

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

WILLIAM M. WINDSOR,)
Plaintiff)

v.)

CIVIL ACTION NO.)
_____)

Amy Totenberg, Thomas Woodrow Thrash, Orinda D.)
Evans, Julie 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, 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,)
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, Law Clerk of Thomas Woodrow Thrash, Law Clerk)
of Amy Totenberg, William S. Duffey, Christopher Huber,)
Sally Quillian Yates, Neeli Ben-David, John A. Horn,)
and Unknown Does 1 TO 1000,)
Defendants.)

**VERIFIED INDEPENDENT ACTION IN EQUITY TO REMEDY
FRAUD UPON THE COURT AND SET ASIDE ORDERS PURSUANT TO
FRCP RULE 60(D)(1), FRCP RULE 60(D)(3), AND COURT'S INHERENT
POWERS; INDEPENDENT EQUITABLE ACTION FOR RELIEF FROM
ORDERS; COMPLAINT FOR DECLARATORY JUDGMENT,
INJUNCTIVE RELIEF, AND OTHER RELIEF, INCLUDING RICO**

William M. Windsor (“Windsor or “Plaintiff”) hereby files this VERIFIED ACTION pursuant in part to Federal Rules of Civil Procedures (“FRCP”) Rule 60(d) to set aside orders in Civil Actions 1:11-CV-01922-TWT, 1:11-CV-01923-TWT, and 1:11-CV-02027-TWT. Windsor shows the Court as follows:

PRELIMINARY STATEMENT

1. Defendants have used their offices to commit crimes and to attempt to shield themselves and their fellow racketeers from indictment and impeachment.
2. Defendants commit a wide variety of crimes and wrongdoing. They commit acts that are specifically and undeniably prohibited in their roles.
3. Defendants purporting to be judges ignore the facts; invent their own facts; ignore the Federal Rules of Civil Procedure (“FRCP”), the Local Rules (“L.R.”), and the Federal Rules of Evidence (“FRE”); ignore the law; ignore applicable case law; cite erroneous case law; commit perjury by making statements that they know to be false in their orders; violate parties’ rights in any way they can; commit obstruction of justice; deny access to the courts; and trample the Constitutional rights of litigants without a thought. They manipulate the judicial system to deprive pro se parties such as Windsor of their legal and Constitutional rights. They commit criminal acts without a thought.
4. The judicial system supports this dishonesty and illegality. The

“system” denies any form of valid recourse for an aggrieved citizen. The Judicial Council and the Chief Judges of N.D.Ga. and the 11th Cir. ignore valid complaints and claims there is no proof when there is plenty. Aggrieved citizens have no recourse. Since the Supreme Court isn’t really in the business of correcting errors by the lower courts, the N.D.Ga. and the 11th Cir. combine to have tyrannical power over citizens of Georgia.

PARTIES

5. William M. Windsor (“Windsor” or “Plaintiff”) is a resident of Cobb County, Georgia and a citizen of the United States with his residence at 3924 Lower Roswell Road, Marietta, GA 30068. Windsor has been a defendant in MIST-1 and the BOGUS ACTION, and is Plaintiff in MIST-2 and this action.

6. Ms. Amy Totenberg (“Ms. Totenberg”) is subject to jurisdiction and venue in this Court. Her place of business is United States District Court, 2321 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Ms. Totenberg has purported to issue orders in Civil Action 1:11-CV-01922-TWT, 1:11-CV-01923-TWT, and 1:11-CV-02027-TWT in N.D.Ga. Service against Ms. Totenberg can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

7. Mr. Thomas Woodrow Thrash (“Mr. Thrash”) is subject to jurisdiction and venue in this Court. His place of business is United States District Court, 2188 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Mr. Thrash has purported to issue orders in Civil Action 1:11-CV-01922-TWT, 1:11-CV-01923-TWT, and 1:11-CV-02027-TWT in N.D.Ga. Mr. Thrash is purportedly the presiding judge in a N.D.Ga lawsuit in which he is the lead defendant, Civil Action 1:11-CV-02027-TWT. Service against Mr. Thrash can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

8. Mr. William S. Duffey, Jr. (“Mr. Duffey”) is subject to jurisdiction and venue in this Court. His place of business is United States District Court, 1721 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Mr. Duffey has purported to issue orders in Civil Action 1:09-CV-01543-WSD (“BOGUS ACTION”) and Civil Action 1:09-CV-02027-WSD (“MIST-2”). Service against Mr. Duffey can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

9. Mrs. Orinda D. Evans (“Mr. Evans”) is subject to jurisdiction and venue in this Court. Her place of business is United States District Court, 1988

Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Mrs. Evans is somehow a “party” to the BOGUS ACTION. Mrs. Evans claimed jurisdiction over Civil Action 1:06-CV-0714-ODE (“MIST-1”). Service against Mrs. Evans can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

10. Ms. Julie E. Carnes (“Ms. Julie Carnes”) is subject to jurisdiction and venue in this Court. Her place of business is United States District Court, 2167 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Ms. Julie Carnes is the Chief Judge for the United States District Court for the Northern District of Georgia operating in Fulton County, Georgia. Service against Ms. Julie Carnes can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

11. Mr. Steve C. Jones (“Mr. Jones”) is subject to jurisdiction and venue in this Court. His place of business is United States District Court, 1909 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Jones can be perfected via personal service at the foregoing address. Defendant is sued both personally and in

official capacity.

12. Mr. Timothy C. Batten (“Mr. Batten”) is subject to jurisdiction and venue in this Court. His place of business is United States District Court, 2142 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Batten can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

13. Mr. Clarence Cooper (“Mr. Cooper”) is subject to jurisdiction and venue in this Court. His place of business is United States District Court, 1701 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Cooper can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

14. Mr. J. Owen Forrester (“Mr. Forrester”) is subject to jurisdiction and venue in this Court. His place of business is United States District Court, 1921 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Mr. Forrester is a judge for the United States District Court for the Northern District of Georgia operating in Fulton County, Georgia who was originally the judge in Civil Action 1:06-CV-0714-ODE

("MIST-1"). Service against Mr. Forrester can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

15. Mr. Willis B. Hunt ("Mr. Hunt") is subject to jurisdiction and venue in this Court. His place of business is United States District Court, 1756 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Hunt can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

16. Mr. Harold L. Murphy ("Mr. Murphy") is subject to jurisdiction and venue in this Court. His place of business is United States District Court, Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Murphy can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

17. Mr. William C. O'Kelley ("Mr. O'Kelley") is subject to jurisdiction and venue in this Court. His place of business is United States District Court, 1942 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Mr. O'Kelley can be perfected via personal service at the foregoing address. Defendant is sued both

personally and in official capacity.

18. Mr. Charles A. Pannell (“Mr. Pannell”) is subject to jurisdiction and venue in this Court. His place of business is United States District Court, 2367 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Pannell can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

19. Mr. Marvin H. Shoob (“Mr. Shoob”) is subject to jurisdiction and venue in this Court. His place of business is United States District Court, 1767 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Shoob can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

20. Mr. Richard W. Story (“Mr. Story”) is subject to jurisdiction and venue in this Court. His place of business is United States District Court, 2121 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Story can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

21. Mr. G. Ernest Tidwell (“Mr. Tidwell”) is subject to jurisdiction and venue in this Court. His place of business is United States District Court, 1967 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Tidwell can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

22. Mr. Robert L. Vining (“Mr. Vining”) is subject to jurisdiction and venue in this Court. His place of business is United States District Court, Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Vining can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

23. Mr. Horace T. Ward (“Mr. Ward”) is subject to jurisdiction and venue in this Court. His place of business is United States District Court, 1252 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Ward can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

24. Ms. Janet F. King (“Ms. King”) is subject to jurisdiction and venue in

this Court. Her place of business is United States District Court, 2007 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Ms. King can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

25. Ms. Susan H. Cole (“Ms. Cole”) is subject to jurisdiction and venue in this Court. Her place of business is United States District Court, Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Ms. Cole can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

26. Mr. Alan J. Baverman (“Mr. Baverman”) is subject to jurisdiction and venue in this Court. His place of business is United States District Court, 1868 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Baverman can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

27. Ms. Gerrilyn G. Brill (“Ms. Brill”) is subject to jurisdiction and venue in this Court. Her place of business is United States District Court, 1837 Richard

B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Ms. Brill can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

28. Mr. C. Christopher Hagy (“Mr. Hagy”) is subject to jurisdiction and venue in this Court. His place of business is United States District Court, 1885 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Hagy can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

29. Ms. Linda T. Walker (“Ms. Walker”) is subject to jurisdiction and venue in this Court. Her place of business is United States District Court, 1856 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Ms. Walker can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

30. Mr. Walter E. Johnson (“Mr. Johnson”) is subject to jurisdiction and venue in this Court. His place of business is United States District Court, Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta,

Fulton County, Georgia 30303. Service against Mr. Johnson can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

31. Mr. E. Clayton Scofield (“Mr. Scofield”) is subject to jurisdiction and venue in this Court. His place of business is United States District Court, 1807 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Scofield can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

32. Mr. Russell G. Vineyard (“Mr. Vineyard”) is subject to jurisdiction and venue in this Court. His place of business is United States District Court, 2027 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Vineyard can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

33. Mr. Joel F. Dubina (“Mr. Dubina”) is subject to jurisdiction and venue in this Court. His place of business is United States Court of Appeals for the Eleventh Circuit, 56 Forsyth Street, NW, Atlanta, Fulton County, Georgia 30303. Mr. Dubina is the Chief Judge for the United States Court of Appeals for the

Eleventh Circuit Court operating in Fulton County, Georgia. Service against Mr. Dubina can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

34. Mr. Ed Carnes (“Mr. Ed Carnes”) is subject to the jurisdiction and venue in this Court. His place of business is United States Court of Appeals for the Eleventh Circuit, 56 Forsyth Street, NW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Ed Carnes can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

35. Ms. Rosemary Barkett (“Ms. Barkett”) is subject to the jurisdiction and venue in this Court. Her place of business is United States Court of Appeals for the Eleventh Circuit, 56 Forsyth Street, NW, Atlanta, Fulton County, Georgia 30303. Service against Ms. Barkett can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

36. Ms. Frank M. Hull (“Ms. Hull”) is subject to jurisdiction and venue in this Court. Her place of business is United States Court of Appeals for the Eleventh Circuit, 56 Forsyth Street, NW, Atlanta, Fulton County, Georgia 30303. Service against Ms. Hull can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

37. Mr. James Larry Edmondson (“Mr. Edmondson”) is subject to

jurisdiction and venue in this Court. His place of business is United States Court of Appeals for the Eleventh Circuit, 56 Forsyth Street, NW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Edmondson can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

38. Mr. Stanley Marcus (“Mr. Marcus”) is subject to jurisdiction and venue in this Court. His place of business is United States Court of Appeals for the Eleventh Circuit, 56 Forsyth Street, NW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Marcus can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

39. Mr. William H. Pryor (“Mr. Pryor”) is subject to jurisdiction and venue in this Court. His place of business is United States Court of Appeals for the Eleventh Circuit, 56 Forsyth Street, NW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Pryor can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

40. Mr. Gerald Bard Tjoflat (“Mr. Tjoflat”) is subject to jurisdiction and venue in this Court. His place of business is United States Court of Appeals for the Eleventh Circuit, 56 Forsyth Street, NW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Tjoflat can be perfected via personal service at the foregoing

address. Defendant is sued both personally and in official capacity.

41. Ms. Susan H. Black (“Ms. Black”) is subject to jurisdiction and venue in this Court. Her place of business is United States Court of Appeals for the Eleventh Circuit, 56 Forsyth Street, NW, Atlanta, Fulton County, Georgia 30303. Service against Ms. Black can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

42. Mr. Charles R. Wilson (“Mr. Wilson”) is subject to jurisdiction and venue in this Court. His place of business is United States Court of Appeals for the Eleventh Circuit, 56 Forsyth Street, NW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Wilson can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

43. Mr. James C. Hill (“Mr. Hill”) is subject to jurisdiction and venue in this Court. His place of business is United States Court of Appeals for the Eleventh Circuit, 56 Forsyth Street, NW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Hill can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

44. Ms. Beverly B. Martin (“Ms. Martin”) is subject to jurisdiction and venue in this Court. Her place of business is United States Court of Appeals for the Eleventh Circuit, 56 Forsyth Street, NW, Atlanta, Fulton County, Georgia

30303. Service against Ms. Martin can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

45. Mr. Peter T. Fay (“Mr. Fay”) is subject to jurisdiction and venue in this Court. His place of business is United States Court of Appeals for the Eleventh Circuit, 56 Forsyth Street, NW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Fay can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

46. Ms. Phyllis A. Kravitch (“Ms. Kravitch”) is subject to jurisdiction and venue in this Court. Her place of business is United States Court of Appeals for the Eleventh Circuit, 56 Forsyth Street, NW, Atlanta, Fulton County, Georgia 30303. Service against Ms. Kravitch can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

47. Mr. R. Lanier Anderson (“Mr. Anderson”) is subject to jurisdiction and venue in this Court. His place of business is United States Court of Appeals for the Eleventh Circuit, 56 Forsyth Street, NW, Atlanta, Fulton County, Georgia 30303. Service against Mr. Anderson can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

48. Mr. Emmett Ripley Cox (“Mr. Cox”) is subject to jurisdiction and venue in this Court. His place of business is United States Court of Appeals for the

Eleventh Circuit, 56 Forsyth Street, NW, Atlanta, Fulton County, Georgia 30303.

Service against Mr. Cox can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

49. Mr. James N. Hatten (“Mr. Hatten”) is subject to jurisdiction and venue in this Court. Mr. Hatten may be served at its place of business, c/o Clerk of the Court, Richard B. Russell Federal Building & United States Courthouse, 75 Spring St, NW, 22nd Floor, Atlanta, GA 30303. Defendant is sued both personally and in official capacity.

50. Miss Anniva Sanders (“Miss Sanders”) is subject to jurisdiction and venue in this Court. Miss Sanders may be served at her place of business, c/o Clerk of the Court, Richard B. Russell Federal Building & United States Courthouse, 75 Spring St, NW, 22nd Floor, Atlanta, GA 30303. Defendant is sued both personally and in official capacity.

51. Ms. Joyce White (“Ms. White”) is subject to jurisdiction and venue in this Court. Ms. White may be served at her place of business, c/o Clerk of the Court, Richard B. Russell Federal Building & United States Courthouse, 75 Spring St, NW, 22nd Floor, Atlanta, GA 30303. Defendant is sued both personally and in official capacity.

52. Ms. Beverly Gutting (“Ms. Gutting”) is subject to jurisdiction and

venue in this Court. Ms. Gutting may be served at her place of business, c/o Clerk of the Court, Richard B. Russell Federal Building & United States Courthouse, 75 Spring St, NW, 22nd Floor, Atlanta, GA 30303. Defendant is sued both personally and in official capacity.

53. Law Clerk of Amy Totenberg (“Totenberg Clerk”) is subject to jurisdiction and venue in this Court. His or her place of business is United States District Court, 2321 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against the Totenberg Clerk can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

54. Law Clerk of Thomas Woodrow Thrash (“Thrash Clerk”) is subject to jurisdiction and venue in this Court. His or her place of business is United States District Court, 2188 Richard B. Russell Federal Building and U.S. Courthouse, 75 Spring Street, SW, Atlanta, Fulton County, Georgia 30303. Service against the Thrash Clerk can be perfected via personal service at the foregoing address. Defendant is sued both personally and in official capacity.

55. Sally Quillian Yates (“Ms. Yates”) is subject to the jurisdiction and venue in this Court. She is U.S. Attorney in Atlanta, Georgia. Her place of business is U.S. Attorney, 600 Richard B. Russell Federal Building & United

States Courthouse, 75 Spring St, NW, Atlanta, GA 30303. Service against Ms. Yates can be perfected via personal service at the foregoing address. Defendant is sued in personal capacity.

56. Christopher Huber (“Mr. Huber”) is subject to the jurisdiction and venue in this Court. He is an Assistant U.S. Attorney in Atlanta, Georgia. His place of business is U.S. Attorney, 600 Richard B. Russell Federal Building & United States Courthouse, 75 Spring St, NW, Atlanta, GA 30303. Service against Mr. Huber can be perfected via personal service at the foregoing address. Defendant is sued in personal capacity.

57. Ms. Neeli Ben-David (“Ms. Ben-David”) is subject to the jurisdiction and venue in this Court. Ms. Ben-David is an Assistant U.S. Attorney in Atlanta, Georgia. Ms. Ben-David’s place of business is U.S. Attorney, 600 Richard B. Russell Federal Building & United States Courthouse, 75 Spring St, NW, Atlanta, GA 30303. Service against Ms. Ben-David can be perfected via personal service at the foregoing address. Defendant is sued in personal capacity.

58. John A. Horn (“Mr. Horn”) is subject to the jurisdiction and venue in this Court. He is Acting U.S. Attorney in Atlanta, Georgia. His place of business is U.S. Attorney, 600 Richard B. Russell Federal Building & United States Courthouse, 75 Spring St, NW, Atlanta, GA 30303. Service against him can be

perfected via personal service at the foregoing address. Defendant is sued in personal capacity.

59. The true names and capacities, whether individual, corporate, associate, or otherwise, of other Doe Defendants are unknown to Windsor, who therefore sues said Defendants by such fictitious names. Windsor will seek leave of this Court to amend this VERIFIED ACTION to include their proper names and capacities when they have been ascertained. Windsor is informed and believes, and based thereon alleges, that the fictitiously named Defendants participated in and are in some manner responsible for the acts described in this VERIFIED ACTION and the damage resulting therefrom. These DOES will include court staff and other members of the federal judiciary in Atlanta, Georgia. Windsor has sued every federal judge in Fulton County Georgia according to the records of the federal courts. If there are any federal judges who have not been identified by the courts, they are included as Unknown Does. Defendants are sued in personal capacity.

JURISDICTION AND VENUE

60. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1331 because the acts complained of raise federal questions under the Constitution and laws of the United States. This Court has jurisdiction over this VERIFIED

ACTION pursuant to the Constitution, and the First, Fifth, Sixth, Eighth, Ninth, and Fourteenth Amendments to the United States Constitution, and *Bivens v. Six Unknown Narcotics Agents*, 403 U.S. 388 (1971).

61. This Court has subject matter jurisdiction pursuant to FRCP Rule 60(d) which requires that an action such as this be filed in a federal district court.

62. This Court has subject matter jurisdiction over this case pursuant to 18 U.S.C. § 1964(c). This Court has supplemental jurisdiction over Windsor's common law claims. Jurisdiction to grant declaratory judgment is conferred by 28 U.S.C. § 2201 and 28 U.S.C. § 2202. Jurisdiction is conferred on this Court pursuant to 28 U.S.C. § 1343(a)(3) and 28 U.S.C. § 1346. This Court has supplemental subject matter jurisdiction over state law claims alleged herein pursuant to 28 U.S.C. § 1367(a), in that the claims are so related to the federal claims that they form the same case of controversy. An award of costs and attorneys' fees is authorized pursuant to 18 U.S.C. § 1964(c) and/or the Court's Inherent Powers.

63. Venue is proper in this Court under 28 U.S.C. § 1391 (e)(1) since some of the Defendants reside in this District. Venue is proper in this Court pursuant to 18 U.S.C. § 1965 (a) and (b). Windsor's claims for damages are made in part pursuant to the First Amendment to the US Constitution and 18 U.S.C. §

241, 18 U.S.C. § 242, and *Bivens v. Six Unknown Narcotics Agents*, 403 U.S. 388 (1971). The Defendants' conspiracy against the rights of Windsor are in criminal civil rights violations 18 U.S.C. § 241 and 18 U.S.C. § 242 which need to be presented to a federal grand jury. Windsor's prayer for relief regarding costs, including reasonable attorney fees is authorized by 28 U.S.C. § 2412. This Civil Action includes an action to compel officers of the United States to perform pursuant to 28 U.S.C. § 1361.

64. The federal judges in Georgia do not have jurisdiction to preside over this VERIFIED ACTION because of their personal involvement and personal interest. Pursuant to 28 U.S.C. § 292, the Chief Judge of the Eleventh Circuit must be asked to send a Certificate of Necessity to the Chief Justice of the U.S. Supreme Court so that a judge from a district court in another Circuit may be assigned.

FACTUAL BACKGROUND

65. Windsor is a Defendant in Civil Action No. 1:06-CV-0714-ODE in the N.D.Ga ("MIST-1"). Every statement of "fact" in the 50-paragraph VERIFIED ACTION is false as to Windsor. Mrs. Evans ignored the undeniable proof and ruled against Windsor while personally committing many acts of racketeering. Windsor is allegedly a Defendant in a so-called Civil Action No. 1:09-CV-01543-WSD in the N.D.Ga ("BOGUS ACTION"). Windsor is Plaintiff

in Civil Action 1:09-CV-02027-WSD (“MIST-2”).

66. On May 12, 2011, Windsor was notified by a known radio talk show host that a federal prisoner was approached by the U.S. government with a deal to infiltrate organizations of people battling government corruption, and the assassination of Windsor was mentioned. Upon information and belief, Defendants would be involved in this, if the report is correct.

67. On May 19, 2011, Windsor filed a Verified Declaratory Judgment Action in the Superior Court of Fulton County. The Civil Action was assigned No. 2011CV200857. A true and correct copy of the docket is attached hereto as Exhibit 1 and is referenced herein for all purposes as are the contents of each docket entry.

68. On May 20, 2011, Windsor filed a VERIFIED ACTION in the Superior Court of Fulton County. The Civil Action was assigned No. 2011CV200971. A true and correct copy of the docket is attached hereto as Exhibit 2 and is referenced herein for all purposes as are the contents of each docket entry.

69. On June 21, 2011, Windsor filed Civil Action No. 2011CV202263 in the Fulton County Superior Court. A true and correct copy of the docket is

attached hereto as Exhibit 3 and is referenced herein for all purposes as are the contents of each docket entry.

70. On June 13, 2011, the U.S. Attorney's Office filed a NOTICE OF REMOVAL in No. 2011CV200857. No. 2011CV200857 became N.D.Ga Civil Action No. 1:11-CV-01922-TWT ("01922"), and was assigned to Mr. Thrash. (A true and correct copy of the 01922 DOCKET is Exhibit 4 hereto.)

71. On June 13, 2011, a Motion for Temporary Restraining Order filed by Windsor in No. 2011CV200857 was docketed as Docket #2 in 01922.)

72. On June 13, 2011, the U.S. Attorney filed a MOTION FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADING OR MOTION. (01922 Docket #3.) The U.S. Attorney is not representing any of the Defendants, and none of the Defendants have made appearances. The motion was not an emergency motion, and it did not request expedited consideration.

73. On June 13, 2011, the U.S. Attorney filed a MOTION FOR PROTECTIVE ORDER. (01922 Docket #4.)

74. On June 14, 2011, Windsor filed a MOTION TO DENY REMOVAL AND EMERGENCY MOTION FOR HEARING. (01922 Docket #5.) (A true and correct copy of the MOTION TO DENY REMOVAL AND EMERGENCY MOTION FOR HEARING is Exhibit 4 to the VERIFIED ACTION in Fulton

County Superior Court Civil Action No. 2011CV202263, referenced and incorporated herein.)

75. On June 14, 2011, Windsor filed a RESPONSE TO THE MOTION FOR PROTECTIVE ORDER. (01922 Docket #6.)

76. On June 15, 2011, Windsor filed a MOTION TO DISQUALIFY MS. YATES, MR. HUBER, AND THE U.S. ATTORNEY'S OFFICE. (01922 Docket #12.)

77. On June 15, 2011, Mr. Thrash denied Windsor a hearing on the TRO and denied the motion for TRO. (01922 Docket #17.) (A true and correct copy of the June 15, 2011 Order Denying TRO is Exhibit 5 hereto.)

78. On June 17, 2011, Windsor filed a RESPONSE TO THE FEDERAL DEFENDANTS' MOTION FOR AN EXTENSION OF TIME TO FILE RESPONSIVE PLEADING OR MOTION AND MOTION TO STRIKE. (01922 Docket #23.)

79. On June 17, 2011, three days after the U.S. Attorney filed its non-expedited, non-emergency motion, Windsor received an order (the "01922 EXTENSION ORDER") dated June 16, 2011 (Docket #19) by mail. Mr. Thrash violated Windsor's rights under the FRCP and L.R. by issuing the EXTENSION ORDER before giving Windsor the prescribed period of time to respond to the

motion. (A true and correct copy of the 01922 EXTENSION ORDER is Exhibit 6 hereto.)

80. On June 17, 2011, Windsor filed an EMERGENCY MOTION FOR RECONSIDERATION OF ORDER DENYING TRO AND AN EMERGENCY MOTION FOR A PRELIMINARY INJUNCTION HEARING. (01922 Docket #22.)

81. On June 17, 2011, Mr. Thrash entered an order (“01922 PROTECTIVE ORDER”) (01922 Docket #25.) (A true and correct copy of the 01922 PROTECTIVE ORDER is Exhibit 7 hereto.)

82. On July 1, 2011, MS. TOTENBERG issued an ORDER DENYING THE MOTION TO RECUSE. (01922 Docket #39.) (A true and correct copy of the 01922 ORDER DENYING THE MOTION TO RECUSE is Exhibit 8 hereto.)

83. On July 7, 2011, Mr. Thrash issued an order in 01922 – ORDER REFUSING TO ALLOW PAPERS SUBMITTED BY WINDSOR TO THE CLERK OF THE COURT on June 27, 2011, June 29, 2011, July 1, 2011, and July 5, 2011. (01922 Docket #41.) True and correct copies of the cover letters listing these documents is attached as Exhibit 9. (A true and correct copy of the 01922 ORDER REFUSING TO ALLOW PAPERS SUBMITTED BY WINDSOR TO THE CLERK OF THE COURT is Exhibit 10 hereto.)

84. On July 7, 2011, Mr. Thrash issued an order in 01922 refusing to allow papers submitted by Windsor to the Clerk of the Court on July 7, 2011. (01922 Docket #42.) True and correct copy of the cover letter listing these documents is attached as Exhibit 11. (A true and correct copy of this second 01922 ORDER REFUSING TO ALLOW PAPERS SUBMITTED BY WINDSOR TO THE CLERK OF THE COURT is Exhibit 12 hereto.) (A true and correct copy of the Docket in 01922 is Exhibit 13 hereto, and all of the contents of the docket are referenced and incorporated herein.)

N.D.GA CIVIL ACTION NO. 1:11-CV-01923-TWT (“01923”)

85. On June 13, 2011, the U.S. Attorney’s Office filed a NOTICE OF REMOVAL in No. 2011CV200971. No. 2011CV200971 became N.D.Ga Civil Action No. 1:11-CV-01923-TWT (“01923”), and was assigned to Mr. Thrash. (A true and correct copy of the Docket in 2011CV200971 is Exhibit 14 hereto, and all of the contents of the docket are referenced and incorporated herein.) (A true and correct copy of the Docket in 01923 is Exhibit 15 hereto, and all of the contents of the docket are referenced and incorporated herein.)

86. On June 13, 2011, the U.S. Attorney filed a MOTION FOR EXTENSION OF TIME TO FILE RESPONSIVE PLEADING OR MOTION. (01923 Docket #2.)

87. On June 13, 2011, the U.S. Attorney filed a MOTION FOR PROTECTIVE ORDER. (01923 Docket #4.)

88. On June 14, 2011, Windsor filed a RESPONSE TO THE MOTION FOR PROTECTIVE ORDER. (01923 Docket #6.)

89. On June 14, 2011, Windsor filed a MOTION TO DENY REMOVAL AND EMERGENCY MOTION FOR HEARING. (01923 Docket #7.)

90. On June 15, 2011, Windsor filed a MOTION TO DISQUALIFY MS. YATES, MR. HUBER, AND THE U.S. ATTORNEY'S OFFICE. (01923 Docket #27.)

91. On June 15, 2011, Windsor filed several other motions in 01923. (01923 Docket #13, 15, 17, 19, 21, 23, 25.)

92. On June 17, 2011, Windsor filed a RESPONSE TO THE FEDERAL DEFENDANTS' MOTION FOR AN EXTENSION OF TIME TO FILE RESPONSIVE PLEADING OR MOTION AND MOTION TO STRIKE. (01923 Docket #23.)

93. At 10:00 am on June 17, 2011, three days after the U.S. Attorney filed its non-expedited, non-emergency motion, Windsor received an order (the "01923 EXTENSION ORDER") dated June 16, 2011 (01923 Docket #9) by mail. (A true and correct copy of the 01923 EXTENSION ORDER is Exhibit 16 hereto.)

94. On June 17, 2011 at 12:30 pm, Windsor presented an EMERGENCY MOTION FOR RECONSIDERATION OF ORDER (DOCKET #9) GRANTING AN EXTENSION OF TIME TO FILE RESPONSIVE PLEADING OR MOTION and an EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER AND HEARING to Defendant White for filing.

95. On June 17, 2011, Judge Thrash entered an order (“01923 PROTECTIVE ORDER”) (01923 Docket #33.) Mr. Thrash violated Windsor’s rights under the FRCP and L.R. by issuing the 01923 PROTECTIVE ORDER for the many reasons detailed in 01923 Docket #31. (A true and correct copy of the 01923 PROTECTIVE ORDER is Exhibit 17 hereto.)

96. On June 21, 2011, Windsor submitted a Motion to Recuse Mr. Thrash in 01922, and it was not filed by the Clerk until June 23, 2011 [01922 Docket #31].

97. On June 21, 2011, Windsor submitted a Motion to Recuse Judge Thomas Woodrow Thrash in 01923, and it was not filed by the Clerk until June 23, 2011 [01923 Docket #43].

98. On June 20, 2011, Windsor filed a civil action (2011CV202263) against Mr. Thrash in the Fulton County Superior Court with RICO charges of racketeering, corruption, and conspiracy. Windsor has also sent charges to the U.S. Attorney’s Office and the Fulton County District Attorney asking that MR.

THRASH be indicted, convicted, and sent to prison. Windsor is filing a judicial misconduct complaint against MR. THRASH, and Windsor is filing a request for hearings and impeachment with the U.S. House of Representatives and U.S. Senate.

99. On July 1, 2011, MS. TOTENBERG issued an order in 01923 – ORDER DENYING THE MOTION TO RECUSE. (01923 Docket #53.) (A true and correct copy of the 01923 ORDER DENYING THE MOTION TO RECUSE is Exhibit 18 hereto.)

100. On July 7, 2011, Mr. Thrash issued an order in 01923 refusing to allow papers submitted by Windsor to the Clerk of the Court on June 27, 2011, June 29, 2011, July 1, 2011, July 5, 2011, and July 7, 2011. (01923 Docket #57.) True and correct copies of the cover letters listing these documents is attached as Exhibit 19. (A true and correct copy of this 01923 ORDER REFUSING TO ALLOW PAPERS SUBMITTED BY WINDSOR TO THE CLERK OF THE COURT is Exhibit 20 hereto.)

101. On June 21, 2011, Windsor filed Civil Action No. 2011CV202263 in the Fulton County Superior Court. The case was assigned to Judge Craig L. Schwall. (A true and correct copy of the Docket in 2011CV202263 is Exhibit 21 hereto.)

102. On June 21 and 22, 2011, Windsor attempted to meet with Judge Schwall. Unfortunately, telephone calls were not returned and false information was provided by two members of the judge's staff.

103. At 1:43 am on June 22, 2011, Windsor sent an email to Christopher Huber advising him to cease and desist filing illegal notices of removal in the Fulton County Superior Court. (A true and correct copy of this email is Exhibit 22 hereto, referenced and incorporated herein.)

104. On June 22, 2011, Windsor filed an EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER AND HEARING in Civil Action No. 2011CV202263. When Judge Schwall called Windsor's matter, he informed Windsor that a Notice of Removal had been filed at 1:41 pm and that he no longer had jurisdiction.

105. Windsor called the office of the Clerk of the Court for the N.D.Ga and spoke to Michael Conner. Mr. Conner advised Windsor that a Notice of Removal had created a new civil action, No. 1:11-CV-2027-TWT.

106. On June 22, 2011, it seems that Mr. Huber had a U.S. Attorney, Ms. Ben-David, file a NOTICE OF REMOVAL in No. 2011CV202263 and in the N.D.Ga which created N.D.Ga Civil Action No. 1:11-CV-02027-TWT ("2011-

2027"). (A true and correct copy of the Docket in 2011-02027 is Exhibit 23 hereto, and all of the contents of the docket are incorporated herein.)

107. On June 22, 2011, Ms. Ben-David filed a Notice of SUBSTITUTION OF UNITED STATES AS DEFENDANT. (2011-02027 Docket #2.)

108. On June 22 and 23, 2011, Mr. Thrash entered orders in 01922 and 01923, recognizing the validity of the motions for recusal pursuant to 28 U.S.C. § 144 and asking the Clerk to assign the motion to recuse to another judge.

109. On June 23, 2011, Windsor filed a Motion to Disqualify Mr. Thrash in 2011-2027.

110. On June 22 & 23, 2011, the motions for recusal were assigned to Ms. Totenberg. [01922 Docket #31.] [01923 Docket #41.] [2011-02027 Docket #5.]

111. Mr. Thrash has ignored everything that Windsor has filed, and he has refused to allow the Clerk to file motions and documents submitted for filing.

112. Mr. Thrash has ignored the legal requirement that he review the Notices of Removal. His response has been to order that Windsor's Notices of Remand presented to the Clerk in each of the three civil actions will not be filed. As the Notices of Removal were improper, the cases should have been remanded.

113. Mr. Thrash refused to rule on Windsor's motion to have him recused, and he has refused to allow the Clerk to file motions for disqualification submitted for filing.

114. Mr. Thrash has said: "This is the latest in a series of frivolous, malicious and vexatious lawsuits filed by the Plaintiff." This is absolutely false.

115. On June 23, 2011, the U.S. Attorney filed a Motion for Protective Order. (2011-02027 Docket #6.)

116. On June 24, 2011, RESPONSES IN OPPOSITION TO MOTIONS FOR RECUSAL were allegedly filed on behalf of some Defendants. [01922 Docket #32.] [01923 Docket #44.] [2011-02027 Docket #7.]

117. On June 28, 2011, the REPLY TO RESPONSES TO MOTION FOR RECUSAL were filed by William M. Windsor in each case. [01922 Docket #34.] [01923 Docket #46.] [2011-02027 Docket #11.]

118. On June 28, 2011, MOTIONS TO STRIKE RESPONSE IN OPPOSITION TO MOTION FOR RECUSAL were filed by William M. Windsor. [01922 Docket #35.] [01923 Docket #47.] [2011-02027 Docket #12.]

119. On June 30, 2011, a MOTION FOR CONSENT TO FILE MOTION FOR CERTIFICATE OF NECESSITY and assignment of presiding judge by the Chief Justice of the United States Supreme Court was filed by William M.

Windsor in each case. [01922 Docket #36.] [01923 Docket #50.] [2011-02027 Docket #14.]

120. On July 1, 2011, Ms. Totenberg issued an order in 01923 – ORDER DENYING THE MOTION TO RECUSE. (01923 Docket #53.) (A true and correct copy of the 01923 ORDER DENYING THE MOTION TO RECUSE is Exhibit 24 hereto.)

121. On July 1, 2011, WILLIAM M. WINDSOR'S SECOND SUPPLEMENTAL AFFIDAVIT OF PREJUDICE OF THOMAS WOODROW THRASH was filed in each case. [01922 Docket #37.] [01923 Docket #52.] [2011-02027 Docket #15.]

122. On July 5, 2011, Windsor submitted a Motion for Reconsideration of July 1, 2011, an ORDER DENYING PLAINTIFF'S MOTION TO RECUSE; DENYING PLAINTIFF'S MOTION FOR CERTIFICATE OF NECESSITY AND CORRESPONDING MOTION FOR A HEARING FILED JULY 1, 2011; AND DENYING PLAINTIFF'S MOTION TO STRIKE.

123. On July 5, 2011, Windsor submitted a Motion to Disqualify MS. TOTENBERG.

124. On July 6, 2011, Judge Thrash entered an order (“2011-02027 PROTECTIVE ORDER”) (2011-02027 Docket #18.) Mr. Thrash violated

Windsor's rights under the FRCP and L.R. by issuing the 2011-02027 PROTECTIVE ORDER for the many reasons detailed in 2011-02027 Docket #31. (A true and correct copy of the 2011-02027 PROTECTIVE ORDER is Exhibit 25 hereto.)

125. On July 7, 2011, Mr. Thrash issued an order in 2011-02027 refusing to allow papers submitted by Windsor to the Clerk of the Court on June 24, 2011, June 27, 2011, June 29, 2011, and July 1, 2011. (01923 Docket #18.) True and correct copies of the cover letters listing these documents is attached as Exhibit 26. (A true and correct copy of this 01923 ORDER REFUSING TO ALLOW PAPERS SUBMITTED BY WINDSOR TO THE CLERK OF THE COURT is Exhibit 26 hereto.)

126. On July 12, 2011, Mr. Thrash entered an order in 01923 denying Windsor the ability to present documents into evidence or call witnesses at the July 15, 2011 Hearing. [01923 Docket #58.] (A true and correct copy of this 01923 ORDER DENYING DUE PROCESS is Exhibit 27 hereto.)

127. On July 12, 2011, Mr. Thrash issued an order in 01923 refusing to allow papers submitted by Windsor to the Clerk of the Court on July 11, 2011. (01923 Docket #59.) The only document presented on July 11, 2011 was a REQUEST FOR CONSENT TO FILE MOTION FOR SANCTIONS TO STRIKE

PLEADINGS FOR FAILURE TO FILE CERTIFICATE OF INTERESTED PARTIES. (A true and correct copy of this 01923 ORDER REFUSING TO ALLOW PAPERS SUBMITTED BY WINDSOR TO THE CLERK OF THE COURT is Exhibit 28 hereto.)

128. On July 12, 2011, Mr. Thrash issued an order in 01922 refusing to allow papers submitted by Windsor to the Clerk of the Court on July 11, 2011. (01922 Docket #43.) The only document presented on July 11, 2011 was a REQUEST FOR CONSENT TO FILE MOTION FOR SANCTIONS TO STRIKE PLEADINGS FOR FAILURE TO FILE CERTIFICATE OF INTERESTED PARTIES. (A true and correct copy of this 01923 ORDER REFUSING TO ALLOW PAPERS SUBMITTED BY WINDSOR TO THE CLERK OF THE COURT is Exhibit 29 hereto.)

129. On July 12, 2011, Mr. Thrash issued an order in 2011-02027 refusing to allow papers submitted by Windsor to the Clerk of the Court on July 11, 2011. (2011-02027 Docket #22.) The only document presented on July 11, 2011 was a REQUEST FOR CONSENT TO FILE MOTION FOR SANCTIONS TO STRIKE PLEADINGS FOR FAILURE TO FILE CERTIFICATE OF INTERESTED PARTIES. (A true and correct copy of this 2011-02027 ORDER REFUSING TO

ALLOW PAPERS SUBMITTED BY WINDSOR TO THE CLERK OF THE COURT is Exhibit 30 hereto.)

FIRST CLAIM FOR RELIEF

**Claim for Relief pursuant to FRCP Rule 60(d)(1), FRCP Rule 60(d)(3),
and the Court's Inherent Powers**

130. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

131. FRCP Rule 60(d)(1) provides: "This rule does not limit a court's power to entertain an independent action to relieve a party from a judgment, order, or proceeding...."

132. The Plaintiff asks that the orders in 01922, 01923, and 2011-02027 be set aside due to fraud, lack of jurisdiction, judicial misconduct, corruption, bias, conspiracy, obstruction of justice, racketeering, and fraud upon the court pursuant to FRCP Rule 60(d)(1), FRCP Rule 60(d)(3), and the Court's Inherent Powers.

133. Defendants Mr. Thrash, Ms. Totenberg, Mr. Huber, Ms. Yates, Ms. Ben-David, and Mr. Horn have committed fraud upon the court. False statements have been intentionally made in documents filed with the courts and in orders of the courts. This was done to obstruct justice and to interfere with the proper operation of courts. The U.S. Attorneys filed improper and illegal notices of removal; Mr. Thrash and Ms. Totenberg accepted them without the required

review and without establishing jurisdiction; Mr. Thrash and Ms. Totenberg then issued orders with knowingly false statements, and they took actions to violate Windsor's rights for the purpose of conspiring to damage Windsor. Their intent is to have Mr. Thrash dismiss Windsor's complaints and damage him with filing restrictions to deny him any opportunity to bring the corrupt Defendants to justice. Mr. Thrash and Ms. Totenberg ignore the statutes and precedential case law to damage Windsor.

134. Defendants Mr. Thrash, Ms. Totenberg, Mr. Huber, Ms. Yates, Ms. Ben-David, and Mr. Horn were part of unconscionable schemes designed to improperly influence the courts in their decisions.

135. There was fraud; there was fraud upon the court; and there was a conspiracy to defraud. The fraud was intentional. The fraud was perpetrated by officers of the court and the other Defendants. The fraud was directed at the judicial machinery itself. The fraud subverted the integrity of the courts. The fraud was designed to deceive the courts into believing facts that were not true. The courts were unable to adjudicate the matter properly because the courts were influenced by false information. Orders were issued that ought not, in equity and good conscience, be enforced.

136. The Plaintiff has no adequate remedy at law.

137. Officers of the Court acted with reckless disregard for the truth. This willfulness is inextricably related to, but exceeds mere error. The fraud prevented issues from being raised and deprived the Plaintiff of the ability to make valid claims and defenses.

138. Tampering with the administration of justice in the manner indisputably shown here involves far more than an injury to a single litigant. It is a wrong against the institutions set up to protect and safeguard the public, institutions in which fraud cannot complacently be tolerated consistently with the good order of society. The public welfare demands that the agencies of public justice be not so impotent that they must always be mute and helpless victims of deception and fraud. The judgment involves an issue of great moment to the public. Windsor will prove that Mr. Thrash routinely violates the rights of pro se parties.

139. The deliberate scheme by which the integrity of the judicial process has been fraudulently perverted is a scheme used by Defendants to cause injury to more than a single litigant.

140. This was a deliberately planned and carefully executed scheme to defraud not only the District Court but also the Court of Appeals, the U.S. Supreme

Court, and the Fulton County Superior Court. To achieve their purposes, the officers of the court deceived the courts.

141. Proof of the scheme, and of its complete success to date, is conclusive. The acts of Defendants have prevented the Plaintiff from fully and fairly presenting his case. The fraud upon the court is manifestly unjust and shocks the conscience. It is against conscience for the orders in 01922, 01923, and 2011-02027 to stand.

142. Defendants must be held responsible for all consequences proximately caused by their conduct. Events were foreseeable and naturally resulted from their conduct. Absent the fraud, the courts would have ruled in favor of the Plaintiff. The Plaintiff would have been meritorious in these matters.

143. Defendants' unconscionable conduct resulted in injury to the Plaintiff.

144. By reason of the fraud upon the courts, the Plaintiff is also entitled to an award of attorneys' fees and costs of litigation.

145. Mr. Thrash wrote in an order in each of these cases: "This is the latest in a series of frivolous, malicious and vexatious lawsuits filed by the Plaintiff" when the only evidence before Mr. Thrash was the sworn VERIFIED ACTION and sworn affidavits from Windsor. Mr. Thrash made this statement in his orders as if these were facts, but there were no such facts before the court, and he knew it.

Mr. Thrash has proven his bias with these orders, and it shows this Court his scheme.

146. Mr. Thrash has demonstrated the manifestation of his bias in each of his orders in these cases (except the three where he properly ruled on 28 U.S.C. § 144.)

147. The denial of Windsor's rights to due process have been overwhelming. All rights have been stripped.

148. The motions to recuse/disqualify Mr. Thrash and Ms. Totenberg detail their bias.

149. Mr. Thrash has no lawful authority to issue any order that violates the Supreme Law of the Land, and he has issued many. The First Amendment to the U.S. Constitution states that we the people have the mandatory right of an adequate, complete, effective, fair, full, meaningful, and timely access to the court. The orders of Mr. Thrash restricting Windsor's adequate, complete, effective, fair, full, meaningful, and timely access to the court violates Windsor's Constitutional Rights and deprives this court of jurisdiction. Mr. Thrash's orders were, and are, **void**. The U.S. Supreme Court has stated that if a court is "without authority, its judgments and orders are regarded as nullities. They are not voidable, but simply void; and form no bar to a recovery sought, even prior to a reversal in opposition to

them. They constitute no justification; and all persons concerned in executing such judgments or sentences, are considered, in law, as trespassers." (*Elliot v. Piersol*, 1 Pet. 328, 340, 26 U.S. 328, 340 (1828).)

150. Fraud was committed in the removal of these cases from the Fulton County Superior Court. This fraud means this Court does not have jurisdiction.

151. Mr. Thrash stated in his June 15, 2011 Order Denying TRO that the purpose of the restraining order was to restrain Judge Duffey "from violating O.C.G.A. § 10-6-5," yet he proceeds to deny the motion by claiming it sought to be allowed to commit violations of criminal statutes. The motion sought no such thing. Mr. Thrash stated that the Motion for TRO fails because Windsor was seeking to commit the unauthorized practice of law. This is perjury. Nowhere in the motion for TRO does it ask to commit the unauthorized practice of law.

152. In the 01922 PROTECTIVE ORDER, Mr. Thrash purported to quash discovery, though there was not even a motion before the court seeking to have discovery quashed. Mr. Thrash purported to issue filing restrictions against Windsor though there was no notice and no hearing as required by absolutely binding court precedents that a real judge would have to honor. Mr. Thrash also purportedly ordered Windsor to post a cash bond or surety bond that he does not have the ability to post though there was no notice, no hearing, and no inquiry into

ability to pay as required by absolutely binding court precedents that a real judge would have to honor.

153. Mr. Thrash violated Windsor's rights under the FRCP and L.R. by issuing the 01923 EXTENSION ORDER before giving Windsor the prescribed period of time to respond to the motion. In the 01923 PROTECTIVE ORDER, 2011-02027 PROTECTIVE ORDER Mr. Thrash purported to quash discovery, though there was not even a motion before the court seeking to have discovery quashed. Mr. Thrash purported to issue filing restrictions against Windsor though there was no notice and no hearing as required by absolutely binding court precedents that a real judge would have to honor. Mr. Thrash also purportedly ordered Windsor to post a cash bond or surety bond that he does not have the ability to post though there was no notice, no hearing, and no inquiry into ability to pay as required by absolutely binding court precedents that a real judge would have to honor. TWT issued this 01923 Protective Order without giving Windsor the time for response mandated by the FRCP and Local Rules. Mr. Thrash issued filing restrictions against me though there was no notice and no hearing as required by absolutely binding court precedents that a real judge would have to honor. Mr. Thrash ordered Windsor to post a cash bond or surety bond that he does not have the ability to post though there was no notice, no hearing, and no inquiry into

ability to pay as required by absolutely binding court precedents that an impartial judge would have to honor.

154. In the 2011-02027 PROTECTIVE ORDER, Mr. Thrash quashed discovery, though there was not even a motion before the court seeking to have discovery quashed. Mr. Thrash issued filing restrictions against Windsor though there was no notice and no hearing as required by absolutely binding court precedents that a real judge would have to honor. Mr. Thrash ordered Windsor to post a cash bond or surety bond that he does not have the ability to post though there was no notice, no hearing, and no inquiry into ability to pay as required by absolutely binding court precedents that a real judge would have to honor. Mr. Thrash issued this 2011-02027 Protective Order without giving Windsor the time for response mandated by the FRCP and Local Rules. Mr. Thrash issued filing restrictions against Windsor though there was no notice and no hearing as required by absolutely binding court precedents that an honest judge would have to honor. Mr. Thrash ordered Windsor to post a cash bond or surety bond that he does not have the ability to post though there was no notice, no hearing, and no inquiry into ability to pay as required by absolutely binding court precedents that an impartial judge would have to honor.

155. Mr. Thrash has committed fraud upon the court as has the U.S. Attorney. This means this Court does not have subject matter jurisdiction. Mr. Thrash has not followed mandatory statutory procedures. This means this Court does not have subject matter jurisdiction. Mr. Thrash committed unlawful acts. This means this Court does not have subject matter jurisdiction. Mr. Thrash has violated due process. This means this Court does not have subject matter jurisdiction. Mr. Thrash is part of a criminal racketeering enterprise. This means this Court does not have subject matter jurisdiction. Mr. Thrash has not complied with the rules, the Code of Judicial Conduct, or the Federal Rules of Civil Procedure. This means this Court does not have subject matter jurisdiction. Upon information and belief, Mr. Thrash does not have a copy of his oath of office in his chambers. This means this Court does not have subject matter jurisdiction.

156. It is clear and well established law that a judge must first determine whether the judge has jurisdiction before hearing and ruling in any case. Mr. Thrash failed to do so, and his so-called orders are void.

157. Mr. Thrash has demonstrated pervasive bias and has lost jurisdiction since he refused to recuse himself. A study of pro se cases that Mr. Thrash has handled reveals that Mr. Thrash has a proven overwhelming bias against pro se plaintiffs. Mr. Thrash has an “extra-judicial” bias against pro se parties.

158. Failure to follow the mandatory requirements of the law is a further evidence of the appearance of partiality of Mr. Thrash. This requires recusal.

159. Mr. Thrash's refusal to vacate his orders further establish his lack of jurisdiction. He knows he is operating without jurisdiction; he loses any claim of judicial immunity.

160. Amendment V of the U.S. Constitution provides: "No person shall be...deprived of life, liberty, or property, without due process of law..." Article 1 of the Georgia Constitution provides: "No person shall be deprived of life, liberty, or property except by due process of law." All of these rights have been violated.

161. Mr. Thrash has improperly foreclosed Windsor's access to the court. Mr. Thrash issued an injunction without giving Windsor the opportunity to be heard at a hearing. Procedural due process requires notice and an opportunity to be heard before any governmental deprivation of a property or liberty interest.

162. Among the documents that Mr. Thrash illegally blocked from filing were Windsor's Motions to Remand in each of the three cases. True and correct copies of these Motions for Remand (exclusive of exhibits) are attached as Exhibits 31, 32, and 33. Mr. Thrash also denied the filing of a request for a conference, a motion to exceed page limits, motion for due process, motions for hearings, motions to recuse/disqualify, and affidavits, claiming they were

frivolous. All were sworn under penalty of perjury. There was nothing frivolous about them, and Mr. Thrash committed perjury.

163. Every judge or government attorney takes an oath to support the U.S. Constitution. Whenever any judge violates the Constitution in the course of performing his/her duties, as Mr. Thrash has, then he has defrauded not only the Plaintiff involved, but has also the government. Mr. Thrash is paid to support the U.S. Constitution. By not supporting the Constitution, Mr. Thrash is collecting monies for work not performed.

164. The so-called orders issued in 01922, 01923, and 2011-02027 are invalid. 28 U.S.C. § 1691 requires that "All writs and process issuing from a court of the United States shall be under the seal of the court and signed by the clerk thereof." Most of Mr. Thrash's so-called orders are unsigned, and none of the orders bear the clerk's seal or signature. Case law clearly established that the word "process" means a court order.

165. Under Federal law, when any officer of the court has committed "fraud on the court," the orders and judgment of that court are void, of no legal force or effect. The orders in 01922, 01923, and 2011-02027 should be voided.

166. The facts show very clearly that this is a case of exceptional circumstances. The actions of Defendants in Fraud Upon the Court were sufficiently egregious to warrant extraordinary relief.

SECOND CLAIM FOR RELIEF

Violation of Federal Civil RICO Act-- 18 U.S.C. § 1961 et seq.
and RICO Conspiracy Offense -- 18 U.S.C. § 1962(d)

167. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

168. The conduct of Defendants violates the federal Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. § 1961 et seq. ("federal RICO"), as more fully set forth below.

169. Defendants have engaged in an ongoing pattern of racketeering activity as defined by 18 U.S.C. § 1961. The federal RICO pattern of racketeering activity engaged in by Defendants consists of more than two acts of racketeering activity.

170. From at least June 13, 2011, and continuing thereafter up to and including the date of the filing of this VERIFIED ACTION, Defendants were persons associated with an "enterprise" engaged in activities that affected interstate commerce, and they knowingly and willfully participated in the conduct of the

enterprise's affairs "through a pattern of racketeering activity," in violation of 18 U.S.C. § 1961 and 1962(c).

171. It is unlawful under the federal RICO statute for anyone associated with an "enterprise" to conduct, or to participate in conducting, the affairs of the enterprise through a "pattern of racketeering activity."

172. For purposes of federal RICO, the term "racketeering activity" includes an open and ongoing pattern of violations of 18 U.S.C. § 1341 (Mail Fraud), 18 U.S.C. § 1343 (Wire Fraud), 18 U.S.C. § 1512 (Tampering with a Witness, including influencing testimony and concealing documents).

173. Each violation of these laws constitutes an act of "racketeering activity" under the federal RICO Act.

174. The Defendants participated in many predicate acts of racketeering activity. These acts were committed as part of a scheme. The acts of the Defendants directly caused the Plaintiff to lose money.

175. The Defendants are associated with an "enterprise" as defined in 18 U.S.C. § 1961 and 1962(c). Each Defendant was aware of the general existence of the enterprise.

176. Defendants knowingly and willfully committed, or aided and abetted the commission of at least two of the predicate offenses specifically alleged and described.

177. The predicate offenses committed by Defendants were connected with each other by a common scheme, plan, and motive and demonstrate a pattern of criminal activity.

178. Through the commission of two or more connected offenses, the Defendants conducted or participated in the conduct of the "enterprise's" affairs.

179. The enterprise is engaged in, or its activities affected, interstate commerce.

180. The Plaintiff was injured in business and lost property as a proximate result of the Defendants' commission of the pattern of racketeering activity. Except for such activity by the Defendants, the injury or damage claimed by the Plaintiff would not have occurred.

181. All Defendants are charged with knowingly and willfully conspiring to violate 18 U.S.C. § 1962(c), the alleged conspiracy itself being a separate crime or offense in violation of 18 U.S.C. § 1962(d).

182. The Defendants, in some way or manner, came to a mutual understanding to try to accomplish a common and unlawful plan, namely, to

engage in a "pattern of racketeering activity" as charged above; and each defendant knowingly and willfully became a member of such conspiracy; and at the time the Defendants knowingly and willfully agreed to join in such conspiracy, the Defendants did so with the specific intent either to personally participate in the commission of two or more "predicate offenses," or each defendant specifically intended to otherwise participate in the affairs of the "enterprise" with the knowledge and intent that other members of the conspiracy would commit two or more "predicate offenses" as a part of a "pattern of racketeering activity."

183. Two "predicate acts" alleged by the Plaintiff are mail fraud and wire fraud offense in violation of Title 18, United States Code, §§ 1341 and 1343. Under those laws, it is an offense for anyone to scheme to defraud someone else out of money or property by making false and fraudulent representations, and then to attempt to execute or carry out the scheme involving use of the mails or interstate wire communications facilities. Each separate use of the mails or wires is a separate offense or separate predicate act. Another predicate act involves multiple instances of obstruction of justice.

184. The Defendants have conspired to damage Windsor and other pro se parties. They take a variety of illegal acts to effect their scheme. Their scheme is designed to obstruct justice and enable the federal courts in Georgia to operate as a

tyrannical force that can get away with whatever it chooses. It is Star Chamber-like.

185. The acts of the Defendants were done willfully, intentionally and with callous and reckless indifference to the rights of the Plaintiff so as to entitle the Plaintiff to an award of punitive damages in addition to compensatory damages.

186. The predicate acts formed a pattern by having the same or similar purposes, results, participants, victims, and methods of commission, and were otherwise interrelated by distinguishing characteristics.

187. The predicate acts threaten the likelihood of continued criminal activity posing a threat of continuity projecting into the future.

188. The violations of predicate acts are detailed below, and those paragraphs are incorporated herein by reference as if set forth in full.

189. The Defendants are guilty of violations of federal RICO and RICO Conspiracy – 18 U.S.C. § 1961 et seq and 18 U.S.C. § 1962(d).

THIRD CLAIM FOR RELIEF

Fraud

190. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

191. Fraud is the intentional misstatement or omission of a material fact made with knowledge of its falsity or in reckless disregard for whether it is true or

false.

192. Mr. Thrash and Ms. Totenberg have intentionally misstated material facts and omitted material facts. They knew their statements were false, or they had a reckless disregard for the truth. They made knowingly false statements in their orders with the intention of deceiving others and damaging Windsor. They also ignored, twisted, or violated the law for the same purpose. Mr. Huber, Ms. Yates, Ms. Ben-David, and Mr. Horn made knowingly false statements in their filings with the courts with the intention of deceiving others, damaging Windsor, and denying Windsor of his rights to a trial before a potentially impartial judge.

193. Mr. Thrash, Ms. Totenberg Mr. Huber, Ms. Yates, Ms. Ben-David, and Mr. Horn committed fraud. The Plaintiff was damaged as a result.

FOURTH CLAIM FOR RELIEF

Conspiracy

194. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

195. Upon information and belief, Defendants agreed to undertake a variety of actions designed to damage the Plaintiff.

196. Defendants were knowing-participants in the conspiracy.

197. Defendants had knowledge of the relevant circumstances and of the agreement made.

198. Defendants, in some way or manner, came to a mutual understanding to try to accomplish this common and unlawful plan. Defendants, knowing the unlawful purpose of the plan, willfully joined in it. During the existence of the conspiracy, at least one of the Defendants knowingly committed at least two of the overt acts.

199. The Plaintiff was damaged as a result.

FIFTH CLAIM FOR RELIEF

Breach of Legal Duty -- O.C.G.A. § 51-1-6

200. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

201. O.C.G.A. § 51-1-6 permits damages when no cause of action is given in express terms. This allows the Plaintiff to allege a private cause of action for violation of criminal statutes and misconduct referenced above.

202. Defendants breached their legal duties.

203. The Plaintiff was damaged as a result.

SIXTH CLAIM FOR RELIEF

Violation of U.S. Constitutional Rights

204. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

205. The Defendants have a Constitutional duty to Windsor. The Defendants breached their Constitutional duties to Windsor through action and inaction.

206. The action and inaction of the Defendants in violating Windsor's Constitutional rights under color of law caused damage to Windsor.

207. The due process clause guarantees a party an impartial and disinterested tribunal in civil cases, but Windsor has been denied an impartial judge and has been denied due process.

208. Defendants have violated Windsor's rights under the Constitution. Defendants have violated Windsor's rights under the Bill of Rights.

SEVENTH CLAIM FOR RELIEF

Violation of Due Process and Deprivation of Rights –

Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics

209. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

210. A *Bivens* action provides a remedy where a federal officer has committed a violation of an individual's constitutional rights. (*Servs. Corp. v. Malesko*, 534 U.S. 61, 70 (2001); *FDIC v. Meyer*, 510 U.S. 471, 485 (1994).) Defendants violated the rights of Windsor protected by the Constitution or created by federal statute.

211. Defendants are Federal Officers who proximately caused a deprivation of federally-protected rights. Federal Officers are persons who committed conduct. Federal Officers acted under "color of law." Federal Officers acted improperly using and ignoring the laws of the State of Georgia to deprive Windsor of federally protected rights. Federal Officers denied Windsor of Constitutional rights.

212. Defendants exercised power possessed by virtue of law and made possible only because they were clothed with the authority of law.

213. The deprivation represents an abuse of authority and/or lies outside the authority of Federal Officers because they were acting within the scope of their employment under the color of law.

214. Defendants did an affirmative act and failed to perform an act that they were legally required to do that caused the deprivation of Windsor's Constitutional rights.

215. Defendants should have no right to immunity for their actions.

216. Defendants violated clearly established statutory or constitutional rights of which a reasonable person would have known. Windsor has been denied an impartial judge, a proper court, fair and factual court orders, impartiality, access to the court, equal treatment and equal protection, protection of the Rules and codes of judicial and professional conduct, and more.

217. Defendants violated the Fourteenth Amendment rights of Windsor enforceable, namely substantive and procedural due process, the equal protection of the laws, and those rights from the Bill of Rights incorporated by the Due Process Clause of the Fourteenth Amendment.

218. Defendants deprived Windsor of those rights in the Bill of Rights made applicable to the states through incorporation; claims under the substantive component of the Due Process Clause that bars certain arbitrary, wrongful government actions; and claims under the procedural component of the Due Process Clause that prohibits the deprivation of life, liberty, or property without fair procedure.

219. The due process clauses of both the Georgia and the United States Constitutions guarantee a party an impartial and disinterested tribunal in civil cases. (*Marshall v. Jerrico, Inc.*, 446 U.S. 238, 242, 100 S.Ct. 1610, 1613 (1980); *Marbury v. Madison*, 5 U.S. (2 Cranch) 137, 180 (1803).

220. Defendants denied Windsor an impartial tribunal.

221. The willfulness of Defendants, characterized by “open defiance or reckless disregard of a Constitutional requirement” of record establishes a violation of rights under color of law.

222. Failure to follow proper procedure has resulted in a violation of Windsor's civil rights, where Defendant Judges have been acting in the absence of all jurisdiction.

223. The actions of Defendants include actions that are not part of functions normally performed by judges or judicial employees, and thus are non-judicial. There is no immunity for non-judicial acts.

224. Windsor was damaged as a result.

EIGHTH CLAIM FOR RELIEF

Violation of Constitutional Rights – First Amendment and in General

225. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

226. Defendants had a Constitutional duty to Windsor. Defendants breached their Constitutional duties to Windsor through action and inaction. The action and inaction of Defendants in violating Windsor's Constitutional rights under color of law caused damage to Windsor.

227. Windsor filed motions to recuse, and Mr. Thrash and Ms. Totenberg refused to do so. A judge is supposed to disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned.

228. Defendants denied Windsor access to important records, evidence, and witnesses -- a violation of Equal Protection. Defendants intentionally deny

rights to pro se parties and have created a separate class of people before the courts – attorneys and those represented by parties in one class and pro se parties in another class. Windsor and other pro se parties are denied court records and are denied fairness and impartiality.

229. The due process clauses of both the Georgia and the United States Constitutions guarantee a party an impartial and disinterested tribunal in civil cases, but Windsor was denied an impartial judge.

230. Windsor brings this action against federal judicial officers, pursuant in part to 28 U.S. C. § 1331, in claims arising from violations of federal constitutional rights guaranteed in the First, Fifth, Sixth, Eighth, Ninth and Fourteenth Amendments to the U.S. Constitution and redressable pursuant to *Bivens v. Six Unknown Narcotics Agents* 403 U.S. 388 (1971). Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress. Defendants have been acting in the clear absence of all jurisdiction.

231. Actions of Defendants are not part of a function normally performed

by judges or judicial employees, and thus are non-judicial. There is no immunity for non-judicial acts.

232. First Amendment Right to petition provides “Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.”

233. Mr. Thrash denied Windsor by an illegal injunction that denies his access to the courts.

234. Rights of citizens to litigate meritorious claims against judges are protected by the First and Fourteenth Amendments and perhaps by Article III of the Constitution for the United States of America as well.

235. Windsor has been damaged.

236. Windsor prays for monetary damages against Defendants based upon violations of federal constitutional rights pursuant to *Bivens v. Six Unknown Named Agents of the Fed. Bureau of Narcotics*.

237. Windsor’s Constitutional rights have been violated and abused. Relief is desperately needed.

238. Due process of law is one of the most deeply rooted principles in American jurisprudence, a legal concept that ensures the government will respect all of a person's legal rights instead of just some or most of those legal rights when the government deprives a person of life, liberty, or property. Due process places limitations on laws and legal proceedings in order to guarantee fundamental fairness, justice, and liberty.

239. Defendants have not respected Windsor's legal rights. The government has all but ignored Windsor's rights.

240. The Constitution states only one command twice. The Fifth and Fourteenth Amendments say that no one shall be "deprived of life, liberty or property without due process of law." The central promise is that all levels of government must operate within the law and provide fair procedures.

241. Windsor has been deprived of most rights except the right to pay money and make filings with the N.D.Ga. District Court and the Eleventh Circuit.

242. Due process requires that the government respect all of the legal rights that are owed to a person according to the law. Due process holds the government subservient to the law of the land, protecting individual persons from the state. In the Declaration of Independence, Thomas Jefferson set forth the rationale for the establishment of government in a society: to secure the fundamental, inherent, and

preexisting rights of the people.

243. In this civil action, Defendants have shown absolutely no respect for Windsor's legal rights. Defendants have ignored the law and the facts. Windsor has been denied the most fundamental right to not have his legal rights stolen by dishonest judges.

244. Given the enormous value placed on people's lives and liberty and given recognition of the enormous power of the government, our Founding Fathers wanted to ensure that as few innocent people as possible punished, even if that meant lots of guilty people went unpunished.

245. Procedural due process guarantees protection to everyone so that statutes, regulations, and enforcement actions ensure that no one is deprived of "life, liberty, or property" without a fair opportunity to affect the judgment or result.

246. In this civil action, the fundamental right to have the courts accept Windsor's sworn affidavits as true has been violated. Windsor's sworn affidavits under penalty of perjury before a notary have been ignored. This is made even worse because Windsor's affidavits have not been controverted in any manner.

247. Defendants have subjected Windsor to arbitrary actions unrestrained by the concepts of rights and justice.

248. Judges are required to be impartial. Defendants have demonstrated pervasive bias against Windsor.

249. Judges are required to be neutral. In the underlying actions, there was no neutrality.

250. The rights of confrontation and cross-examination are basic. Windsor has been denied the right to subpoena witnesses.

251. Defendants have vindictively penalized Windsor. The Northern District of Georgia and the Eleventh Circuit are corrupt. Defendants have taken vindictive action against Windsor.

252. The decisions have not been based upon the evidence presented.

253. In this civil action, Defendants have denied the process that is due. The government's actions are unconstitutional. The rights at issue are fundamental rights, and the government is prohibited from infringing that right unless the infringement is narrowly tailored to serve a compelling interest. Defendants have no supportable reason for infringing on Windsor's fundamental rights.

254. The practices of Defendants have been totally offensive.

255. Litigants are supposed to have the right to subpoena witnesses and any documents or other evidence that may support your position or contradict evidence presented against you. Windsor has been the ability to subpoena

witnesses and obtain documents.

256. Litigants have the right to protections expressly created in statute and case law precedent. Statutes have been violated and overwhelming case law has been ignored by Defendants.

257. Litigants have the right to equal protection of the law regardless of race, creed, color, religion, ethnic origin, age, handicaps, or sex. Windsor is handicapped, a minority, and has not received equal protection as a pro se party.

258. Litigants have the right to a remedy, by recourse to the laws, for all injuries or wrongs that you may receive in your person, property, or character. Windsor has been denied recourse.

259. Litigants have the right to justice, without being obliged to purchase it; completely, and without any denial; promptly, and without undue delay; in conformance with the laws. Defendants have denied justice, have not provided prompt response to motions, and have not conformed with the laws.

260. There is supposed to be a truth finding process. Defendants have made errors in the truth-finding process.

261. The term due process refers to the requirement that the actions of government be conducted according to the rule of law. No government can be above the law. Both the lessons of history and the natural rights philosophy

declare that each person possesses rights to life, liberty, and property. Government cannot interfere with these rights except according to established procedures of law. The principle of due process of law is one of the most important protections against arbitrary rule. The Fifth Amendment prevents the federal government from depriving any person of life, liberty, or property without due process of law. The Fifth Amendment acts as a limitation upon the exercise of judicial power – judges may not sit as adjudicators in cases in which they have an interest.

262. Defendants have acted in matters where they have a personal interest and have violated the Fifth Amendment by remaining involved.

263. An inherent right is the honesty of the judge. Defendant judges have been extremely dishonest.

264. Inherent in the expectation of due process is that the judge will abide by the rules. Defendants have violated many canons of the Code of Judicial Procedure as well as rules in the State Bar of Georgia Code of Professional Conduct.

265. Inherent in due process is the expectation that the judge will not violate criminal statutes. Defendants have violated many criminal statutes.

266. Defendants have violated Windsor's Fourth Amendment rights.

267. With Windsor, Defendants have been totally unreasonable.

Defendants have violated due process and/or the Fourth Amendment.

268. Judgments and orders rendered in violation of due process are void.

269. All orders from Mr. Thrash and Ms. Totenberg must be considered void as the violations of due process are horrendous.

270. Defendants have repeatedly violated the Constitutional rights of Windsor.

NINTH CLAIM FOR RELIEF

Violation of Constitutional Rights – Fifth Amendment

271. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

272. The Fifth Amendment protects against abuse of government authority in a legal procedure. “No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.”

273. The Fifth Amendment guarantee of due process is applicable only to actions of the federal government. The Fourteenth Amendment contains virtually the same phrase, but expressly applied to the states. Due process alternatively due process of law or the process that is due, is the principle that the government must respect all of the legal rights that are owed to a person according to the law. Due process holds the government subservient to the law of the land, protecting individual persons from the state. Courts have viewed the Due Process Clause, and sometimes other clauses of the Constitution, as embracing those fundamental rights that are "implicit in the concept of ordered liberty." In case a person is deprived of liberty by a process that conflicts with some provision of the Constitution, then the Due Process Clause normally prescribes the remedy: restoration of that person's liberty. The Due Process Clause has been interpreted by the Supreme Court not only as a remedial requirement when other constitutional rights have been violated, but furthermore as having additional "procedural" and "substantive" components, meaning that the Clause purportedly imposes unenumerated restrictions on legal procedures -- the ways in which laws may operate -- and also on legal substance -- what laws may attempt to do or prohibit. Procedural due process has been broadly construed to protect the individual so that statutes, regulations, and enforcement

actions must ensure that no one is deprived of "life, liberty, or property" without a fair opportunity to affect the judgment or result.

274. At a basic level, procedural due process is essentially based on the concept of "fundamental fairness." For example, 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". As construed by the courts, it includes an individual's right to be adequately notified of charges or proceedings, the opportunity to be heard at these proceedings, and that the person or panel making the final decision over the proceedings be impartial in regards to the matter before them.

275. Or, to put it more simply, where an individual is facing a (1) deprivation of (2) life, liberty, or property, (3) procedural due process mandates that he or she is entitled to adequate notice, a hearing, and a neutral judge. Substantive due process refers to the rights granted in the first eight amendments to the Constitution. The Supreme Court has consistently held that Fifth Amendment due process means substantially the same as Fourteenth Amendment due process.

276. Defendants had a Constitutional duty to Windsor. Defendants breached their Constitutional duties to Windsor through action and inaction. The

action and inaction of Defendants in violating Windsor's Constitutional rights under color of law caused damage to Windsor.

277. Windsor filed motions to recuse, and Mr. Thrash and Ms. Totenberg refused to do so. An objective observer, lay observer, and/or disinterested observer must entertain significant doubt of the impartiality of Defendant judges.

278. A judge is supposed to disqualify himself or herself in a proceeding in which the judge's impartiality might reasonably be questioned.

279. The due process clauses of both the Georgia and the United States Constitutions guarantee a party an impartial and disinterested tribunal in civil cases, but Windsor has been denied an impartial judge.

280. The Fifth Amendment acts as a limitation upon the exercise of judicial power – to wit, justices may not sit as adjudicators in cases in which they have an interest. Defendants have an interest, yet they have continued.

281. Judges may be sued for lack of jurisdiction.

282. Defendants have been acting in absence of jurisdiction.

283. Defendant judges, as members of the State Bar of Georgia, have violated numerous provisions of the State Bar of Georgia Code of Professional Conduct. Defendant judges have violated the Code of Judicial Conduct. Defendant judges have violated laws of the United States of America and the State

of Georgia.

284. Windsor has been damaged. Windsor prays for monetary damages against Defendants based upon violations of federal constitutional rights pursuant to *Bivens v. Six Unknown Named Agents of the Fed. Bureau of Narcotics*.

TENTH CLAIM FOR RELIEF

Violation of Constitutional Rights – Ninth Amendment

285. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

286. The Ninth Amendment addresses rights of the people that are not specifically enumerated in the Constitution. Defendants had a Constitutional duty to Windsor. Defendants breached their Constitutional duties to Windsor through action and inaction.

287. The action and inaction of Defendants in violating Windsor's Constitutional rights under color of law caused damage to Windsor.

ELEVENTH CLAIM FOR RELIEF

Judicial Misconduct

288. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

289. The conduct of Defendant judges constitute significant judicial misconduct because judges have violated the Code of Judicial Conduct; engaged in

conduct involving dishonesty and misrepresentation; engaged in conduct prejudicial to the administration of justice; and more.

290. Windsor has learned that Defendant judges in Atlanta lie routinely and do whatever they want to abuse litigants.

291. Windsor submits that Defendants have discriminated against him, in large part, because he is pro se.

292. Windsor submits that his experience is that Defendant judges ROUTINELY violate the law and twist the facts and the law to accomplish their own improper purposes. Windsor believes these judges have apparently decided that they will take the law into their own hands and do whatever they please. All of the federal judges that Windsor has encountered cover up for the dishonest judges and attorneys.

293. Professional and judicial misconduct are central to this VERIFIED ACTION. Windsor submits that O.C.G.A. 51-1-6 should provide the legal basis for Windsor to present a cause of action for Breach of Legal Duty due to Judicial Misconduct.

294. O.C.G.A. 51-1-6 provides: "When the law requires a person to perform an act for the benefit of another or to refrain from doing an act which may

injure another, although no cause of action is given in express terms, the injured party may recover for the breach of such legal duty if he suffers damage thereby.”

295. Windsor had a right to expect Defendant judges to abide by the Code of Judicial Conduct, the GRPC, the FRCP, and the N.D.Ga. Local Rules. Windsor had a right to expect Defendant judges to refrain from doing acts that wrongfully injured Windsor.

296. Defendant judges committed judicial misconduct and violated the Code of Judicial Conduct, GRPC, FRCP, and the N.D. Ga. Local Rules.

297. Defendant judges committed acts that injured Windsor and Alcatraz.

TWELFTH CLAIM FOR RELIEF

Conspiracy to Violate Windsor’s Constitutional Rights

298. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

299. Defendants have participated in a conspiracy to violate Windsor’s Constitutional rights.

THIRTEENTH CLAIM FOR RELIEF

Violation of Pro Se Rights

300. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

301. Pro se parties are a minority class of people.

302. Windsor objects to the treatment of pro se parties in the N.D.Ga. and the Eleventh Circuit.

303. In theory, statutes, prevailing case law, and the rules of court apply to all litigants equally. The FRCP and the Federal Rules of Appellate Procedure (“FRAP”) do not distinguish between a self-represented litigant and a lawyer represented litigant. However, the Federal Judicial Center reports that appellate courts use different procedures in cases brought by lawyers and in cases in which one party is self-represented, even if the self-representing party is a free citizen and pays the full filing fee. The results are usually unpublished.

304. Pro se litigants are not only denied impartial judges, they are denied any judges at all.

305. In the N.D.Ga. and the Eleventh Circuit, pro se Windsor and other pro se parties have been repeatedly denied rights and abused. Upon information and belief, pro se parties are denied their rights to jury trials. Upon information and belief, pro se plaintiffs are not allowed to win.

306. Defendant judges have violated the Constitutional rights of Windsor and other pro se parties.

FOURTEENTH CLAIM FOR RELIEF

Intentional Common Law Torts

307. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

308. Defendants have intentionally perpetrated torts and other wrongful acts against Windsor. Defendants aided and abetted such wrongful acts, knowingly inflicting great harm upon Windsor.

309. Defendants are guilty of perpetrating torts and other wrongful acts. Government Defendants aided and abetted such wrongful acts and thus acted outside the limits of their statutory authority.

FIFTEENTH CLAIM FOR RELIEF

Interfering With Right To Petition Government

310. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

311. Defendants have violated Windsor's first amendment right to petition government, as Windsor sought to report the criminal activities to government officials and agencies and pursue legal actions. Windsor is not even allowed to file documents with the Clerk of the Court.

SIXTEENTH CLAIM FOR RELIEF

Negligent Interference with Prospective Economic Advantage

312. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

313. Defendants negligently interfered with Windsor's prospective economic advantage.

SEVENTEENTH CLAIM FOR RELIEF

Intentional Infliction of Emotional Distress

314. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

315. Defendants have shown extreme and outrageous conduct. Windsor has been under extreme emotional distress.

316. Defendants intentionally inflicted emotional distress on Windsor through fraud, conspiracy, and violation of civil and Constitutional rights, and failure to act.

EIGHTEENTH CLAIM FOR RELIEF

Negligent Infliction of Emotional Distress

317. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

318. As a result of the above acts, Windsor suffered negligent infliction of emotional distress during the time frame covered by this VERIFIED ACTION.

319. Negligently inflicted emotional distress has been defined as "mental or emotional harm (such as fright or anxiety) that is caused by the negligence of another and that is not directly brought about by a physical injury". (*Norfolk &*

Western Railway Co. v. Ayers, 123 S.Ct. 1210, 538 U.S. 135, 155 L.Ed.2d 261
(U.S. 03/10/2003).)

320. Defendants have negligently inflicted emotional distress on Windsor.

NINETEENTH CLAIM FOR RELIEF

Abuse Of Process

321. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

322. Common law abuse of process is the use of the legal system for the improper and ulterior motive of halting Windsor's efforts to report and obtain action on corrupt and criminal acts, with the knowledge that important interests of every U.S. citizen would be adversely affected.

323. For abuse of process to occur, there must be use of the process for an immediate purpose other than that for which it was designed and intended. The legal and judicial systems have been grossly abused to damage Windsor and shield Defendants from conviction and disbarment -- a perversion of the process.

324. Windsor has been so abused that he has had to spend a lot of money and devote most of his time in seeking justice,

TWENTIETH CLAIM FOR RELIEF

Violation of Legal Rights by Judge Thrash and Judge Totenberg by acting without Jurisdiction

325. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

326. Judge Thrash and Judge Totenberg have acted without jurisdiction.

TWENTY-FIRST CLAIM FOR RELIEF

Conspiracy to Commit Fraud

327. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

328. Defendants formed a civil conspiracy to protect Judge Evans. Windsor was damaged as a result.

329. Windsor has detailed fraud in the VERIFIED ACTION above.

330. Defendants did this to damage Windsor and shield themselves from criminal prosecution and disbarment.

331. Defendants have made intentionally false representations of facts in orders. They did this to deceive. Others relied upon this to Windsor's detriment.

332. Other Defendants committed fraud by their silence.

TWENTY-SECOND CLAIM FOR RELIEF

New Law

333. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

334. Windsor must also argue for extending, modifying, or reversing existing law or for establishing new law. The whole idea of justice requires fairness, honesty, impartial judges. The outrageous nature of the actions of the Defendants requires special consideration and punishment.

TWENTY-THIRD CLAIM FOR RELIEF

Treason to the Constitution

335. The allegations in paragraphs above are incorporated herein by reference as if set forth in full.

336. 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 because he/she has failed to meet the federal statutory prerequisites that would support the Constitutional mandate that all judges shall be bound thereby pursuant to Article VI of the Constitution of the United States: "This Constitution and the Laws of the United States which shall be made in Pursuance thereof, and all Treaties made, or which shall be made, under the Authority of the United States shall be the supreme Law of the Land, and the judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."

337. Where acts of violations of the U.S. Constitution, Amendment XIV, Section 3, and constitutes the aiding and abetting the enemies of the U.S. Constitution and the laws promulgated by the Constitution. The enemies of the

Constitution are all persons who attempt to defeat any provision of the Constitution, such as the 4th, 5th, 14th Amendments, Article 1, Sec. 2 and Sec. 9 of the Constitution (direct taxation clauses). The internal enemies of the Constitution are persons who act under "color of law", while using positions of government authority, to deprive citizens of their constitutional rights and protections. The internal enemies of the Constitution are all persons who knowingly use deceit or treachery to undermine the constitutional rights and protections of citizens.

338. Defendants have committed Treason to the Constitution.

PRAYER FOR RELIEF

WHEREFORE, there being no adequate remedy at law, Windsor prays for judgment in favor of Windsor and against the Defendants as follows:

DECLARATORY RELIEF

339. Declare that all orders issued in Civil Action No. 1:11-CV-01922-TWT are void.

340. Declare that all orders issued in Civil Action No. 1:11-CV-01923-TWT are void.

341. Declare that all orders issued in Civil Action No. 1:11-CV-02027-TWT are void.

342. Declare that Georgia laws have been violated by Defendants.

343. Declare that federal statutes have been violated by Defendants.

INJUNCTIVE RELIEF

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

345. Windsor is entitled to a Temporary Restraining Order, interlocutory, and permanent injunctive relief:

- a. that a hearing will be immediately scheduled on the Motion for Temporary Restraining Order;
- b. that the Motion for Temporary Restraining Order be GRANTED;
- c. that Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from taking any action in an attempt to remove any Civil Action to federal court that is in violation of statutes and case law regarding removals;
- d. 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;

e. that the Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from prohibiting any access to the courts by Windsor or anyone working with him or on his behalf and are RESTRAINED from enforcing any injunctions or filing restrictions issued in the N.D.Ga or 11th Cir., pending further order of the Court;

f. 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-02027-TWT, in the United States District Court for the Northern District of Georgia, pending further order of the Court;

g. that the Defendants shall be prohibited from engaging in any enterprise in violation of the federal RICO Act;

h. that a preliminary injunction hearing will be scheduled within 14 days of the issuance of the order on this Motion;

i. that Windsor may immediately conduct depositions and discovery prior to the preliminary injunction hearing;

j. that the Defendants be temporarily RESTRAINED and preliminarily and permanently enjoined from prohibiting any access to the courts by Windsor or anyone working with him or on his behalf and are RESTRAINED from enforcing any injunctions or filing restrictions issued in the United States District Court for the Northern District of Georgia or the United States Court of Appeals for the Eleventh Circuit, pending further order of the Court;

k. 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

l. that Windsor will be given law enforcement protection whenever he must visit the Courthouse or any federal buildings in Fulton County, Georgia.

346. Windsor is an aggrieved person within the meaning of O.C.G.A. § 16-14-6(b). As a result, Windsor is entitled to appropriate preliminary and permanent injunctive relief.

RICO RELIEF

347. That this Court liberally construe the RICO laws and thereby find that all Defendants, both jointly and severally, have acquired and maintained, both directly and indirectly, an interest in and/or control of a RICO *enterprise* of *persons* and of other individuals who were associated in fact, all of whom engaged in, and whose activities did affect, interstate and foreign commerce in violation of 18 U.S.C. 1962(c) (Prohibited activities).

348. That all Defendants be required to account for all gains, profits, and advantages derived from their several acts of *racketeering activity* in violation of 18 U.S.C. 1962(c) and from all other violation(s) of applicable State and federal law(s).

349. That judgment be entered for Windsor and against all Defendants for Windsor's actual damages, and for any gains, profits, or advantages attributable to all violations of 18 U.S.C. 1962(c), according to the best available proof.

350. That all Defendants pay to Windsor treble (triple) damages, under authority of 18 U.S.C. 1964(c), for any gains, profits, or advantages attributable to all violations of 18 U.S.C. 1962(c), according to the best available proof.

351. That all Defendants pay to Windsor all damages sustained by Windsor in consequence of Defendants' several violations of 18 U.S.C. 1962(c), according to the best available proof.

352. That all Defendants pay to Windsor his costs of the lawsuit incurred herein including, but not limited to, all necessary research, all non-judicial enforcement and all reasonable counsel's fees.

353. That all damages caused by all Defendants, and all gains, profits, and advantages derived by all Defendants, from their several acts of racketeering in violation of 18 U.S.C. 1962(c) and from all other violation(s) of applicable State and federal law(s), be deemed to be held in constructive trust for the benefit of Plaintiff, His heirs and assigns.

354. That Windsor have such other and further relief as this Court deems just and proper, under the circumstances of this action.

355. That this Court liberally construe the RICO laws and thereby find that all Defendants have conspired to acquire and maintain an interest in, and/or conspired to acquire and maintain control of, a RICO *enterprise* engaged in a *pattern of racketeering activity* in violation of 18 U.S.C. §§ 1961(5), 1962(c) and (d) *supra*.

356. That this Court liberally construe the RICO laws and thereby find that all Defendants have conspired to conduct and participate in said RICO *enterprise* through a *pattern of racketeering activity* in violation of 18 U.S.C. §§ 1961(5), 1962(c) and (d) *supra*.

357. That all Defendants be required to account for all gains, profits, and advantages derived from their several acts of racketeering in violation of 18 U.S.C. 1962(d) *supra* and from all other violation(s) of applicable State and federal law(s).

358. That judgment be entered for Windsor and against all Defendants for Windsor's actual damages, and for any gains, profits, or advantages attributable to all violations of 18 U.S.C. 1962(d) *supra*, according to the best available proof.

359. That all Defendants pay to Windsor treble damages, under authority of 18 U.S.C. 1964(c), for any gains, profits, or advantages attributable to all violations of 18 U.S.C. 1962(d) *supra*, according to the best available proof.

360. That all Defendants pay to Windsor all damages sustained by Windsor in consequence of Defendants' several violations of 18 U.S.C. 1962(d) *supra*, according to the best available proof.

361. That all Defendants pay to Windsor his costs of the lawsuit incurred herein including, but not limited to, all necessary research, all non-judicial enforcement, and all reasonable counsel's fees.

362. That all damages caused by all Defendants, and all gains, profits, and advantages derived by all Defendants, from their several acts of racketeering in violation of 18 U.S.C. 1962(d) *supra* and from all other violation(s) of applicable

State and federal law(s), be deemed to be held in constructive trust for the benefit of Plaintiff, his heirs and assigns.

COMPENSATORY DAMAGES

363. Windsor should recover actual damages from the Defendants, the amount of which is still accruing.

PUNITIVE DAMAGES

364. The Defendants' conduct as described above is willful, wanton, wicked, intentional, and malicious resulting from fraud, insult, and malice, and it is associated with aggravating circumstances, including willfulness, wantonness, malice, oppression, outrageous conduct, insult, and fraud, thus warranting Windsor's recovery of punitive damages from the Defendants, to be determined by the trier of fact. O.C.G.A. § 51-12-5.1 authorizes punitive damages. Windsor should receive an award of punitive damages.

EXPENSES OF LITIGATION

365. The Defendants have acted in bad faith and have caused Windsor unnecessary trouble and expense, justifying an award of expenses of litigation from the Defendants, in an amount to be proven at trial. Windsor is entitled to an award of attorneys' fees pursuant to O.C.G.A. § 13-6-11. Since punitive damages are appropriate, counsel fees, paralegal fees, deposition costs, and litigation fees

can be taken into consideration when estimating the foregoing punitive damages.

Windsor prays that he be awarded expenses of litigation.

This 14th day of July, 2011.



William M. Windsor
Pro Se

PO Box 681236
Marietta, GA 30068
Telephone: 770-578-1094
Facsimile: 770-234-4106
Email: williamwindsor@bellsouth.net

DEMAND FOR JURY TRIAL

Windsor hereby demands a trial by jury.

This 14th day of July, 2011.

A handwritten signature in black ink, appearing to read "William M. Windsor", written over a horizontal line.

William M. Windsor

Pro Se

PO Box 681236

Marietta, GA 30068

Telephone: 770-578-1094

Facsimile: 770-234-4106

Email: williamwindsor@bellsouth.net

VERIFICATION OF WILLIAM M. WINDSOR

I, William M. Windsor, swear that I am authorized to make this verification and that the facts alleged in the foregoing NOTICE are true and correct based upon my personal knowledge, except as to the matters herein stated to be alleged on information and belief, and that as to those matters I believe 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 14th day of July 2011.

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

William M. Windsor