

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

WILLIAM M. WINDSOR,)
Plaintiff)
)
v.) CIVIL ACTION NO.
)
Christopher Huber, Sally Quillian Yates, William S.)
Duffey, Thomas Woodrow Thrash, Orinda D. Evans, Julie) 2011CV202457
E. Carnes, Steve C. Jones, Timothy C. Batten, Clarence)
Cooper, J. Owen Forrester, Willis B. Hunt, Harold L.)
Murphy, William C. O’Kelley, Charles A. Pannell, Marvin)
H. Shoob, Richard W. Story, G. Ernest Tidwell, Amy)
Totenberg, Robert L. Vining, Horace T. Ward, Janet F.)
King, Susan S. Cole, Alan J. Baverman, Gerrilyn G. Brill,)
C. Christopher Hagy, Linda T. Walker, Walter E. Johnson,)
E. Clayton Scofield, Russell G. Vineyard, James N.)
Hatten, Anniva Sanders, Joyce White, Beverly Gutting,)
Margaret Callier, Douglas J. Mincher, B. Grutby, Jessica)
Birbaum, Vicki Hanna, John Ley, Joel F. Dubina, Ed)
Carnes, Rosemary Barkett, Frank M. Hull, James Larry)
Edmondson, Stanley Marcus, William H. Pryor, Gerald)
Bard Tjoflat, Susan H. Black, Charles R. Wilson, James C.)
Hill, Beverly B. Martin, Peter T. Fay, Phyllis A. Kravitch,)
R. Lanier Anderson, Emmett Ripley Cox, Paul Howard,)
Jr., Neeli Ben-David, John A. Horn, and Unknown Does,)
Defendants.)
_____)

MOTION FOR FURTHER CONSIDERATION OF
MOTIONS FOR TEMPORARY RESTRAINING ORDERS

William M. Windsor (“Windsor” or “Plaintiff”) hereby files this MOTION
FOR FURTHER CONSIDERATION OF MOTIONS FOR TEMPORARY

RESTRAINING ORDERS. As grounds for this Motion, Windsor shows that immediate and irreparable injury and damage will result to him unless the Defendants are temporarily restrained and preliminarily enjoined, all as more fully shown by Plaintiff's VERIFIED COMPLAINT filed on June 23, 2011 to commence this Civil Action. Windsor shows the Court as follows:

FACTUAL BACKGROUND

1. On June 23, 2011, Windsor filed a VERIFIED COMPLAINT to commence this Civil Action.
2. The Factual Background in the VERIFIED COMPLAINT to commence this Civil Action is referenced and incorporated herein as if attached hereto.
3. On June 23, 2011, Windsor filed two EMERGENCY MOTIONS FOR TEMPORARY RESTRAINING ORDER AND HEARING.
4. On June 24, 2011, an ex parte hearing was held before Judge Craig L. Schwall.
5. During the hearing, Judge Schwall questioned whether he had the authority to order a federal judge to do anything, and he indicated to Windsor that he would consider any case law to that effect. Judge Schwall also commented about judicial immunity.

6. Windsor appealed for help to over 2,000 contacts on the Internet who are interested in judicial reform. On June 25 and 26, 2011, hundreds of researchers assisted Windsor, and not one found a case that says a state court judge can't order an individual who happens to be a federal judge to refrain from doing something personally. And not one found a case that says a state court judge can order a federal judge to do anything. Windsor and the researchers found no case that says a state court judge cannot issue a TRO that places restrictions on a citizen of the state who also happens to be a judge. Windsor and the researchers found tens of thousands of cases that say a state court judge can order whatever is needed in a temporary restraining order to preserve the status quo.

7. On June 28, 2011, Windsor filed this Motion for Further Consideration. Windsor emailed Judge Schwall's assistant to ask how this motion should be titled, and there was no response. If this is a "reconsideration," please consider it so. It is the content that is important.

ARGUMENT AND AUTHORITIES

8. Windsor respectfully submits that Judge Schwall does have authority to refuse to grant the temporary relief that Windsor is seeking. Windsor is seeking to maintain the status quo and is asking Judge Schwall to restrain the Defendants so they will not commit wrongdoing pending a preliminary injunction hearing.

This is what Judge Schwall is empowered to do in matters involving citizens of Georgia and Fulton County.

9. Windsor presents five arguments for why Judge Schwall must grant this motion and one alternative.

(1) Judge Schwall's Oath of Office requires that he grant the requested Temporary Restraining Order.

(2) Temporary Restraining Orders are properly issued by judges of the Fulton County Superior Court, are proper in this case, and are mandatory when the requirements are met.

(3) The Defendants do not have immunity in this matter.

(4) Georgia state court judges can and must prohibit unconstitutional acts.

(5) The Tenth Amendment reserves all powers to the states that are not granted to the federal government, so the Tenth Amendment empowers Judge Schwall to issue this Temporary Restraining Order.

(6) In the alternative, Windsor asks that this Court issue certified questions of law to the Georgia Supreme Court.

JUDGE SCHWALL'S OATH OF OFFICE REQUIRES THAT HE GRANT THE REQUESTED TEMPORARY RESTRAINING ORDER

10. This Court has an obligation to Georgia citizens such as Windsor to "insure justice to all..." So says the Preamble to the Georgia Constitution, and this

is emphasized in the Bill of Rights to the Georgia Constitution. Windsor has been denied justice through the efforts of what he believes a jury will declare to be in violation of the Georgia RICO statutes. (VERIFIED COMPLAINT, ¶1.)

11. Judge Schwall is obligated to his Oath of Office:

“I swear that I will administer justice without respect to person and do equal rights to the poor and the rich and that I will faithfully and impartially discharge and perform all the duties incumbent on me as judge of the superior courts of this state, according to the best of my ability and understanding, and agreeably to the laws and Constitution of this state and the Constitution of the United States. So help me God.” (O.C.G.A. § 15-6-6; O.C.G.A. 45-3-1.)

12. Article I, Section I, Paragraph I of the Georgia Constitution that Judge Schwall is duty-bound to enforce provides that:

“No person shall be deprived of life, liberty, or property except by due process of law.” Article I, Section I, Paragraph II of the Georgia Constitution provides that “Protection to person and property is the paramount duty of government and shall be impartial and complete. No person shall be denied the equal protection of the laws.” Article I, Section I, Paragraph IX of the Georgia Constitution provides that “The people have the right to assemble peaceably for their common good and to apply by petition or remonstrance to those vested with the powers of government for redress of grievances.” Article I, Section I, Paragraph XII of the Georgia Constitution provides that “No person shall be deprived of the right to prosecute or defend, either in person or by an attorney, that person's own cause in any of the courts of this state.” (VERIFIED COMPLAINT, ¶2.)

13. Windsor has been denied these rights by people operating corruptly in and criminally in Fulton County, Georgia by Defendants. (VERIFIED COMPLAINT, ¶3.)

TEMPORARY RESTRAINING ORDERS ARE PROPERLY ISSUED
BY JUDGES OF THE FULTON COUNTY SUPERIOR COURT,
ARE PROPER IN THIS CASE, AND ARE MANDATORY
WHEN THE REQUIREMENTS ARE MET.

14. TROs are appropriate relief in Fulton County Superior Courts. Judge Schwall and Fulton County Superior Court judges regularly issue TROs, such as *Cousins v. Macedonia Baptist Church of Atlanta*, 662 S.E.2d 533, 283 Ga. 570 (Ga. 06/02/2008).

15. TROs are appropriate relief for claims under the Georgia RICO Act, the primary claim in this Civil Action.

(Huffman v. Armenia, No. A06A2105 (Ga.App. 03/20/2007).) *Cotton, Inc. v. Phil-Dan Trucking, Inc.*, 270 Ga. 95, 507 S.E.2d 730 (Ga. 11/02/1998).)

16. TROs are necessary relief. TROs are granted on a myriad of issues. The purpose is always to avoid irreparable harm. Windsor is in the unique position of being able to prove to Judge Schwall exactly the irreparable harm that he has already experienced.

“A motion for interlocutory injunction or a TRO is an extraordinary motion, which is time sensitive, unlike other motions, because it seeks to preserve the status quo until a full hearing can be held to avoid irreparable harm.” *Focus Entertainment International, Inc., v. Partridge Greene, Inc.* (253 Ga. App. 121) (558 SE2d 440) (2001). A TRO suspends proceedings until the court can determine whether an injunction should issue. (United States v. DBB, Inc., 180 F.3d 1277, 1282 (11th Cir. 1999); Empire State Business, LLC v. Farmers and Merchant Bank, No. CV208-66 (S.D.Ga. 06/03/2008).)

17. Windsor has satisfied all elements necessary for a temporary restraining order to issue.

18. TROs may be issued against individuals as well as various types of entities. In this Civil Action, each of the Defendants has been sued personally as individuals. None of the Defendants have been sued in their official capacities. This is very important since one of the two concerns expressed by Judge Schwall is whether he can issue a TRO against an federal judge.

19. TROs may be issued against judges. (*Michael L. Stamper v. Stephen L. Bates, Circuit Court Judge*, Grant County Circuit Court, Kentucky (May 20, 2011).) See Exhibit 1 hereto.

20. But when a judge is sued individually, his or her official capacity is not relevant. The job functions and titles of the Defendants in this matter are secondary to the fact that they are being sued as individuals for acts that they took personally. Judge Schwall is asked to recognize that Windsor is seeking a TRO on individuals not officials, on people, not judges or court clerks.

21. There is no law that says a TRO cannot be issued against a person who happens to be a judge. Windsor and his volunteer researchers have researched the laws nationwide and have found no such law. (Copies of the research efforts are available for review by this Court upon request. The results simply show how

searches on versuslaw.com, yahoo, Google, and other resources returned nothing applicable after Boolean logic was continually tweaked to eliminate garbage returns.)

22. There is no case law that says a TRO cannot be issued by a state judge against a federal judge. Windsor and his volunteer researchers have researched the laws nationwide and have found no such case law.

23. There is no case law that says a TRO cannot be issued by a state judge against a person who happens to be employed as federal judge or government employee. Windsor and his volunteer researchers have researched the laws nationwide and have found no such case law.

24. So, in answer to Judge Schwall's comment at the hearing, there is absolutely no statute or case law that would deny him from issuing the requested Temporary Restraining Order.

THE DEFENDANTS DO NOT HAVE IMMUNITY IN THIS MATTER

25. The issue of immunity is not relevant at this stage as it may be only raised as an affirmative defense, but it seemed to have some importance to Judge Schwall. The individuals sued in the Civil Action do not have immunity.

26. In addition, the individuals sued in this Civil Action do not qualify for removal pursuant to 28 U.S.C. 1442(a)(1).

27. Judges and judicial and government employees can be sued for conspiracy and for acts taken in other than judicial roles.

28. A judge can be liable for participating in a conspiracy if the acts indicating participation were taken by the judge "otherwise than in his judicial role." *Slavin v. Curry*, 574 F.2d 1256, 1264 (5th Cir.), modified, 583 F.2d 779 (1978).

Beard specifically alleged that Judge Greer conspired to incarcerate him. Judge Greer's participation in the conspiracy is evidenced by his statement to Judge McDonald that there was a TRO in effect when Judge Greer allegedly knew it had expired. This statement was made only after Judge Greer had already discussed with Udall and Sheriff Lee the events relating to the charges against Beard. Judge McDonald's affidavit testimony sufficiently raises a genuine issue of material fact regarding the existence of an agreement and Beard, therefore, has successfully withstood Judge Greer's motion for summary judgment. **If, at trial after remand, Beard proves that there was a prior, private agreement between Judge Greer and Udall to mislead Judge McDonald, then Judge Greer would not enjoy immunity because, under Rankin, the agreement would not have been a judicial act.** Judge Greer would then be subject to liability for the damage suffered by Beard as a result of the conspiracy if Beard shows that the conspiracy violated rights protected by section 1983. (*Beard v. Udall*, 648 F.2d 1264 (9th Cir. 04/01/1981).) [**emphasis added.**]

In *Stump*, the Supreme Court stated that state judges enjoy absolute immunity from § 1983 liability for "judicial" acts not taken "in the 'clear absence of all jurisdiction.'" Id. at 357, 98 S. Ct. at 1105, quoting *Bradley v. Fisher*, 80 U.S. 335, 13 Wall 335, 20 L. Ed. 646 (1872). The Court stated that **factors to be considered in determining whether an act is a "judicial" one include analysis of "the nature of the act itself, i.e., whether it is a function normally performed by a judge...."**

The Ninth Circuit applied these standards to a § 1983 suit against a judge based upon allegations that the Kansas judge had participated in an attempt to "deprogram" him from the Unification Church. See *Rankin v. Howard*, 633 F.2d 844 (9th Cir. 1980), cert. denied, 451 U.S. 939, 101 S. Ct. 2020, 68 L. Ed. 2d 326 (1981). The plaintiff had "alleged that the judge, prior to the initiation of the actual proceeding, had agreed with the parents to grant a guardianship petition, despite the fact that the judge knew (plaintiff) was not a Kansas resident." *Beard v. Udall*, 648 F.2d 1264, 1268 (9th Cir. 1981) (per curiam). Noting the Stump standards, the Rankin Court held that if plaintiff's allegations were proven true, "the judge would not enjoy judicial immunity because: (1) by imposing a temporary guardianship over a non-resident, the judge acted in the clear absence of jurisdiction; and (2) by agreeing in advance to grant the petition, he acted non-judicially." *Id.* The Court explained that, (although) a party conniving with a judge to predetermine the outcome of a judicial proceeding may deal with him in his "judicial capacity,' the other party's expectation, i.e., judicial impartiality, is actively frustrated by the scheme. In any event, the agreement is not "a function normally performed by a judge.' It is the antithesis of the "principled and fearless decisionmaking' that judicial immunity exists to protect. 633 F.2d at 847 (citations omitted). The Court added that "a judge's private, prior agreement to decide in favor of one party is not a judicial act." *Id.* Thus, the Court concluded, the judge could be held liable for such nonjudicial acts. *Id.* at 847-48. The Court also determined that if the judge knew that he had no jurisdiction over the matter, he would be responsible for the consequences of his actions. *Id.* at 849.

Similarly, in *Harper v. Merckle*, 638 F.2d 848 (5th Cir. 1981), a state judge allegedly jailed his friend's former husband to help his friend. The plaintiff had entered the judge's chambers merely to drop off a support payment for his former wife. The judge appeared without judicial attire and questioned plaintiff. When plaintiff refused to be sworn in for questioning by the judge and walked out of chambers, the judge ordered plaintiff apprehended for contempt of court. The judge then held a hearing, found plaintiff in contempt of court, and jailed plaintiff for three days.

"...when it is beyond reasonable dispute that **a judge has acted out of personal motivation and has used his judicial office as an offensive weapon to vindicate personal objectives...then the judge's actions do**

not amount to "judicial acts." These nonjudicial acts, to state the obvious, are not cloaked with judicial immunity from suit under § 1983. (*Brooks v. Fitch*, 534 F. Supp. 129 (D.N.J. 12/7/1981).) **emphasis added.**]

"This court, relying on the Supreme Court's decision in *Stump v. Sparkman*, 435 U.S. 439, 98 S.Ct. 1099, 55 L.Ed.2d 331 (1978), held that **a judge does not enjoy judicial immunity if the judge's actions were either non-judicial or taken in clear absence of all jurisdiction.** *Rankin*, 633 F.2d at 850. See also *Lopez v. Vanderwater*, 620 F.2d 1229, 1233 (7th Cir.), cert. dismissed, -- U.S. --, 101 S.Ct. 601, 66 L.Ed.2d 491 (1980). We then held that if Rankin's allegations were true, the judge would not enjoy judicial immunity because: (1) by imposing a temporary guardianship over a non-resident, the judge acted in the clear absence of jurisdiction; and (2) **by agreeing in advance to grant the petition, he acted non-judicially.** *Rankin*, supra. We therefore reversed the district court's summary judgment and remanded for further consideration. *Id.* (*Beard v. Udall*, 648 F.2d 1264 (9th Cir. 04/01/1981).) **emphasis added.**] (See also *Carter v. Ruprecht*, 532 F. Supp. 383 (D.Nev. 12/23/1981).)

In the instant case Beard's complaint can be construed to allege four wrongful acts by Judge Greer: (1) that Judge Greer acted in the clear absence of jurisdiction when he considered the custody modification proceeding and entered the TRO; (2) that Judge Greer acted in the absence of jurisdiction by failing to follow the procedures established by the applicable Arizona statutes and regulations; (3) that Judge Greer conspired with Udall to enter the TRO; and (4) that Judge Greer conspired with Udall and Sheriff Lee to jail Beard. The first two alleged wrongs raise the question whether Judge Greer acted in the clear absence of jurisdiction, and the last two require a determination whether Judge Greer acted non-judicially. (*Beard v. Udall*, 648 F.2d 1264 (9th Cir. 04/01/1981).) **emphasis added.**]

The decisions in *Sevier v. Turner*, 742 F.2d 262 (6th Cir. 1984), *Lopez v. Vanderwater*, 620 F.2d 1229 (7th Cir.), cert. denied, 449 U.S. 1028, *Harris v. Deveaux*, 780 F.2d 911 (11th Cir. 1986), *Harper v. Merckle*, 638 F.2d 848 (5th Cir. 1981), and *Malina v. Gonzales*, 994 F.2d 1121 (5th Cir. 1993), reveal a common theme: despite its breadth, the doctrine of absolute judicial immunity does not protect a judge from non-judicial functions. See *Adams v. McIlhany*, 764 F.2d 294, 297 n.1 (5th Cir. 1985) (stating that exceptions

to absolute judicial immunity "should be as narrowly construed as reasonably possible"), cert. denied, 474 U.S. 1101 (1986). (*Barnes v. Winchell*, 105 F.3d 1111 (6th Cir. 02/03/1997).)

All judges, including state judges, are absolutely immune from liability under § 1983 arising out of the performance of their judicial functions. *Brookings v. Clunk*, 389 F.3d 614, 617 (6th Cir. 2004). The only two instances in which judicial immunity does not apply are as follows: (1) when the judge's actions are non-judicial (i.e., when the actions are not taken in the judge's judicial capacity); or (2) when the judge's actions were taken without jurisdiction. *Mireles v. Waco*, 502 U.S. 9, at 11-12 (1991); *Brookings v. Clunk*, 389 F.3d 614, 617 (6th Cir. 2004).

29. Windsor prepared a Memorandum of Law on Judicial Immunity in 2010 that has been filed in one or more of the federal court actions. Windsor modified it slightly to be used in this Civil Action. Exhibit 2 is a true and correct copy of this Memorandum of Law ("MEMORANDUM"), referenced and incorporated herein. This MEMORANDUM provides specific case law to establish that the Defendants do not have personal immunity for the causes of action in the VERIFIED COMPLAINT.

30. The concept of immunity established by The Supreme Court was that "a judicial officer, in exercising the authority vested in him, [should] be free to act upon his own convictions, without apprehension of personal consequence to himself." (*Bradley v. Fisher*, 80 U.S. (13 Wall.) 335, 347, 20 L. Ed. 646 (1872).) [MEMORANDUM, ¶5.]

31. This is **NOT** the issue in this Civil Action. [MEMORANDUM, ¶6.]

32. In 1991 in *Mireles v. Waco*, 502 U.S. 9,112 S. Ct. 286 (1991), the Supreme Court requires a two-prong test: (1.) Does the court have subject matter jurisdiction; (2.) Is the act a judicial act. Then and only then, according to *Mireles* (1991) does judicial immunity apply. [MEMORANDUM, ¶50.]

33. It was this very test and the extra-judicial acts of Judge G. Michael Hocking, of Michigan's 56th Circuit Court that led the federal court for the western district of Michigan to enter a directed verdict against the judge. (*McPherson v. Kelsey*, No. 95-2234 (6th Cir. 10/01/1997).) [MEMORANDUM, ¶51.]

34. *Mireles* recognized that a judge is not absolutely immune from criminal liability. [MEMORANDUM, ¶52.] *Mireles* also says: "First, a judge is not immune from liability for nonjudicial actions, i.e., actions not taken in the judge's judicial capacity. [MEMORANDUM, ¶53-56.] Windsor presented many nonjudicial actions by Defendants in the Verified Complaint, and he has alleged the absence of jurisdiction.

35. These are functions never to be performed by a judge: Perjury, Obstruction of Justice, Witness Tampering, False Swearing, Subornation of Perjury, Conspiracy to Suborn Perjury, Accessory after the Fact, and more. No criminal offense is a function to be performed by a judge.

36. The judges' actions in engaging in the conspiracy are not part of a function normally performed by judges, and thus are non-judicial. Judges do not have immunity for non-judicial acts.

37. Decisions since *Bradley v. Fisher* in the 1800's have consistently adhered, either explicitly or implicitly, to the proposition that official immunity, whether absolute or qualified, extends only so far as the affected government official's authority. [MEMORANDUM, ¶64.]

38. Judges should not be given immunity when the independence of the judiciary is not an issue. [MEMORANDUM, ¶67.]

39. The Supreme Court says it is the character of the act that is key, not the position of the actor. So, it is what the judge does, not the fact that he/she is a judge. [MEMORANDUM, ¶68.]

40. None of the Defendants have immunity for non-judicial acts. (*Shore v. Howard*, 414 F.Supp 379 (N.D.Tex. 05/20/1976).) [MEMORANDUM, ¶69.]

41. Courts have repeatedly ruled that judges have no immunity for their criminal acts. Since acts complained of in the Verified Complaint are criminal acts, Defendants have no immunity to engage in such acts. (*O'Shea v. Littleton*, 414 U.S. 488, 503 (1974).) [MEMORANDUM, ¶70.]

42. Defendant judges have excluded evidence of crimes. They have pretended the evidence doesn't exist, and they have told the appellate courts that the evidence doesn't exist.

43. When Defendants acted as they have, they went way past the point at which judicial immunity could be justified. The actions were criminal, and they were intentional. This Civil Action appears to be the only way that the legal or judicial system will ever do anything about it.

44. Windsor has sued for RICO, and Windsor has identified a number of predicate criminal acts, including perjury, subornation of perjury, and conspiracy. In a 2005 cocaine case, Judge Mary Waterstone has been charged with conspiracy, perjury, subornation of perjury, and misconduct in office. Judge Waterstone's attorney filed a motion to dismiss the charges on the ground that a judge's rulings during a trial, even if wrong, cannot be the basis for a criminal prosecution. That argument would have merit under most circumstances. If a judge could be prosecuted for getting the law wrong, nearly all judges would be criminals. Judges have immunity from civil liability for decisions they make from the bench, and Waterstone's lawyers argue that the policy underlying immunity -- protecting judicial independence -- should apply to criminal prosecutions that are based on a judge's judicial rulings. But Waterstone didn't just make a bad ruling; she

conspired with a prosecutor who suborned perjury to conceal the perjury, and in the process assured the violation of an accused person's due process right to a fair trial and to the disclosure of exculpatory evidence. The government's position is the fact that she wore a robe while doing so should not excuse her criminal conduct. The integrity of the criminal justice system depends upon lawyers and judges playing by the rules -- particularly rules that prohibit the knowing submission of untruthful testimony to juries. If anything, it is more detrimental to justice for a judge, whose duty is to remain impartial, to conspire to suborn perjury than it is for a lawyer, whose job is to act as an advocate.

(<http://www.foxnews.com/story/0,2933,510391,00.html>)

45. Under Georgia law O.C.G.A. 17-1-4 and the court's inherent powers, the orders and judgment in MIST-1 can be set aside due to perjury. Defendants have blocked Windsor's legal right to this relief by ignoring the perjury and refusing to have it considered. This is obstruction of justice.

46. In an action for Fraud Upon the Courts by judicial officers including the judge, there can be no immunity for the judicial officers. The judges are indispensable parties to this litigation. Based upon Windsor's research, he believes there is no case law based upon similar facts that says immunity is allowed in a case such as this.

47. *Bulloch v. United States* makes it CLEAR that fraud upon the courts is a proper action against a judge. [MEMORANDUM, ¶85-86.]

48. Windsor's Constitutional rights have been violated. Defendants committed crimes for the purpose of depriving Windsor of his Constitutional rights. There is no immunity. [MEMORANDUM, ¶87-88.]

49. Windsor has been denied due process and equal protection. Windsor's civil and Constitutional rights are being violated under color of law. Windsor has biased judges at the District Court and Eleventh Circuit committing criminal acts. His access to the courts has been blocked. [MEMORANDUM, ¶89-95.]

50. The Defendants are members of an enterprise involved in RICO violations. The judges are indispensable parties to this litigation, and they have no immunity. [MEMORANDUM, ¶96-99.]

51. Defendant judges have not had jurisdiction, so there is no immunity. [MEMORANDUM, ¶100-102.]

52. Denial of immunity is justified on grounds that Defendant Judges have committed crimes.

“...not every action by a judge is in the exercise of his judicial function. ... it is not a judicial function for a judge to commit an intentional tort even though the tort occurs in the courthouse. When a judge acts as a trespasser of the law, when a judge does not follow the law, the judge loses subject-

matter jurisdiction and the judges' orders are void, of no legal force or effect." (*Yates v. Village of Hoffman Estates, Illinois*, 209 F. Supp. 757 (N.D. Ill. 1962).)

53. The judicial Defendants violated mandatory statutes. The judicial Defendants acted in excess of their authority; they acted in ways that no legislature contemplated any judge to act. The judicial Defendants acted criminally. The judicial Defendants intentionally discriminated against Windsor. Judicial immunity is not only logically indefensible and shameful, it is unconstitutional.

Mr. Justice Douglas's eloquent dissent in *Pierson* noted that the Congressional Globe revealed that §1983 applied to "any person" and that "[t]here was no exception for members of the judiciary." The honorable justice also invoked quotations from *Gregoire v. Biddle*, *Baker v. Carr*, *Monroe v. Pape*, and an English case, *Dawkins v. Lord Paulet*, quoting Chief Justice Cockburn. (*Pierson v. Ray*, 386 U.S. 547, 18 L. Ed. 2d 288, 87 S. Ct. 1213 (1967).)

54. This is not the case of someone making unsubstantiated accusations. Windsor has provided the proof of the criminal acts. His affidavits have not been controverted.

55. The Eleventh Circuit expressed appropriate concern for criminal violations by federal judges in *United States v. Hastings*, 681 F.2d 706 (11th Cir. 07/12/1982):

"The rule of absolute immunity from criminal prosecution of active federal judges for acts committed in their official capacities poses too great a threat to the public interest in the rule of law to be adopted by this court. Indeed, the miniscule increment in judicial independence that might be derived

from the proposed rule would be outweighed by the tremendous harm that the rule would cause to another treasured value of our constitutional system: no man in this country is so high that he is above the law. It is the only supreme power in our system of government, and every man who by accepting office participates in its functions is only the more strongly bound to submit to that supremacy."

56. When a judge does not comply with the law, he/she is not acting as a judge under the law. He/she does not hold any office for the United States because he/she has failed to meet the federal statutory prerequisites that would support the Constitutional mandate to which all judges shall be bound.

57. By failing to follow proper procedure, Defendant judges have violated Windsor's civil rights as they have been acting in the absence of all jurisdiction.

58. Defendants have violated Windsor's civil and Constitutional rights under color of law.

"Judges cannot invoke judicial immunity for acts that violate litigants civil rights." *Robert Craig Waters. Tort & Insurance Law Journal*, Spr. 1986.

GEORGIA STATE COURT JUDGES CAN AND MUST
PROHIBIT UNCONSTITUTIONAL ACTS.

59. A state court judge can prohibit an unconstitutional removal by litigants before him. It is an obligation of the Georgia Constitution and Judge Schwall's Oath of Office.

60. On June 27, 2011, Defendant Thomas Woodrow Thrash issued a preliminary injunction against Governor Nathan Deal in Civil Action 1:11-CV-

01804-TWT (Docket #93) that blocks parts of Georgia's new immigration law.

The law was set to take effect on July 1, 2011. Thrash claims it is unconstitutional.

61. If a federal judge has the right to enjoin acts that he rules are unconstitutional, surely state court judges have that same right.

62. A Writ of Ne Exeat might be issued to preserve jurisdiction. A Writ of Ne Exeat may be issued to restrain a person from leaving the jurisdiction of the state. (O.C.G.A. § 23-3-20.) *Ayers, et al v. Baker, et al*, 114 S.E.2d 847, 216 Ga. 132 (06/09/60). The illegal removal of a state court action to a federal court serves to allow a person to "leave the jurisdiction of the State."

THE TENTH AMENDMENT RESERVES ALL POWERS TO THE STATES THAT ARE NOT GRANTED TO THE FEDERAL GOVERNMENT, SO THE TENTH AMENDMENT EMPOWERS JUDGE SCHWALL TO ISSUE THIS TEMPORARY RESTRAINING ORDER.

63. The Tenth Amendment explicitly states the Constitution's principle of federalism by providing that powers not granted to the federal government nor prohibited to the states by the Constitution are reserved, respectively, to the states or the people. Several states have introduced various resolutions and legislation in protest to federal actions. Despite this, the Supreme Court has explicitly rejected the idea that the states can nullify federal law.

"Federalism secures the freedom of the individual. It allows States to respond, through the enactment of positive law, to the initiative of those who

seek a voice in shaping the destiny of their own times without having to rely solely upon the political processes that control a remote central power.” (BOND v. UNITED STATES, CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT, No. 09–1227. Argued February 22, 2011—Decided June 16, 2011

64. Congress cannot constitutionally provide for removal in a case which could not have been commenced at the outset in federal court. As Windsor has sued civilly under the Georgia RICO statute, there is no federal law that allows removal. Congress cannot constitutionally provide for removal, even if the Defendants attempt to shield themselves under federal law.

65. This matter may be reviewed first on the original and appellate jurisdiction of state courts, then the appellate jurisdiction of federal courts.

66. Judge Schwall and state judges must uphold the U.S. Constitution, as provided in their Oath of Office.

67. The state court in Georgia can therefore by proper writ, order and enjoin the wrongful, unconstitutional removal to federal court.

68. *Kelly v. Strouse*, 116 Ga. 874 8, 43 S.E. 280 (1903) provides that when a grave injustice is about to be done under the forms of law, it is not only the right, but it is the duty of the judge of his own motion to interpose and give the case such direction as will prevent a result that would be inconsistent with the law.

69. Georgia State Bar Rules regarding false claims and obstruction of justice are being violated by the U.S. Attorney, and the requested TRO relief will serve to stop some or all of this as well.

REQUEST FOR INJUNCTIVE RELIEF

70. Unless Defendants are enjoined from committing certain acts, Windsor will suffer immediate and irreparable harm. The harm suffered by Windsor far exceeds any inconvenience that would be caused to Defendants. The equities clearly balance in Windsor's favor; he has no adequate remedy at law.

71. WINDSOR has shown in the Motions for TRO that he has met the requirements for a TRO to issue.

“A motion for interlocutory injunction or a TRO is an extraordinary motion, which is time sensitive, unlike other motions, because it seeks to preserve the status quo until a full hearing can be held to avoid irreparable harm.” *Focus Entertainment International, Inc., v. Partridge Greene, Inc.* (253 Ga. App. 121) (558 SE2d 440) (2001).

72. Each of the requested items of relief are presented immediately below with a brief explanation for why the relief must be granted:

- a. “that Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from filing anything in this court without proof that they have been served with the Summons and Complaint.” *This is Georgia law, so this Court has the obligation to do whatever is*

needed to ensure that Georgia law is not violated. In this case, Windsor has already proven that the Defendants have previously violated the law in this regard three (3) times.

- b. “that Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from filing anything in this court without an appearance either pro se or by an attorney with a sworn affidavit authorizing the attorney to appear for them.” *Georgia law requires appearances and authorized representation by counsel, so this Court has the obligation to do whatever is needed to ensure that Georgia law is not violated. In this case, Windsor has already proven that the Defendants have previously violated the law in this regard three (3) times. This relief does no harm to anyone.*
- c. “that Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from filing anything in this court without submitting a Request for Specific Approval to File. Statutes and case law must be detailed to establish the basis for any filing. Parties and attorneys must always tell the truth and must always comply with the Rules and the Georgia Rules of Professional Conduct.” *This is simply a mechanism to ensure that the law is not violated. As with this and*

all of the relief requested, Windsor is asking that this relief be granted for only as long as it takes to notify the Defendants of a TRO hearing in which all may participate. This way, the Defendants can present arguments, and a longer-term TRO can be issued after both sides have been heard.

- d. “that Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from filing anything in this court, whether by defendants themselves or attorneys on their behalf without signing under oath under penalty of perjury before a notary.” *This relief is requested because Windsor has proven that the Defendants have filed documents three (3) times in removing Fulton County Superior Court cases without any affidavit of any type as to the alleged facts.*

Windsor has shown that this has happened for as long as six years.

Windsor has proven that some Defendants have committed massive perjury. So, this relief levels the playing field as it should be.

Everything that Windsor has ever or will ever file is under oath under penalty of perjury. This relief can do no harm. It will help the Court by theoretically ensuring that the truth is being told. It will provide a bit of a deterrent to the lying Defendants. It will give Windsor the

ability to prove new counts of perjury if the Defendants lie again.

This Court can have no objection to requiring that the parties tell the truth.

- e. “that Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from filing any notice of removal unless this proceeding is pending, which requires that all parties must have been served. Defendants must not file a notice of removal unless this proceeding is pending and every Defendant joins in the notice of removal and signs it.” *This is Georgia law, so this Court has the obligation to do whatever is needed to ensure that Georgia law is not violated. In this case, Windsor has already proven that the Defendants have previously violated the law in this regard three (3) times.*

- f. “hat Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from filing any notice of removal unless Georgia law and federal statutes are all complied with and a memorandum of law details compliance.” *This is Georgia law, so this Court has the obligation to do whatever is needed to ensure that Georgia law is not violated. In this case, Windsor has already proven*

that the Defendants have previously violated the law in this regard three (3) times.

g. “that Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from issuing Writs of Execution in Georgia without proper issuance and notice of judgments.” *This is Georgia law, so this Court has the obligation to do whatever is needed to ensure that Georgia law is not violated. In this case, Windsor has already proven that the Defendants have previously violated the law in this regard.*

h. “that Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from further actions in the N.D.Ga or 11th Circuit involving Windsor that violate the law and Windsor’s rights, pending further order of the Court.” *This is merely the law, so this Court has the obligation to do whatever is needed to ensure that laws are not violated. In this case, Windsor has already proven that the Defendants have violated the law hundreds, if not thousands, of times. Windsor’s Verified Complaint was sworn under penalty of perjury, and all of the evidence filed with the Courts was referenced and incorporated therein.*

- i. “that the Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from prohibiting any access to the courts by William M. Windsor or anyone working with him or on his behalf.” *This is a requirement pursuant to the Georgia Constitution, so this Court has the obligation to do whatever is needed to ensure that Georgia law is not violated. In this case, Windsor has already proven that the Defendants have previously violated the law in this regard hundreds of times.*
- j. “that all Defendants be hereby temporarily RESTRAINED and preliminarily and permanently enjoined from destroying any evidence or erasing or modifying any information on any computers relevant in any way to Windsor, Alcatraz Media, LLC, Alcatraz Media, Inc., or any of the Defendants related to Civil Action No. 1:06-CV-0714-ODE, Civil Action No. 1:09-CV-01543-WSD, Civil Action No. 1:09-CV-02027-WSD, Civil Action No. 1:11-CV-01922-TWT, Civil Action No. 1:11-CV-01923-TWT, and Civil Action No. 1:11-CV-2027-TWT, in the United States District Court for the Northern District of Georgia, pending further order of the Court.” *This is Georgia law, so this Court has the obligation to do whatever is needed to ensure that*

Georgia law is not violated. In this case, Windsor has already proven that the Defendants have previously violated the law in this regard.

The destruction, altering, concealing, hiding, destroying, etc. of evidence is an essential part of the Verified Complaint. Windsor has sworn that this has been done. The TRO seeks to restrain them from doing it again, pending further order of this Court.

- k. “that the Defendants shall be prohibited from engaging in any enterprise in violation of O.C.G.A. § 16-14-4.” *This is Georgia law, so this Court has the obligation to do whatever is needed to ensure that Georgia law is not violated. In this case, Windsor has already proven that the Defendants have previously violated the law in this regard many times.*
- l. “that a preliminary injunction hearing will be scheduled within 30 days of the issuance of the order on this Motion.” *This is Georgia law, so this Court has the obligation to do whatever is needed to ensure that Georgia law is not violated.*
- m. “that Windsor may immediately conduct depositions and discovery prior to the preliminary injunction hearing.” *This is Georgia*

law, so this Court has the obligation to do whatever is needed to ensure that Georgia law is honored.

- n. “that Defendants are compelled to produce to the Plaintiff, within 5 days, all Notices of Electronic Filing (“NEFs”) in Civil Action No. 1:06-CV-0714-ODE, Civil Action No. 1:09-CV-01543-WSD, Civil Action No. 1:09-CV-02027-WSD, Civil Action No. 1:11-CV-1922-TWT, Civil Action No. 1:11-CV-1923-TWT, and Civil Action No. 1:11-CV-02027-TWT in the United States District Court for the Northern District of Georgia or related appeals in the United States Court of Appeals for the Eleventh Circuit.” *Windsor believes from reviewing cases that this is something that can be granted pursuant to a TRO. These are records that will help prove Windsor’s case that he has been denied.*
- o. “that Defendants are compelled to produce to the Plaintiff, within 3 business days, the documents filed as Docket #168 in Civil Action No. 1:06-CV-0714-ODE.” *Windsor believes from reviewing cases that this is something that can be granted pursuant to a TRO. These are records that will help prove Windsor’s case that he has been denied.*

- p. “that the Defendants shall be prohibited from engaging in any plans to have Windsor killed and that a Protective Order will be issued to provide protection to Windsor from bodily harm by any of the Defendants or people acting in their behalf.” *This is Georgia law, so this Court has the obligation to do whatever is needed to ensure that Georgia law is honored. Windsor has been told that there is a plot to have him killed. He has proof that will put many federal judges in prison and should get them impeached and cause them to lose millions of dollars in pension benefits. Criminals, such as Windsor knows many of the Defendants to be, may find it safer to kill Windsor in an attempt to protect their criminal selves.*
- q. “that Windsor will be given law enforcement protection whenever he must visit the Fulton County Courthouse or the federal courthouses and federal buildings in Fulton County, Georgia.” *Windsor has been told that there is a plot to have him killed. He would simply like to stay alive. When testifying before Judge Schwall, Windsor felt uneasy with his back to the door and the room. He couldn’t help but turn around every time he heard the door open or noise behind him.*

A TRO IS NECESSARY AS

IRREPARABLE INJURY WILL BE SUFFERED

73. Defendants' practices will do irreparable harm to Windsor.

Deprivation of constitutional rights is clearly irreparable harm. (*Johnson v. Mortham*, 926 F. Supp. 1540, 1543 (S.D. Fla 1996) ("Deprivation of a fundamental right...constitutes irreparable harm.") *Covino v. Patrissis*, 967 F.2d 73, 77 (2d Cir. 1992).)

74. Moreover, the continued actions of Defendants will be devastating to Windsor. Windsor has no adequate remedy at law, and has, and is continuing to suffer, irreparable harm. Such imminent harm is impossible to quantify and, thus, would cause irreparable injury and establishes that there is no adequate remedy at law.

A TRO WILL BE NO BURDEN TO THE DEFENDANTS

75. Being required to comply with the law will be no burden at all to the Defendants.

76. The balance of equities is an important factor in a court's decision as to whether it should grant a temporary injunction. When, through the issuance of an injunction, the moving party will avoid greater harm than the non-moving party will suffer, the balance of equities will be found to rest with the moving party. (*Metropolitan Atlanta Rapid Transit Authority v. Wallace*, 243 Ga. 491, 493, 254

S.E. 2d 822, 823 (1979). It is a device "to keep the parties in order, and prevent one from hurting the other whilst their respective rights are under adjudication."

Lee v. Environmental Pest & Termite Control, Inc., 271 Ga. 371, 373, 516 S.E. 2d 76 (1999) (quoting *Price v. Empire Land Co.*, 218 Ga. 80, 85, 126 S.E.2d 626 (1962)).)

77. This Court has the power to restrain by injunction acts that are "illegal or contrary to equity and good conscience and or which no adequate remedy is provided at law." See *Lively v. Grinstead*, 210 Ga. 361, 364, 80 S.E. 2d 316, 318 (1954) ("equity by writ of injunction will restrain any act which is . . . contrary to equity in good conscience and for which no adequate remedy at law is provided").

78. In this case, Windsor has no ADEQUATE remedy at law. If the case is illegally removed to federal court, it gets placed into the hands of the Defendants and the corrupt enterprise. This Court can see what happens. This Court can see from Windsor's filings to Vacate the Notices of Removal that they were illegal. The Court can see that the Defendants file these every time Windsor files an action in Fulton County Superior Court. The Court can see that the judge assigned the cases upon removal has taken immediate actions to deny Windsor's rights, and the cycle of corruption just continues.

WINDSOR IS HIGHLY LIKELY TO SUCCEED ON THE MERITS

79. Windsor has presented facts necessary to be meritorious in this Civil Action. Detailed evidence has been filed in the Verified Complaint.

INJUNCTION WILL NOT BE ADVERSE TO THE PUBLIC INTEREST

80. The public must be vitally interested that people involved in the judicial process in Georgia must abide by the law. The public needs to be protected from people like the Defendants. The Public will be well served by restrictions on the acts that the Defendants used to damage Windsor and others. There is nothing in the relief requested that would harm the public interest in any way. It will accomplish just the opposite.

**WINDSOR MUST BE AFFORDED DUE PROCESS
AND EQUAL PROTECTION**

81. When attorney's file actions seeking temporary restraining orders, they are given the opportunity to present their arguments to the judge. Windsor is pro se, and he demands this right of due process. Windsor has already been treated as a different class of litigant by Mr. Thrash, and he has been denied equal protection. Windsor has a Constitutional guarantee that he will not be denied protections under the law that are enjoyed by attorneys.

If due process is to be secured, the laws must operate alike upon all and not subject the individual to the arbitrary exercise of governmental power unrestrained by established principles of private rights and distributive justice. (*Marchant v. Pennsylvania R.R.*, 153 U.S. 380, 386 (1894).)

In 1934, the United States Supreme Court held that due process is violated "if a practice or rule offends some principle of justice so rooted in the traditions and conscience of our people as to be ranked as fundamental." (*Snyder v. Massachusetts*, 291 U.S. 97, 105 (1934).)

As construed by the courts, due process includes... the opportunity to be heard ... and that the person or panel making the final decision over the proceedings be impartial in regards to the matter before them. (*Goldberg v. Kelly*, 397 U.S. 254, 267 (1970).) (See also *Palko v. Connecticut*, 302 U.S. 319 (1937).)

"...wherever it is necessary for the protection of the parties, it must give them an opportunity to be heard respecting the justice of the judgment sought." (*Hagar v. Reclamation District*, 111 U.S. 701, 708.)

"The constitutional right to be heard is a basic aspect of the duty of government to follow a fair process of decision making when it acts to deprive a person of his possessions. The purpose of this requirement is not only to ensure abstract fair play to the individual. Its purpose, more particularly, is to protect his use and possession of property from arbitrary encroachment. . . ." (*Fuentes v. Shevin*, 407 U.S. 67, 80 -81 (1972).)

"A motion for interlocutory injunction or a TRO is an extraordinary motion, which is time sensitive, unlike other motions, because it seeks to preserve the status quo until a full hearing can be held to avoid irreparable harm." *Focus Entertainment International, Inc., v. Partridge Greene, Inc.* (253 Ga. App. 121) (558 SE2d 440) (2001).

82. Windsor must be granted a TRO Hearing and Preliminary Injunction

Hearing. Exhibit 3 is a Proposed Order.

IN THE ALTERNATIVE, WINDSOW ASKS THAT THIS COURT
ISSUE CERTIFIED QUESTIONS OF LAW
TO THE GEORGIA SUPREME COURT

83. By law, the Georgia Supreme Court has authority to answer certified questions of law if the certified question could determine the outcome of a pending case and there is no controlling legal precedent in the state.

84. Georgia law allows this Court to certify to the Georgia Supreme Court “questions of the laws of this state which are determinative of the case and there are no clear controlling precedents in the decisions of the Supreme Court of this state.” O.C.G.A. § 15-2-9. At least this applies with federal courts. Windsor cannot find a direct statute that says this in regard to a state court action, though O.C.G.A. § 15-2-8 may apply.

85. Such a certification in this case would serve judicial economy by obtaining a definitive ruling from the Georgia Supreme Court on an issue that is potentially determinative of the issues in this Civil Action.

86. Should Judge Schwall deny this Motion, Windsor respectfully advises that he will immediately appeal the decision, so Windsor requests a detailed explanation of Judge Schwall’s rulings on each issue.

CONCLUSION

87. Windsor has shown that he will suffer irreparable harm if his Motion is not granted. Windsor has shown that a grant of his Motion will not burden the Defendants, that Windsor is likely to succeed on the merits, and that the public

interest is served in a grant of the Motion. For the foregoing reasons, the Windsor's Motion must be granted. Windsor's Petition is Verified.

88. Windsor notes that he has been unable to find a Fulton County Superior Court rule that limits the number of pages in motions. If this motion exceeds any page limits, Windsor asks that this motion also be considered a request to exceed page limits.

WHEREFORE, Windsor respectfully requests that this Court enter an order restraining or enjoining the Defendants as follows:

- a. That this ex parte request for a Temporary Restraining Order be GRANTED and be in effect until a hearing can be held on the Motions for Temporary Restraining Order following notice to the Defendants;
- b. that the Motions for Temporary Restraining Order be GRANTED;
- c. that Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from filing anything in this court without proof that they have been served with the Summons and Complaint;
- d. that Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from filing anything in this court without an appearance either pro se or by an attorney with a sworn affidavit

authorizing the attorney to appear for them, and without an order of approval for each filing issued by this Court;

- e. that Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from filing anything in this court without submitting a Request for Specific Approval to File. Statutes and case law must be detailed to establish the basis for any filing. Parties and attorneys must always tell the truth and must always comply with the Rules and the Georgia Rules of Professional Conduct.
- f. that Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from filing anything in this court, whether by defendants themselves or attorneys on their behalf without signing under oath under penalty of perjury before a notary;
- g. that Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from filing any notice of removal unless this proceeding is pending, which requires that all parties must have been served. Defendants must not file a notice of removal unless this proceeding is pending and every Defendant joins in the notice of removal and signs it;

- h. that Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from filing any notice of removal unless Georgia law and federal statutes are all complied with and a memorandum of law details compliance;
- i. that Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from issuing Writs of Execution in Georgia without proper issuance and notice of judgments;
- j. that Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from further actions in the N.D.Ga or 11th Cir. involving Windsor that violate the law and Windsor's rights, pending further order of the Court;
- k. that the Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from prohibiting any access to the courts by William M. Windsor or anyone working with him or on his behalf;
- l. that all Defendants be hereby temporarily RESTRAINED and preliminarily and permanently enjoined from destroying any evidence or erasing or modifying any information on any computers relevant in any way to Windsor, Alcatraz Media, LLC, Alcatraz Media, Inc., or

any of the Defendants related to Civil Action No. 1:06-CV-0714-ODE, Civil Action No. 1:09-CV-01543-WSD, Civil Action No. 1:09-CV-02027-WSD, Civil Action No. 1:11-CV-01922-TWT, Civil Action No. 1:11-CV-01923-TWT, and Civil Action No. 1:11-CV-2027-TWT, in the United States District Court for the Northern District of Georgia, pending further order of the Court;

- m. that the Defendants shall be prohibited from engaging in any enterprise in violation of O.C.G.A. § 16-14-4;
- n. that a preliminary injunction hearing will be scheduled within 30 days of the issuance of the order on this Motion;
- o. that Windsor may immediately conduct depositions and discovery prior to the preliminary injunction hearing;
- p. that Defendants are compelled to produce to the Plaintiff, within 5 days, all Notices of Electronic Filing (“NEFs”) in Civil Action No. 1:06-CV-0714-ODE, Civil Action No. 1:09-CV-01543-WSD, Civil Action No. 1:09-CV-02027-WSD, Civil Action No. 1:11-CV-1922-TWT, Civil Action No. 1:11-CV-1923-TWT, and Civil Action No. 1:11-CV-02027-TWT in the United States District Court for the

Northern District of Georgia or related appeals in the United States Court of Appeals for the Eleventh Circuit;

- q. that Defendants are compelled to produce to the Plaintiff, within 3 business days, the documents filed as Docket #168 in Civil Action No. 1:06-CV-0714-ODE;
- r. that the Defendants shall be prohibited from engaging in any plans to have Windsor killed and that a Protective Order will be issued to provide protection to Windsor from bodily harm by any of the Defendants or people acting in their behalf; and
- s. that Windsor will be given law enforcement protection whenever he must visit the Fulton County Courthouse or the federal courthouses and federal buildings in Fulton County, Georgia.

Respectfully submitted this 28th day of June, 2011.



WILLIAM M. WINDSOR
Pro Se

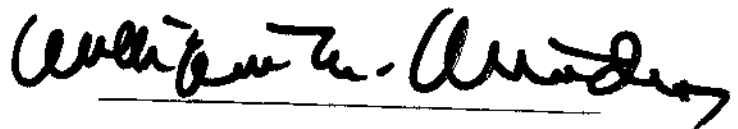
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VERIFICATION OF WILLIAM M. WINDSOR

Personally appeared before me, the undersigned Notary Public duly authorized to administer oaths, William M. Windsor, who after being duly sworn deposes and states that he is authorized to make this verification on behalf of himself and that the facts alleged in the foregoing MOTION are true and correct based upon his personal knowledge, except as to the matters herein stated to be alleged on information and belief, and that as to those matters he believes them to be true.

In accordance with 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct based upon my personal knowledge.

This 28th day of June, 2011.



William M. Windsor

Sworn and subscribed before me this 28th day of June, 2011.

Notary Public

CERTIFICATE OF COMPLIANCE

I hereby certify that this pleading has been prepared in Times New Roman
14-point font.

A handwritten signature in black ink, appearing to read "William M. Windsor", written in a cursive style.

WILLIAM M. WINDSOR

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Fax: 770-234-4106
williamwindsor@bellsouth.net

CERTIFICATE OF SERVICE

I hereby certify that I will serve the foregoing MOTION to each Defendant
with the Summons and Complaint.

This 28th day of June, 2011.



WILLIAM M. WINDSOR

Pro Se

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