certain, correct, and not misleading and are made upon first hand knowledge except as to those matters stated upon reason and belief which I verily believe to be true.
2. I was arrested without a warrant and have been falsely imprisoned, held in solitary confinement since September 23, 2015 with respect to Ozaukee County "case number 2011CF000236".
3. I am NOT the defendant in "case number 2011CF000236", nor am I a trustee, fiduciary, representative, agent, surety, or in any other way acting for, or on behalf of any artificial entity, including but not limited to the defendant.
4. I am a beneficiary of the Public Trust created by the organic Constitution of "the State of Wisconsin" adopted in 1848 A.D.
5. I claim and reserve all inherent right secured by Article I section 1 of the aforesaid Constitution.
6. I do not consent to servitude to the public corporation named "State of Wisconsin", involuntary servitude is prohibited by Article I, section 2 of the aforesaid Constitution.
7. I do not consent to the proceedings in "case number 2011CF000236", have NOT consented in the past, and will NOT consent in the future.
8. I claim and exercise my inherent right secured by Article I, section 9 of the aforesaid Constitution "to a certain remedy in the laws for all injuries or wrongs which "I" may receive in "my" person, property or character."
9. Although I am NOT a party to "case number 2011CF000236", I am illegally and unlawfully restrained of my liberty to "answer" with respect to that "case".
10. I have both a right and a duty to defend my natural person, therefore on November 13, 2015 I mailed via U.S. mail to the above at court, Mary Lou Mueller, a "witness List" for the defense of my natural person in the event I am subjected to a kangaroo court "trial".
11. I mailed one original and one copy of the aforesaid "Witness List" and respectfully the clerk to time and date stamp a [the] copy and return it to the "person" and return address on the envelope.
12. The clerk failed to return a time and date stamped copy of the "Witness List".
13. The clerk sent an unsigned letter, a copy of which is attached hereto and incorporated herein, dated November 17, 2015, falsely referring to my "Witness List" as a "letter" and requiring that I pay EXTORTION in the amount of $1.25 for a copy of said "letter" and requiring that I pay EXTORTION in the amount of $1.25 for the misnamed "letter".
14. The EXTORTIONATE demand by the clerk for "payment" for the misnamed "letter" is a direct violation of Article I, section 9 of the aforesaid Constitution which guarantees that I "obtain justice freely, and without being obliged to purchase it, completely and without denial, promptly and without delay".
15. Both the original and the copy of my "Witness List" were read by two [illegible] deputies before they sealed the envelope and placed it in the U.S. mail.

OZAUKEE COUNTY CLERK OF CIRCUIT COURT
2015 DEC 16 PM 12:56

Dated

Copy to Attorney's Office

page 1, side 1

Bias Ex. D, 2 of 4

16. My "Witness List" is: ALL of the witnesses on Adam Vahl Grand Witness List filed November 3, 2015, PLUS Ronald A. Voight, Mary Lou Mueller, Adam V. Grenzl, Sandy A. Williams, Gary R. Sakmann, and Robert C. Braun. A copy of my original "Witness List" is attached hereto and incorporated herein by reference.

17. I claim and DEMAND my inherent right to call and question my witnesses to defend my natural person at any time, including but not limited to the unlawful "trial" currently scheduled for January 19, 2016.

18. In the afternoon of November 20, 2015, court liaison Gahan hand delivered to me the copy of my "witness list", not time + date stamped, written on an inmate request form due to the extreme difficulty in obtaining writing materials as well as envelopes. I have been effectively denied access to the "mount". The copy was taped to an 8½" x 11" sheet of paper.

19. Since there IS a continuing pattern and practice of stealing my documents from the files of the office of the Ozaukee County Clerk of Court dating back to May 31, 2001 when Dennis E. Kenealy, corporation counsel for the public corporation named "Ozaukee County", stole my Answer and Counterclaim to the illegal "tax certificate foreclosure" and a NON-EXISTANT "tax certificate" thereby obtaining a void "default judgment", I have NO confidence that my "witness list", the copy of which does NOT bear a time and date stamp, has not also been stolen, or will be stolen, and/or will not be removed by any officer of the court.

20. I CLAIM AND DEMAND my secured inherent right for obtaining justice, promptly and without delay, and DO NOT CONSENT to waiting for the currently scheduled unlawful "trial" on January 19, 2016.

21. I DEMAND speedy disposition/resolution of my false imprisonment and DEMAND that I be set at liberty immediately.

22. I DEMAND that Adam Vahl Grand IMMEDIATELY prove, on the record, personal jurisdiction of, or over, me, a beneficiary of the Public Trust.

23. I DEMAND an evidentiary hearing - immediately, before an unbiased judge, NOT Sandy A. William

I, Steven Adam, of the County Magnetic, declare under the pains and penalties of ~~perjury~~ perjury of the laws of the United States of America that the foregoing facts are true and correct, and as for any statements made upon information, hearsay, or belief, I believe and so charge them to be true. Executed on this November 20, 2015 A.D.

Steven Adam Magnetic, beneficiary of the Public Trust

CIRCUIT COURT OZAUKEE CO. WIS.

page 1, side 2

STATE OF WISCONSIN } SS
OZAUKEE COUNTY
I certify that this is a true and correct copy of a document on file and of record in my office and has been compared by me
Clerk of Courts (Deputy) Date 12/16/15

Bias Ex. D, 3 of 4

AFFIDAVIT

Re: Previously filed "Witness List" for Defense of Natural Person, and, DEMAND for Justice, promptly and without delay Ozaukee County "case number 2011CF000236"

1. I, Steven Alan of the family Magritz, a living man, state that I am competent, with sound mind, to testify to the facts herein, am of the age of majority, affirm that my "yes" be "yes" and my "no" be "no", and that the facts stated herein are true, certain, correct, and not misleading, and are made upon first-hand knowledge except as to those matters stated upon reason and belief which I verily believe to be true.
2. I was arrested without a warrant and have been falsely imprisoned, held in solitary confinement since September 23, 2015 with respect to Ozaukee County "case number 2011CF000236".
3. I am NOT the defendant in "case number 2011CF000236", nor am I a trustee, fiduciary, representative, agent, surety, or in any other way acting for, or on behalf of any artificial entity, including but not limited to the defendant.
4. I am a beneficiary of the Public Trust created by the organic Constitution of "the state of Wisconsin" adopted in 1848 A.D.
5. I claim and reserve all inherent rights secured by Article I Section 1 of the aforesaid Constitution.
6. I do not consent to servitude to the public corporation named "State of Wisconsin", involuntary servitude is prohibited by Article I, Section 2 of the aforesaid Constitution.
7. I do not consent to the proceedings in "case number 2011CF000236", have NOT consented in the past, and will NOT consent in the future.
8. I claim and exercise my inherent right secured by Article I, Section 9 of the aforesaid Constitution "to a certain remedy in the laws for all injuries or wrongs which "I" may receive in "my person, property, or character."
9. Although I am NOT a party to "case number 2011CF000236", I am illegally and unlawfully restrained of my liberty to "answer" with respect to that "case".
10. I have both a right and a duty to defend my natural person, therefore on November 12, 2015 I mailed via U.S. mail to the clerk of court, Mary Lou Mueller, a "Witness List" for the defense of my natural person in the event I am subjected to a kangaroo court "trial".
11. I mailed one original and one copy of the aforesaid "Witness List" and requested the clerk to time and date stamp a [the] copy and return it to the "person" and return address on the envelope.
12. The clerk failed to return a time and date stamped copy of the "Witness List".
13. The clerk sent an unsigned letter, a copy of which is attached hereto and incorporated herein, dated November 17, 2015, falsely referring to my "Witness List" as a "letter" and requiring that I pay EXTORTION in the amount of $1.25 for a copy of said "letter".
14. The EXTORTIONATE demand by the clerk for "payment" for the misnamed "letter" is a direct violation of Article I, Section 9 of the aforesaid Constitution which guarantees that I "obtain justice freely, and WITHOUT being obliged to purchase it, completely and without denial, promptly and WITHOUT delay."
15. Both the original and the copy of my "Witness List" were read by two sheriff's deputies before they sealed the envelope and placed it in the U.S. mail.

Bias Ex. D, 4 of 4

16. My "Witness List" is: ALL of the witnesses on Adam Yale Gerol's Witness List filed November 3, 2015, PLUS Ronald A. Viogt, Mary Lou Mueller, Adam Y. Gerol, Sandy A. Williams, Gary R. Schmaus, and Robert C. Braun. A copy of my original "Witness List" is attached hereto and incorporated herein by reference.

17. I claim and DEMAND my inherent right to call and question my witnesses to defend my natural person at any time, including but not limited to the unlawful "trial" currently scheduled for January 19, 2016.

18. In the afternoon of November 20, 2015, court liaison Gahan hand delivered to me the copy of my "Witness List", not time and date stamped, written on an inmate request form due to the extreme difficulty in obtaining writing materials as well as envelopes. I have been effectively denied access to the "court". The copy was taped to an 8½" x 11" sheet of paper.

19. Since there IS a continuing pattern and practice of stealing my documents from the files of the office of the Ozaukee County Clerk of Court dating back to May 31, 2001 when Dennis E. Kenealy, corporation counsel for the public corporation named "Ozaukee County", stole my Answer and Counterclaim to the illegal "tax certificate foreclosure" on a NON-EXISTANT "tax certificate" thereby obtaining a VOID "default judgment", I have NO confidence that my "witness List", the copy of which does not bear a time and date stamp, has not also been stolen, or will be stolen, and/or will not be honored by any officer of the court.

20. I CLAIM AND DEMAND my secured inherent right for obtaining JUSTICE, promptly and without delay, and DO NOT CONSENT to waiting for the currently scheduled unlawful "trial" on January 16, 2016.

21. I demand speedy disposition/resolution of my false imprisonment and DEMAND that I be set at liberty immediately.

22. I DEMAND that Adam Yale Gerol IMMEDIATELY prove, on the record, personal jurisdiction of, or over, me, a beneficiary of the Public Trust.

23. I DEMAND an evidentiary hearing – immediately, before an unbiased judge, NOT Sandy A. Williams.

I, Steven Alan, of the family Magritz, declare under the pains and penalties of perjury of the laws of the United States of America that the foregoing facts are true and correct, and as for any statement made upon information, reason, or belief, I believe and so charge them to be true.
Executed on this November 20, 2015 A.D.
Steven Alan Magritz, beneficiary of the Public Trust.

Bias Ex. E, 1 of 2

AFFIDAVIT

Ozaukee County Case No. 2011CF000236

1. I, Steven Alan of the family Magritz, a living man, state that I am competent, with sound mind, to testify to the facts herein, am of the age of majority, affirm that my "yes" be "yes" and "no" be "no", and that the facts stated herein are true, certain, correct, and not misleading and are made upon firsthand knowledge except as to those matters stated upon reason and belief which I verily believe to be true.

2. I do NOT consent to the proceeding in "State of Wisconsin", "Ozaukee County", Case Number 2011CF000236.

3. If it ever appeared in the past that I consented to the proceedings in Case Number 2011CF000236, I did NOT intend to consent, I did NOT consent, nor will I ever consent in the future.

4. I reserve all my God-given unalienable rights.

5. I am NOT THE DEFENDANT IN Case Number 2011CF000236.

6. I do NOT consent to be fiduciary, trustee, representative, surety, or act in any way for, or on behalf of, any artificial entity, including but not limited to, the defendant in Case Number 2011CF000236.

7. I am not now, nor have I ever been, a citizen or resident of "State of Wisconsin".

8. I am not now, nor have I ever been, a resident of "Ozaukee County".

9. I am not now, nor have I ever been, a citizen or resident of "United States".

10. I do NOT consent to be subject to the Administrative Law that the public corporation named "State of Wisconsin" promulgates for itself for its own regulation and administration.

11. I am not an officer, employee, member, representative, agent, citizen, voter, stockholder, stakeholder, subject, resident, or anything else of, or for, the public corporation named "State of Wisconsin", or any other public corporation, and deny any presumptions to the contrary.

12. I do not have, accept, or exercise any license, privilege, franchise, benefit or anything else, of or from the public corporation named "State of Wisconsin", or any other public corporation, and deny any presumptions to the contrary.

13. I deny any nexus or privity to the public corporation named "State of Wisconsin", or any other public corporation, and deny any presumptions to the contrary.

Bias Ex. E, 2 of 2

14. I have no contract with, nor any pledge nor any hypothecation to, the public corporation named "State of Wisconsin" or any other public corporation.

15. I do not accept any liability associated with any compelled benefit.

16. I do not accept any liability of any public officer.

17. I do not accept any liability of any artificial person or entity.

18. I deny any and all presumptions, including but not limited to those of any public officer or officer of the court, which are not reduced to writing with express acceptance by me as evidenced by my personal hand-written signature, witnessed by two or three competent witnesses and authenticated by me in a public venue.

19. I am one of the people and a sojourner on the land of Wisconsin, a beneficiary of the Public Trust created by Constitution of the United States of America (1789) and the organic Constitution of the state of Wisconsin (1848).

20. I am a private American in inherent jurisdiction, claiming inherent rights, not franchised.

21. I was arrested without a WARRANT.

22. I have been falsely imprisoned in the Ozaukee County Jail since my unlawful false arrest on September 22, 2015 and subsequent kidnap.

23. I demand to be set at liberty immediately, unless and until Adam Yale Gerol or State of Wisconsin proves, on the record, personal jurisdiction of or over me.

24. I demand an immediate evidentiary hearing, before an unbiased judge, NOT Sandy A. Williams.

I, Steven Alan Magritz, declare under the pains and penalties of perjury of the laws of the United States of America that the foregoing facts are true and correct, and as for any statement made upon information, reason, or belief, I believe and so charge them to be true.
Executed on this December 1, 2015.

Steven Alan Magritz, beneficiary of the Public Trust

CIRCUIT COURT OZAUKEE CO., WIS.

STATE OF WISCONSIN } ss
OZAUKEE COUNTY }
I certify that this is a true and correct copy of a document on file and of record in my office and has been compared by me.
Clerk of Courts (Deputy) Date 12/16/2015

Copy to District Attorney's Office

Bias Ex. F, 1 of 4

AFFIDAVIT

Of Prejudice, and, of Stolen Documents
Ozaukee County Case No. 2011CF000236

1. I, Steven Alan of the family Magritz, a living man, state that I am competent with sound mind, to testify to the truth herein, am of the age of majority, the facts herein are true, correct, certain, not misleading, and are made upon First hand Knowledge except those stated upon reason or belief which I verily believe to be true.
2. I do NOT consent to the proceedings in "Ozaukee County" "case no. 2011CF000236", have NOT consented in the past, nor will I consent in the future.
3. I am NOT the Defendant in "case no. 2011CF000236", nor do I consent to be Defendant, trustee, representative, agent, accommodation party, surety, nor to act in any other way for or on behalf of any artificial entity including but not limited to the Defendant.
4. I have been kidnapped [redacted] without a warrant and falsely imprisoned on what I believe and allege to be a malicious prosecution to cover up not only the crimes of Adam Y. Gerol and Sandy A. Williams, but also the crimes of attorney Dennis E. Kenealy who acted as [illegible] the greatest theft of private property in the history of the county of Ozaukee, the theft of my private property which has been made into a county park known as the "Shady Lane Property", stolen from me at gunpoint and for which I was never compensated a single dime.
5. On October 16, 2015, attorney Gene R. Scheer personally handed to me what he asserted were copies of ALL the documents in the Clerk of Court's office on "case no. 2011CF000236".
6. I informed Scheer that there were documents missing, whereupon Scheer asserted to me he had given me EVERYTHING in the Clerk of Court's case file.
7. Among the "missing", i.e., STOLEN, documents was my "Affidavit Report of Criminal Activity by Victim/Witness" filed on 10-18-2011 and again on 01-05-2012.
8. My stolen affidavits charged attorneys Sandy A. Williams and Adam Y. Gerol with crimes extending back to 2008 and through and which continue to this present day.
9. The crimes I alleged against Williams and Gerol were dereliction of duty, misconduct in public office, misprision of felony, tampering with a witness, victim, or an

Affidavit December 28, 2015 — page 1 of 3 — Affidavit of prejudice

Bias Ex. F, 2 of 4

Affidavit of Prejudice, etc, page 2

intimidation, and Retaliation against a witness, victim, or an informant

10. Since both Adam Gierl and Sandy Williams have both offices and active, I believe it is more likely than not that either or both, Gierl and/or Williams State my affidavit from the office of the clerk of court in case number 2017CF000230.

11. I charge "Witness" State in affidavit with Obstructing Justice, Wis. Stat. 946.61(1)(b)(2m), Tampering with public records, Wis. Stat. 946.12, Misconduct in public office, Wis. Stat. 946.12, Misconduct of Felon, 18 U.S.C. § 1, Tampering with a witness, victim, or informant, Wis. Stat. 940.42, and, Retaliation against a witness, victim, or informant, Wis. Stat. 940.45.

12. On May 15, 2018, I filed a lawsuit against both Adam K. Gierl and Sandy A. Williams for breach of fiduciary duty as trustees and officers of the Public Trust(s) in the District Court of the United States, District of Columbia, civil action 18-cv-00881-RCL, incorporated herein by reference in its entirety.

I, Steven Allen Magnafici, a beneficiary of the Public Trust, declare under the penalty and penalties of perjury of the laws of the United States of America that the foregoing facts are true and correct, and as for the statements made upon information and belief, I believe and so charge them to be true.

Executed on this December 20, 2018.

Steven Allen Magnafici, beneficiary of the Public Trust

copies to: Scott Walker, Governor
J.B. Van Hollen, Attorney General
T. Doris Moran, Director of State Courts Office
Randy R. Koschnick, Chief Judge of 3rd Federal Administrative District
United State Attorney's Office in Milwaukee, WI

Affidavit of Prejudice, etc, page 2 of 2

CIRCUIT COURT OZAUKEE CO.
STATE OF WISCONSIN } SS:
OZAUKEE COUNTY
I certify that this is a true and correct copy of a document on file and of record in my office and has been compared by me
Clerk of Courts (Deputy) Date

Bias Ex. F, 3 of 4

AFFIDAVIT –
Of Prejudice, and, of Stolen Documents
Ozaukee County Case No. 2011CF000236

1. I, Steven Alan of the family Magritz, a living man, state that I am competent, with sound mind, to testify to the facts herein, am of the age of majority, the facts herein are true, correct, certain, not misleading, and are made upon first-hand knowledge, except those stated upon reason or belief which I verily believe to be true.

2. I do not consent to the proceedings in "Ozaukee County " "Case No. 2011CV000236", have NOT consented in the past, nor will I consent in the future.

3. I am NOT the Defendant in "Case No. 2011CF000236", nor do I consent to be fiduciary, trustee, representative, agent, accommodation party, surety, nor to act in any other way for, or on behalf of, any artificial entity, including but not limited to, the Defendant.

4. I have been arrested without a warrant and falsely imprisoned on what I believe, and so charge, to be a malicious prosecution to cover up not only the crimes of Adam Y. Gerol and Sandy A. Williams, but also the crimes of atty. Dennis E. Kenealy who orchestrated the greatest theft of private property in the history of the county of Ozaukee, the theft of my private property which has been made into a county park known as the "Shady Lane Property", stolen from me at gunpoint and for which I was never compensated a single dime.

5. On October 14, 2015, attorney Gary R. Schmaus personally handed to me what he asserted were copies of ALL the documents in the Clerk of Court's office in "case no. 2011CF000236".

6. I informed Schmaus that there were documents missing, whereupon Schmaus assured me he had given me EVERYTHING in the Clerk of Court's case file.

7. Among the "missing", i.e., STOLEN, documents was my "12/09/2011 Report of Criminal Activity by Victim/Witness" filed on 12-12-2011 and again on 01-05-2012.

8. My stolen affidavits charged attorneys Sandy A. Williams and Adam Y. Gerol with crimes extending back to 2003 and through 2011, which continue to this present day.

9. The crimes I charged against Williams and Gerol were dereliction of duty; misconduct in public office; misprision of felony; tampering with a witness; victim, or an

Bias Ex. F, 4 of 4

informant; and, Retaliation against a witness, victim, or an informant.

10. Since both Adam Gerol and Sandy Williams have both opportunity and motive, I believe it is more likely than not that either, or both, Gerol and/or Williams, stole my affidavits from the office of the clerk of court in "case number 2011CF000236."

11. I charge "Whoever" stole my affidavits with obstructing justice, Wis. Stat. § 946.72; misconduct in public office, Wis. Stat. § 946.12; misprision of felony, 18 U.S.C. § 4; tampering with a witness, victim, or an informant, Wis. Stat. § 943.43; and, Retaliation against a witness, victim, or an informant, Wis. Stat. § 843.45.

12. On May 15, 2012, I filed a lawsuit against both Adam Y. Gerol and Sandy A. Williams for breach of fiduciary duty as trustees and fiduciaries of the Public Trust(s) in the district court of the United States, District of Columbia, case number 12-cv-00806-EGS, incorporated herein by reference in its entirety.

I, Steven Alan Magritz, a beneficiary of the Public Trust, declare under the pains and penalties of perjury of the laws of the United States of America that the foregoing facts are true and correct, and as for any statement made upon information or belief, I believe and so charge them to be true.

Executed on this December 20, 2015.

Steven Alan Magritz, beneficiary of the Public Trust.

copies to: Scott Walker, Governor
J.B. VanHollen, Attorney General
J. Denis Moran, Director of State Courts Office
Randy R. Koschnick, Chief Judge of 3rd Judicial Administrative District
United States Attorney's Office in Milwaukee, WI

Bias Ex. G

STATE OF WISCONSIN CIRCUIT COURT OZAUKEE COUNTY

STATE OF WISCONSIN, plaintiff

v.

STEVEN A MAGRITZ, defendant

Authenticated/Filed
Ozaukee County Circuit
FEB 08 2016 Case No. 2011CF236
Mary Lou Mueller
Clerk of Circuit Court/
Register in Probate

NONCONSENT AND NONACCEPTANCE

I, Steven Alan Magritz, do not consent to the January 29, 2016 and February 1, 2016 proceedings in the above-captioned matter. I do not consent to any prior proceedings, nor will I ever consent in the future.

I do not assent or consent to the "verdict" of the "jury".

I do not accept the "verdict of the jury".

I do not and will not assent to, or consent to, or accept a Judgment of Conviction.

Dated this fourth day of February, 2016 A.D.

By: Steven Alan Magritz, beneficiary of the Public Trust

NOTICE

TAKE NOTICE: The charging statute is unconstitutional as applied to ~~any~~ any man for want of a mens rea requirement, or "element", Judgment notwithstanding the verdict is "obligatory", i.e., not guilty, and acquital. The statute lacks the requisites of an Article I section 2 (Const) crime.

RECEIVED
OZAUKEE COUNTY
CLERK OF CIRCUIT COURT
2016 FEB -8 AM 8:16

ATTACHMENT # 5 of 5, TO:

REQUEST to Circuit Justice Brett Kavanaugh
for a
Certificate of Appealability, Case Number 18-CV-0455,
District Court of the Eastern District of Wisconsin,
to
Seventh Circuit Court of Appeals Case Number 19-1518

Documents attached:

District Court Clerk letter with copy of District Court Docket and Notice of Appeal to Seventh Circuit.

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WISCONSIN
OFFICE OF THE CLERK

362 U.S. COURTHOUSE
517 E. WISCONSIN AVE
MILWAUKEE, WI 53202

STEPHEN C. DRIES
CLERK

TEL: 414-297-3372
FAX: 414-297-3253
www.wied.uscourts.gov

March 21, 2019

Steven Alan Magritz
N53 W34261 Road Q
Okauchee, WI 53069

Re: **Magritz v Litscher**
USDC Case No.: 18-CV-455

Dear Mr. Magritz:

Enclosed please find a copy of your Notice of Appeal to the U.S. Court of Appeals for the Seventh Circuit, which was filed on March 21, 2019. The District Court will ensure that the record is complete and made available electronically to the Court of Appeals within 14 days of filing the notice of appeal. Any confidential record or exhibit that is not available electronically will be prepared and held by the District Court until requested by the Court of Appeals. You must review the docket sheet within 21 days of filing the notice of appeal to ensure that the record is complete.

Motions to correct or modify, supplement, or strike a pleading from the record must first be filed with the District Court. The District Court's ruling on the motion will become part of the record and notice of the decision will be sent to the Court of Appeals.

If a Docketing Statement, as required by Circuit Rule 3(c), was not filed with the Notice of Appeal, it should be filed directly with the Clerk of Court for the U.S. Court of Appeals for the Seventh Circuit. If you have any questions, please feel free to call.

Very truly yours,

STEPHEN C. DRIES
Clerk of Court

By: s/ D. La Brie
Deputy Clerk

Enclosure
cc: Wisconsin Dept of Justice - Habeas

APPEAL,CLOSED,HABEAS

United States District Court
Eastern District of Wisconsin (Milwaukee)
CIVIL DOCKET FOR CASE #: 2:18-cv-00455-LA

Magritz v. Litscher
Assigned to: Judge Lynn Adelman
Case in other court: Ozaukee County Circuit Court; 2011CF236
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 03/22/2018
Date Terminated: 11/28/2018
Jury Demand: None
Nature of Suit: 530 Habeas Corpus (General)
Jurisdiction: Federal Question

Petitioner

Steven Alan Magritz

represented by **Steven Alan Magritz**
N53 W34261 Road Q
Okauchee, WI 53069
PRO SE

V.

Respondent

Jon E Litscher

represented by **Wisconsin Dept of Justice – Habeas**
Email: DLSFedOrdersEastCA@doj.state.wi.us
TERMINATED: 04/16/2018

Daniel J O'Brien
Wisconsin Department of Justice
Office of the Attorney General
17 W Main St
PO Box 7857
Madison, WI 53707-7857
608-266-9620
Fax: 608-266-9594
Email: obriendj@doj.state.wi.us
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
03/22/2018	1	PETITION for Writ of Habeas Corpus filed by Steven Alan Magritz. (Filing Fee PAID $5 receipt# MK4689-070927) (Attachments: # 1 Exhibits, # 2 Appendix to Writ of Error, # 3 Amended Petition for Common Law, # 4 Exhibit List for Amended Petition)(jcl) (Entered: 03/23/2018)
03/22/2018	2	REFUSAL to Consent to Jurisdiction by US Magistrate Judge by Steven Alan Magritz. (jcl) (Entered: 03/23/2018)
03/30/2018	3	IT IS ORDERED that within 60 days of the date of this order respondent either answer the petition, complying with Rule 5 of the Rules Governing § 2254 Cases, or file a dispositive motion. FURTHER ORDERED that the parties shall abide by the following schedule regarding the filing of briefs on the merits of petitioners claims: (1) petitioner shall have 45 days following the filing of respondents answer within which to file his brief in support of his petition; (2) respondent shall have 45 days following the filing of petitioners initial brief within which to file a brief in opposition; and (3) petitioner shall have 30 days following the filing of respondents opposition brief within which to file a reply brief, if any. Signed by Judge Lynn Adelman on 03/29/2018. (cc: all counsel, petitioner)(lls)
04/05/2018	4	ACCEPTANCE OF SERVICE BY DOJ as to Jon E Litscher (Kawski, Clayton)
04/16/2018	5	NOTICE of Appearance by Daniel J O'Brien on behalf of Jon E Litscher. Attorney(s) appearing: Daniel J. O'Brien (Attachments: # 1 Certificate of Service)(O'Brien, Daniel)

05/29/2018	6	MOTION to Dismiss by Jon E Litscher. (Attachments: # 1 Exhibit A – Local Rules, # 2 Certificate of Service)(O'Brien, Daniel)
05/29/2018	7	BRIEF in Support filed by Jon E Litscher re 6 MOTION to Dismiss . (Attachments: # 1 Exhibit A – Judgment of Conviction, # 2 Certificate of Service)(O'Brien, Daniel)
07/12/2018	8	BRIEF in Opposition filed by Steven Alan Magritz re 6 MOTION to Dismiss . (jcl)
07/12/2018	9	AFFIDAVIT of Bias (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(jcl)
07/12/2018	10	MANDATORY JUDICIAL NOTICE by Steven Alan Magritz (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G, # 8 Exhibit H, # 9 Exhibit I, # 10 Exhibit J)(jcl)
07/20/2018	11	MOTION for Summary Judgment by Steven Alan Magritz. (jcl) (Main Document 11 replaced on 7/23/2018) (jcl). (Entered: 07/23/2018)
07/20/2018	12	STATEMENT OF FACT by Steven Alan Magritz. (jcl) (Entered: 07/23/2018)
07/20/2018	13	BRIEF in Support filed by Steven Alan Magritz re 11 MOTION for Summary Judgment. (jcl) (Entered: 07/23/2018)
08/13/2018	14	REPLY BRIEF in Support filed by Jon E Litscher re 6 MOTION to Dismiss . (Attachments: # 1 Certificate of Service)(O'Brien, Daniel)
11/13/2018	15	DOCUMENTS RECEIVED– Verified Bill Quia Timet from Steven Alan Magritz (jcl) (Entered: 11/14/2018)
11/28/2018	16	ORDER signed by Judge Lynn Adelman on 11/28/18. IT IS ORDERED that the respondent's motion to dismiss the petition is GRANTED and that the petitioner's motion for summary judgment is DENIED. (cc: all counsel, petitioner) (jad)
11/28/2018	17	JUDGMENT signed by Deputy Clerk on 11/28/18. (cc: all counsel, petitioner)(jad)
12/20/2018	18	MOTION For Relief by Steven Alan Magritz (jcl)
12/20/2018	19	BRIEF in Support filed by Steven Alan Magritz re 18 MOTION to Set Aside Judgment. (Attachments: # 1 Praecipe to the Clerk, # 2 Certificate of Service)(jcl)
02/04/2019	20	REQUEST– Demand for Granting 18 Motion for Relief by Steven Alan Magritz. (Attachments: # 1 Praecipe to the Clerk, # 2 Certificate of Service)(jcl) (Entered: 02/05/2019)
02/22/2019	21	ORDER signed by Judge Lynn Adelman on 2/22/19 denying 18 Motion to Set Aside Judgment. (cc: all counsel, petitioner) (jad)
02/28/2019	22	MOTION for Reconsideration of 18 Motion for Relief by Steven Alan Magritz. (jcl) (Additional attachment(s) added on 2/28/2019: # 1 Praecipe to the Clerk, # 2 Certificate of Service) (jcl).
02/28/2019	23	DOCUMENTS RECEIVED– Refused for Fraud from Steven Alan Magritz (Attachments: # 1 Exhibit) (jcl)
03/04/2019	24	ORDER signed by Judge Lynn Adelman on 3/4/19 denying 22 Motion for Reconsideration. (cc: all counsel, petitioner) (jad)
03/12/2019	25	MOTION for Relief by Steven Alan Magritz. (jcl)
03/12/2019	26	BRIEF in Support filed by Steven Alan Magritz re 25 MOTION for Relief. (jcl)
03/18/2019	27	ORDER signed by Judge Lynn Adelman on 3/18/19 denying 25 Motion for Relief. (cc: all counsel, petitioner) (jad)
03/21/2019	28	NOTICE OF APPEAL as to 17 Judgment, 21 Order on Motion to Set Aside Judgment, 27 Order on Motion for Relief by Steven Alan Magritz. Filing Fee PAID $505, receipt number mk4689077669 (cc: all counsel) (dl)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

Steven Alan Magritz

Plaintiff,

v.

Jon E. Litscher

Defendant.

NOTICE OF APPEAL

Case No. 18-C-0455

Notice is given that the plaintiff/~~defendant~~, Steven Alan Magritz, appeals to the United States Court of Appeals for the Seventh Circuit from the final judgment entered in this action on 11/28/2018; Rule 60 motions 02/22/2019 & 03/18/2019.

Dated and signed this twenty-first day of March, 2019 A.D..

Milwaukee, Wisconsin.

The REQUEST to Circuit Justice Brett Kavanaugh for a Certificate of Appealability dated March 21, 2019 A.D. and the four Attachments thereto are part and parcel of this Notice and are incorporated herein by reference in their entirety as if fully reproduced herein.

By: Magritz, Steven Alan, Agent
(Signature)

Attn: Magritz, Steven Alan, Agent
c/o N53 W34261 Road Q
(Street Address)

Okauchee, Wisconsin [53069]
(City, State, Zip)