IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

William M. Windsor, Plaintiff	)	
	)	CIVIL ACTION NO.
v.	)	
	)	2011cv206243
Fulton County, Office of the Fulton County District Attorney, Paul Howard, Jr., Cynthia Nwokocha, Naomi Fudge, Rebecca Keel, Waverly Settles, Lieutenant English, Deputy Betts, Deputy Roye, Steve Broadbent, and Unknown Does, Defendants	)	

RESPONSE IN OPPOSITION TO DEFENDANTS' BRIEF IN OPPOSITION TO PLAINTIFF'S REQUEST FOR A PRELIMINARY INJUNCTION AND TEMPORARY RESTRAINING ORDER

William M. Windsor ("Windsor") hereby files this RESPONSE IN OPPOSITION TO PLAINTIFF'S REQUEST FOR A PRELIMINARY INJUNCTION AND TEMPORARY RESTRAINING ORDER. Windsor shows the Court as follows:

FACTUAL BACKGROUND

1. The First Amended Verified Complaint provides factual background, and it is referenced and incorporated herein as if attached hereto.

DEFENDANTS HAVE BEEN SERVED

2. The County Attorney spends a lot of space claiming none of the Defendants were lawfully served. This is not true. Defendants have been served in compliance with O.C.G.A. § 9-11-4.

3. On September 29, 2011, Fulton County was served with the Summons and Complaint. A true and correct copy of the Affidavit of Service is Exhibit 93 to the Eighteenth Affidavit of William M. Windsor.

4. On September 29, 2011, the Attorney General of Georgia was served with the Summons and Complaint as required by O.C.G.A. § 9-4-7. A true and correct copy of the Affidavit of Service on the Attorney General of Georgia is Exhibit 94 to the Eighteenth Affidavit of William M. Windsor.

5. On October 5, 2011, Defendant Steve Broadbent was served with the Summons and Complaint. A true and correct copy of the Affidavit of Service is Exhibit 107 to the Twentieth Affidavit of William M. Windsor.

6. The Defendants have failed to properly challenge insufficient service. No affidavits have been provided claiming improper service.

> "When a defendant in a lawsuit challenges the sufficiency of service, he bears the burden of demonstrating improper service." (***Merck v. Saint Joseph's Hospital of Atlanta, Inc.*** et al. (251 Ga. App. 631) (555 SE2d 11) (2001).)

> A sheriff's return of service "can only be set aside upon evidence which is not only clear and convincing, but the strongest of which the nature of the case will admit." (***Cushman v. Raiford***, 221 Ga. App. 785, 787 (472 SE2d 554) (1996).) (***Duke et al. v. Buice***. (249 Ga. App. 164) (547 SE2d 561) (2001).)

7. Since service of the Summons and Complaint was lawfully perfected on one or more of the Defendants, this Court may proceed to hear Plaintiff's Application for Injunctive Relief. (***Stallings v. Stallings***, 127 Ga. 464, 465 (8) (56 S.E. 469) (1907); ***Baldwin v. Baldwin***, 116 Ga. 471 (42 S.E. 727) (1902); ***Chester w. Southworth v. Maria E.*** 461 S.E.2d 215, 265 Ga. 671 (09/11/1995).)

THE PURPOSE OF A TEMPORARY RESTRAINING ORDER OR INTERLOCUTORY INJUNCTION IS NOT ONLY TO PRESERVE THE STATUS QUO.

8. The Defendants incorrectly claim this is the purpose. (Defendants' Brief, P.5, 6, 7.)

9. Windsor seeks injunctive relief to keep the Defendants in order – to keep them from continued violation of several criminal statutes.

> A preliminary injunction is a device "to keep the parties in order, and prevent one from hurting the other whilst their respective rights are under adjudication." (***Lee v. Environmental Pest & Termite Control, Inc.***, 271 Ga. 371, 373, 516 S. E.2d 76 (1999) (quoting ***Price v. Empire Land Co.***, 218 Ga. 80, 85 126 S. E .2-1d 626 (1962).)

10. Preserving the status quo in this case would mean this Court would have to authorize the Defendants to continue to violate Georgia law and Constitutional rights.

11. This Court has the authority to grant a preliminary injunction in this matter because Windsor is simply asking that the Defendants be restrained from more illegal acts.

12. As usual, the County Attorney lies and lies and distorts the truth in the Defendants' Brief. On Page 7, the County Attorney says there has been no authority cited for why the Grand Jury must entertain Windsor again. Windsor was invited by the Grand Jury to return and present evidence and a 20-page recitation of the charges. [First Affidavit of William M. Windsor, ¶56, 65.]

13. The County Attorney claims Windsor was issued a Criminal Trespass Warning for harassing Grand Jurors as they entered and exited the jury room. [Defendants' Brief, P.7.] Windsor never harassed anyone. [Twentieth Affidavit of William M. Windsor, ¶18.] Ms. Cynthia Nwokocha and the District Attorney never provided any explanation for the Criminal Trespass Warning. The Grand Jurors did not even use the Third Floor Elevator Lobby for most of July and August. [First Affidavit of William M. Windsor, ¶37.] Windsor never at any time spoke with any Grand Juror entering the Grand Jury Room. [Twentieth Affidavit of

William M. Windsor, ¶18.] Other than a brief comment to Steve Broadbent as he left for the day on August 26, 2011, the only Grand jurors who Windsor spoke with at any time were two who spoke or nodded to him first. One was the Grand Juror who worse suspenders who had specifically requested that Windsor return with a 20-page document and the evidence. After he nodded to Windsor on August 26, 2011, Windsor asked if he would accept the envelope with the information he requested. He said he would, and Windsor handed him the envelope, and he began opening it as he got on the elevator. Nothing else was said. [First Affidavit of William M. Windsor, ¶103.] The other was a young woman who passed through the elevator lobby one day. She either said hi or nodded, and Windsor asked if she would deliver an envelope of evidence to the man wearing suspenders on the Grand Jury. She said she didn't know if she could, and she left. Nothing more was said except perhaps that she is a friend of one of the people who was there on August 23, 2011 in hopes of being able to testify as well. [First Affidavit of William M. Windsor, ¶99.] Windsor never saw a Grand Juror on August 30, 2011 when he was given a Criminal Trespass Warning. [Twentieth Affidavit of William M. Windsor, ¶18.]

14. County employees have no right whatsoever to interfere with any citizen's efforts to present evidence to a Grand Jury. The statutory authority for

this is O.C.G.A. § 15-12-60 to O.C.G.A. § 15-12-83 and O.C.G.A. § 15-12-100 to O.C.G.A. § 15-12-102. (Exhibit 117 to the Twentieth Affidavit of William M. Windsor is a true and correct copy of these statutes.) The Defendants can provide no case law and no statute that says the Fulton County District Attorney's Office has any authority WHATSOEVER over the Grand Jury. In fact, the term "District Attorney" appears in the grand jury statutes only three times: O.C.G.A. § 15-12-71, which calls for the inspection of the office of the district attorney by the grand jury at least once every three years; O.C.G.A. § 15-12-82 regarding a joint decision with the attorney for the accused in a change of venue; and O.C.G.A. § 15-12-83 regarding the hiring of a stenographer. District Attorneys have NO AUTHORITY over grand juries based upon the statutes, and when there is no case law to the contrary, this Court is obligated to strictly construe the statutes.

15. County employees have no right to claim a citizen is trespassing in a public lobby in a government building while bringing an envelope of requested evidence to the Grand Jury.

16. The County Attorney claims this Court is required to focus on the facts in the First Amended Verified Complaint. [Defendants' Brief, P.7.] The County Attorney then claims the facts in the complaint are "that what Plaintiff ultimately seeks is to carry out a personal vendetta against the federal judiciary the

Fulton County Grand Jury." First, the sentence makes no sense. Second, there is NOTHING whatsoever in the facts in the complaint that says any such thing. Windsor has no personal vendetta; he has the proof that federal judges in Atlanta are criminals.

17. Windsor is pursuing this action for the reasons expressed in the First Amended Verified Complaint. The Defendants have violated numerous laws, including criminal statutes, and they are violating the Georgia RICO Act. Windsor's efforts to reach the Grand Jury were interfered with repeatedly. Windsor was slandered to the Grand Jurors.

> A trial court has the authority to grant a temporary injunction. Georgia law empowers courts of equity to restrain by injunction "any . . . act of a private individual or corporation which is illegal or contrary to equity and good conscience and or which no adequate remedy is provided at law." O.C.G.A. § 9-5-1. See also, ***Lively v. Grinstead***, 210 Ga. 361, 364, 80 S. E. 2d 316, 318 (1954) ("equity by writ of injunction will restrain any act which is . . . contrary to equity in good conscience and for which no adequate remedy at law is provided").

WINDSOR IS ENTITLED TO A TEMPORARY RESTRAINING ORDER TO PREVENT ONGOING VIOLATION OF HIS CONSTITUTIONAL RIGHTS

18. The vital necessity for the injunction is that the Defendants must not be allowed to continue to violate the law and deny Windsor's Constitutional rights.

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

20. Defendants must be temporarily restrained and preliminarily and permanently enjoined from violating Georgia law. This motion merely seeks to require that the Defendants abide by the law in the future.

WHILE WINDSOR IS HIGHLY LIKELY TO SUCCEED ON THE MERITS, THIS IS NOT WINDSOR'S BURDEN

21. Defendants claim Windsor must prove there is a substantial likelihood that he will prevail on the merits. [Defendants' Brief, P.5, 6, 7.] But this is not the requirement in Georgia.

22. Windsor has proven facts necessary to be meritorious in this Civil Action. Detailed evidence has been filed in the First Amended Verified Complaint. A jury is going to throw the book at the Defendants. Windsor is being injured; that injury will be irreparable if the injunction does not issue; and Windsor has no adequate remedy at law.

23. The *balance of harms* weighs in Windsor's favor.

> "...the real consideration in a petition for interlocutory injunction should be, whether the greater harm would result by the granting or the refusal of the

interlocutory relief. In other words, if the danger to one party is great, while the probable harm to the other is minimal, then relief ought to be granted or refused in line with such probabilities. Accordingly, it has been held that an interlocutory injunction should be refused where its grant would operate oppressively on the defendant's rights, especially in such a case that the denial of the temporary injunction would not work irreparable injury to the plaintiff or leave the plaintiff practically remediless in the event it should thereafter establish the truth of (its) contention." (***Metropolitan Atlanta Rapid Transit Authority v. Wallace***, 243 Ga. 491, 494-495 (3) (254 SE2d 822) (1979) (Internal quotation marks and citations omitted.).)
See ***R. D. Brown Contractors, Inc. v. Bd. of Educ. of Columbia County***, 280 Ga. 210, 212 (626 SE2d 471) (2006) ("The possibility that the party obtaining a preliminary injunction may not win on the merits at the trial does not determine the propriety or validity of the trial court's granting the preliminary injunction.") (Citations and punctuation omitted.) (***Matrix Financial Services, Inc. v. Dean***, 655 S.E.2d 290, 288 Ga.App. 666 (Ga.App. 11/30/2007).)

A trial court may grant an interlocutory injunction "to maintain the status quo until a final hearing if, by balancing the relative equities of the parties, it would appear that the equities favor the party seeking the injunction. [Cits.]" ***Outdoor Advertising Assn. of Ga. v. Garden Club of Ga.***, 272 Ga. 146, 147 (1) (527 SE2d 856) (2000). In establishing an equitable balance between the opposing parties, the likelihood of the applicant's ultimate success is not the determinative factor. "[T]he possibility that the party obtaining a preliminary injunction may not win on the merits at the trial does not determine the propriety or validity of the trial court's granting the preliminary injunction. [Cit.]" (Emphasis supplied.) ***Glen Oak v. Henderson***, 258 Ga. 455, 457 (1) (d) (369 SE2d 736) (1988). See also ***Zant v. Dick***, 249 Ga. 799, 800 (294 SE2d 508) (1982) (rejecting the argument "that a substantial likelihood of success on the merits must be shown in order to entitle an applicant to interlocutory injunctive relief in the courts of Georgia.") (Emphasis supplied).

To be entitled to permanent injunctive relief from a constitutional violation, a plaintiff must first establish the fact of the violation. (***Rizzo v. Goode***, 423 U.S. 362, 377, 96 S.Ct. 598, 607, 46 L.Ed.2d 561 (1976).) He must then demonstrate the presence of two elements: continuing irreparable injury if

the injunction does not issue, and the lack of an adequate remedy at law. (***Beacon Theatres, Inc. v. Westover***, 359 U.S. 500, 506, 79 S.Ct. 948, 954, 3 L.Ed.2d 988 (1959).)

24. A Temporary Restraining Order and Interlocutory Injunction will prevent additional harm to Windsor and cause no harm to the Defendants.

25. **WINDSOR IS BEING DENIED THE RIGHT TO FREEDOM OF SPEECH, THE RIGHT TO PETITION THE GOVERNMENT FOR REDRESS OF GRIEVANCES, THE RIGHT TO REPORT CRIMINAL ACTIVITY AND HAVE LAW ENFORCEMENT DO ANYTHING ABOUT IT, AND THE RIGHT TO STEP FOOT ON THREE FLOORS OF THE FULTON COUNTY COURTHOUSE.**

"...a demonstration of irreparable injury is not an absolute prerequisite to interlocutory injunctive relief." ***Benton v. Patel***, 257 Ga. 669, 672 (1) (362 SE2d 217) (1987); ***Jackson v. Delk***, 257 Ga. 541, 544 (4) (c) (361 SE2d 370) (1987).

A TRO IS NECESSARY AS IRREPARABLE INJURY WILL BE SUFFERED

26. Defendants' practices of concealing and possibly destroying evidence will do irreparable harm to Windsor. Deprivation of Constitutional rights is clearly irreparable harm. (***Johnson v. Mortham,*** 926 F. Supp. 1540, 1543 (S.D. Fla 1996) ("Deprivation of a fundamental right...constitutes irreparable harm.")

27. Deprivation of a Constitutional right is when "a governing body has worked constitutional deprivation of a citizen pursuant to an impermissible or corrupt policy which is intentional and deliberate." (***Holloway v. Rogers***, 181 Ga. App. 11, 13 (2) (351 S.E.2d 240) (1986).)

> What is required to be proved, directly or circumstantially, is that a governing body has worked [a due process] deprivation of a citizen['s constitutionally protected right] pursuant to an impermissible or corrupt policy which is intentional and deliberate." ***City of Cave Spring v. Mason***, 252 Ga. 3, 4-5 (310 S.E.2d 892) (1984). (See also ***Poss v. City of North Augusta, S.C.***, 205 Ga. App. 894, 895 (2) (424 S.E.2d 73) (1992). See also ***Banks v. Mayor & City of Savannah***, 210 Ga. App. 62, 63 (2) (435 S.E.2d 68) (1993).)

28. Windsor faces a substantial threat of *irreparable damage or injury* if the injunction is not granted. This is "the type of harm which no monetary compensation can cure or put conditions back the way they were...." It is harm where no amount of money can compensate the harm that is being done, or will be done. As the Supreme Court has noted, "The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury." (*Elrod v. Burns*, 427 U.S. 347, 373-74 (1976) *see also Mitchell v. Cuomo*, 748 F.2d 804, 806 (2d Cir. 1984) (citing 11 Wright & Miller, *Federal Practice & Procedure*, § 2948, at 440 (1973) ("When an alleged deprivation of a constitutional right is involved, most courts hold that no further showing of irreparable injury is necessary.").)

WINDSOR HAS NO ADEQUATE REMEDY AT LAW.

29. Windsor has no adequate remedy at law, and has, and is continuing to suffer irreparable harm.

30. Money damages cannot restore Windsor's Constitutional rights and the right to protection by law enforcement authorities.

> Equity will grant relief only where there is no available, adequate, and complete remedy at law. (***Waller v. Conner***, 218 Ga. 633, 635 (129 S.E.2d 845); accord: ***Colston v. Hutchinson***, 208 Ga. 559 (67 S.E.2d 763); ***Lively v. Grinstead***, 210 Ga. 361 (2) (80 S.E.2d 316); ***Spruill v. Dominy***, 212 Ga. 145 (2) (91 S.E.2d 43).)

31. The continued actions of Defendants will be devastating to Windsor.

32. Such imminent harm is impossible to quantify and, thus, would cause irreparable injury and establishes that there is no adequate remedy at law.

33. Windsor has been threatened with criminal trespassing, but Cynthia Nwokocha does not own the third floor elevator lobby in the courthouse, and she has no authority to demand that anyone leave that public space. Ms. Nwokocha violated O.C.G.A. § 16-7-21 by issuing a bogus Criminal Trespass Warning, having no legal basis for issuing it, expressing no basis for issuing it, and for violating the terms of the document she presented to Windsor. The Warning was totally unreasonable under the circumstances. Windsor was never disruptive, was never asked to leave previously, never harassed anyone, and was standing in a

public elevator lobby in a government building. (A true and correct copy of O.C.G.A. § 16-7-21 is attached to the Twentieth Affidavit of William M. Windsor as Exhibit 106.)

> "Inherent in the statute's notice provision is a requirement that notice be reasonable under the circumstances...." (***Rayburn v. State***, 250 Ga. 657 (2) (300 SE2d 499) (1983).)

PRELIMINARY INJUNCTIVE RELIEF WILL NOT CAUSE ANY HARM TO THE INDEPENDENCE OF THE GRAND JURY AND WILL NOT INTERFERE WITH THE SHERIFF'S ABILITY TO ASSURE THE SAFETY OF THE GRAND JURY.

34. Windsor argues that the Fulton County Grand Jury currently is not independent. The involvement of the Office of the Fulton County District Attorney and the improper involvement of the Fulton County Sheriff's Department are what is interfering with the independence of the Grand Jury. This has been thoroughly detailed in the First Amended Verified Complaint. Windsor is requesting no preliminary injunctive relief that would interfere with the independence of the Grand Jury, and the Defendants have failed to identify anything that Windsor has requested that would interfere.

35. The Fulton County Sheriff's Department must ensure the safety of the Grand Jury. Windsor expects nothing less. But the grand jury statutes, O.C.G.A. § 15-12-60 to O.C.G.A. § 15-12-83 and O.C.G.A. § 15-12-100 to O.C.G.A. § 15-12-

102, do not specify involvement by the sheriff. Only two of the grand jury statutes even mention the sheriff -- O.C.G.A. § 15-12-66 (disqualification of sheriff or deputies) and O.C.G.A. § 15-12-82 (duties when there is a change of venue in a criminal grand jury investigation). The problem in Fulton County is that Sheriff's Deputies have committed jury tampering, CRIMES for which they should be indicted. They have become agents of the District Attorney in executing jury tampering, violations of Constitutional rights, and more. They have alleged to have been made privy to Grand Jury proceedings, and they have communicated that information to others.

A TRO WILL BE NO BURDEN TO THE DEFENDANTS

36. Being prohibited from illegal activities will be no burden at all to the Defendants.

37. Being prohibited from destroying evidence will be no valid burden to the Defendants.

> The balance of equities is an important factor in a court's decision as to whether it should grant a temporary injunction. When, through the issuance of an injunction, the moving party will avoid greater harm than the non-moving party will suffer, the balance of equities will be found to rest with the moving party. (***Metropolitan Atlanta Rapid Transit Authority v. Wallace***, 243 Ga. 491, 493, 254 S.E. 2d 822, 823 (1979). It is a device "to keep the parties in order, and prevent one from hurting the other whilst their respective rights are under adjudication." ***Lee v. Environmental Pest & Termite Control, Inc.***, 271 Ga. 371, 373, 516 S.E. 2d 76 (1999) (quoting ***Price v. Empire Land Co.***, 218 Ga. 80, 85,126 S.E.2d 626 (1962)).)

38. This Court has the power to restrain by injunction acts that are "illegal or contrary to equity and good conscience and for which no adequate remedy is provided at law." See ***Lively v. Grinstead,*** 210 Ga. 361, 364, 80 S.E. 2d 316, 318 (1954) ("equity by writ of injunction will restrain any act which is . . . contrary to equity in good conscience and for which no adequate remedy at law is provided"). (See also ***Chadwick v. Dolinoff***, 207 Ga. 702 (2) (64 S.E.2d 76); ***Waycross Military Assn. v. Hiers***, 209 Ga. 812 (5) (76 S.E.2d 486).)

INJUNCTION WILL NOT BE ADVERSE TO THE PUBLIC INTEREST

39. The sole comment of the Defendants on this issue is "The public has an interest in the orderly administration of the Grand Jury."

40. Windsor does not believe the public expects the Grand jury to be "administered." District Attorneys have no right whatsoever to "administer" grand juries in Georgia. Georgia statutes O.C.G.A. § 15-12-60 to O.C.G.A. § 15-12-83 and O.C.G.A. § 15-12-100 to O.C.G.A. § 15-12-102 do not provide for the District Attorney to have any administrative rights in regard to grand juries.

41. While Windsor believes the public would agree that grand juries should function efficiently, the public must be vitally interested that people involved in the legal process in Georgia must abide by the laws of the state. The public needs to be protected from people like the Defendants. The public will be

well-served by restrictions on the acts that the Defendants used to damage Windsor and others. There is nothing in the relief requested that would harm the public interest in any way. It will accomplish just the opposite.

42. The public interest is "the people's general welfare and well being." Administration of the Grand Jury does not rise to the level of "public interest." Violation of Georgia statutes and Constitutional rights are matters of public interest. Freedom of Speech and the Right to Petition the Government for Redress of Grievances are matters of public interest.

> ***Black's Law Dictionary*** defines "public interest" as "The general welfare of the public that warrants recognition and protection. Something in which the public as a whole has a stake; esp., an interest that justifies governmental regulation."

43. The Defendants have failed to properly address this element. They have raised no issue that the injunction will disserve the public interest. Georgia Supreme Court Justice Nahmias recently spelled out that Georgia case law provides that "granting the interlocutory injunction will not disserve the public interest." (***Bishop et al. v. Patton et al.***, No. Docket: S10A1601 (Ga. 02/28/2011).) (See ***Garden Hills Civic Assn., Inc. v. MARTA***, 273 Ga. 280, 281-282 (539 SE2d 811) (2000); ***Rollins Protective Servs. Co. v. Palermo***, 249 Ga. 138, 142 (287 SE2d 546) (1982).)

WINDSOR'S ALLEGATIONS AGAINST THE FEDERAL JUDICIARY ARE ABSOLUTELY VALID, AND SUFFICIENT EVIDENCE IS IN THE RECORD BEFORE THIS COURT.

44. The Defendants make a big issue out of this on Page 8 of the Defendants' Brief:

> "...because Plaintiff's allegations against the federal judiciary are meritless, the relief Plaintiff seeks must be denied. This court must consider the fact that Plaintiff's complaint is utterly devoid of merit."

45. The County Attorney bizarrely claims the complaint is "utterly devoid of merit" as a result. But the allegations against the federal judiciary are not what this Civil Action is about.

46. The federal judiciary is referred to in only 6 of the 312 paragraphs in the First Amended Verified Complaint. These paragraphs are:

a. Paragraph 25: "On February 10, 2011, Windsor wrote to the Fulton County Grand Jury to ask for an investigation of the criminal acts of federal judges in Atlanta. The Grand Jury did not respond. (A true and correct copy of this letter is attached as Exhibit 2.)"

b. Paragraph 26: "On March 28, 2011, Windsor again wrote to the Fulton County Grand Jury to ask to speak to the Grand Jury about an investigation of the criminal acts of federal judges in Atlanta. The Grand Jury did not respond. (A true and correct copy of this letter is attached as Exhibit 3.)"

c. Paragraph 34: "On May 6, 2011, Windsor's letters to the Fulton County Grand Jury asking to speak to the Grand Jury about an investigation of the criminal acts of federal judges in Atlanta were

accepted by Deputy Betts. The letters, addressed to each grand juror by number, were delivered by a courier, and Deputy Betts called Windsor to confirm he was going to give them to each grand juror. (A true and correct copy of this letter is attached as Exhibit 10.)"

d. Paragraph 61: "Windsor was told that the Fulton County Georgia Grand Jury voted on August 9, 2011 to consider his evidence of hundreds of crimes and criminal racketeering by federal judges in Atlanta, Georgia."

e. Paragraph 182: "The conduct of DA DEFENDANTS, SHERIFF DEFENDANTS, and MR. BROADBENT denied the rights to property without due process of law and therefore is in violation of 42 U.S.C. § 1983. DA DEFENDANTS, SHERIFF DEFENDANTS, and MR. BROADBENT ignored Windsor when he informed them of the criminal wrongdoing of federal judges, employees of the Office of the District Attorney, and others in Fulton County. The willfulness of DA DEFENDANTS, SHERIFF DEFENDANTS, and MR. BROADBENT, characterized by "open defiance or reckless disregard of a Constitutional requirement" of record establishes a violation of rights under color of law. Failure to follow proper procedure has resulted in a violation of Windsor's civil rights."

f. Paragraph 214: "There was a meeting of the minds by the Defendants and employees of the Fulton County District Attorney's Office and the Fulton County Sheriff's Department to violate Windsor's Constitutional rights. Windsor was systematically denied access to the Fulton County Grand Jury. This was done to shield the COUNTY, the FCDA, and their employees as well as federal judicial personnel operating in Fulton County from criminal liability for their wrongdoing."

47. That's it. The Defendants' claim that the First Amended Verified Complaint is meritless because it is all about the federal judiciary fails due to the false allegation of the County Attorney.

48. While Windsor's allegations against the federal judiciary are not the subject of this Civil Action, those allegations are absolutely true, totally documented, and uncontroverted. The Second, Third, Fourth, Fifth, Sixth, Seventh, Eighth, Ninth, Tenth, Twelfth, and Fifteenth Affidavits of William M. Windsor contain sworn evidence. Windsor will admit significant evidence into the record at the Preliminary Injunction Hearing. Exhibit 116 to the Twentieth Affidavit of William M. Windsor is a true and correct copy of a WSB-TV report on August 21, 2011 about a special FBI squad being established in Atlanta to investigate corruption among judges.

WINDSOR OBJECTS TO THE EVIDENCE THAT THE DEFENDANTS ARE ATTEMPTING TO ADMIT AND MOVES THAT IT BE STRICKEN.

49. Windsor moves to strike anything but citations of statutes and case law in the Defendants' Brief as it is not evidence, is not admissible, and is hearsay. (O.C.G.A. § 24-1-2, 24-3-1.)

50. Windsor has admitted evidence into the record of the Court as to facts, and these facts must be believed absent any sworn testimony to the contrary. (O.C.G.A. § 24-4-7, 24-4-8.)

51. The Defendants have failed to produce any evidence to repel claims against them, so this Court must presume that the charges are well-founded. (O.C.G.A. § 24-4-22.)

52. Defendants have failed to respond to letters from Windsor, and they are therefore presumed to have admitted the acts mentioned in the letters. (O.C.G.A. § 24-4-23.)

53. The only so-called evidence presented by the defendants are four orders from federal court judges. These orders are inadmissible as to any alleged facts stated therein as courts may not accept a court's order as proof of anything but that an order was issued. Certified copies of orders are the best evidence, and the Defendants have failed to introduce certified copies, sand the evidence is inadmissible. (O.C.G.A. § 24-5-1, 24-5-2, 24-5-4, 24-5-31.) See Windsor's response in Opposition to Defendants' Notice of Filing of Evidence for a variety of reasons why the evidence is inadmissible.

54. Under the ***Federal Rules of Evidence*** Rule 201(b), A judicially noticed fact must be one not subject to reasonable dispute in that it is either (1)

generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned. Windsor assumes Georgia has a similar statute. The orders that the Defendants wish to admit as evidence in this case are disputed. They are inaccurate, and the issuance of these orders is perjury and obstruction of justice that is part of the subject of Windsor's evidence to the Grand Jury.

WINDSOR HAS MET THE ELEMENTS FOR GRANTING A TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION, AND THE REQUEST MUST BE GRANTED.

55. Windsor has shown that he will suffer irreparable harm if his request is not granted. Windsor has shown that a grant of his request will not burden the Defendants, that the balance of harms weighs in Windsor's favor, and that the public interest is served in a grant of the request. For the foregoing reasons, the Windsor's Request for Temporary Restraining Order and Preliminary Injunction must be granted.

56. Windsor asks that if a bond is ordered that it be $1. Windsor does not have the ability to post a bond as all of his money has been "stolen" in the federal courts. Exhibit 104 to the Twentieth Affidavit of William M. Windsor is Windsor's Affidavit filed with the federal court, and Exhibit 105 is Windsor's

financial statement. Windsor is simply asking that the Defendants be required to abide by the law, and that should not cost Windsor even a dollar.

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

a. that Defendants be temporarily restrained and preliminarily and permanently enjoined from violating 18 U.S.C. § 1702 (Obstruction of Correspondence), 18 U.S.C. § 1708 (Theft of Mail and Possession of Stolen mail), 18 U.S.C. § 1503 (Obstruction of justice) and interfering in any manner with letters and United States mail sent by Windsor to anyone;

b. that Defendants be temporarily restrained and preliminarily and permanently enjoined from claiming any authority over grand juries;

c. that Defendants be temporarily restrained and preliminarily and permanently enjoined from violating O.C.G.A. § 16-10-93 and O.C.G.A. § 16-10-94 and interfering with a citizen's attempts to present evidence to a Grand Jury;

d. that defendants be temporarily restrained and preliminarily and permanently enjoined from speaking to a grand jury other than under oath in an official session of the grand jury to present information

regarding any witness or potential witness or regarding any matter that may come before the grand jury;

e. that defendants be temporarily restrained and preliminarily and permanently enjoined from speaking to a grand jury, other than under oath in an official session of the grand jury, with information regarding any witness, potential witness, or potential matter to be considered by the grand jury because to do so is jury tampering;

f. that Defendants be temporarily restrained and preliminarily and permanently enjoined from interfering with any citizen's efforts to present criminal charges and evidence to a Grand Jury for consideration without interference from the Office of the District Attorney or from the Sheriff's Department or other law enforcement personnel;

g. that Defendants be temporarily restrained and preliminarily and permanently enjoined from any action that would interfere with the fact that the Fulton County Grand Jury is an independent body created by statute that is independent of the District Attorney's Office or any other government body;

h. that the Defendants be temporarily restrained and preliminarily and permanently enjoined from prohibiting any access to the Grand Jury by William M. Windsor or anyone working with him or on his behalf;

i. that the Defendants be temporarily restrained and preliminarily and permanently enjoined from denying access to government buildings for lawful purposes by claiming such actions violated O.C.G.A. § 16-7-21;

j. that the Defendants be temporarily restrained and preliminarily and permanently enjoined from denying Windsor access to government buildings for lawful purposes by claiming such actions violate O.C.G.A. § 16-7-21;

k. that the Defendants be 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 the Plaintiff, Alcatraz Media, LLC, Alcatraz Media, Inc., Sabrina Felton, or any person denied access to the grand jury;

l. that Defendants be temporarily restrained and preliminarily and permanently enjoined from denying Windsor or any citizen the right to file a Criminal Warrant Application;

m. that the Defendants shall be prohibited from engaging in the same type of endeavor as the enterprise in which engaged in violation of O.C.G.A. § 16-14-4; and

n. that the enterprise be dissolved.

Respectfully submitted this 7th day of October, 2011.

William M. Windsor
Pro Se

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

VERIFICATION OF WILLIAM M. WINDSOR

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

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

This 7th day of October, 2011.

William M. Windsor

Sworn to before me, this 7th day of October, 2011.

Notary Public

KATHRYN H. DAVIS NOTARY PUBLIC GEORGIA COBB COUNTY EXPIRES FEB. 17, 2015

CERTIFICATE OF COMPLIANCE

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

William M. Windsor

P.O. Box 681236
Marietta, GA 30068
Telephone: 770-578-1056
Fax: 770-234-4106
williamwindsor@bellsouth.net

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing by hand delivery to:

Lanna Renee Hill
R. David Ware
Kaye Woodward Burrell
Jerolyn Webb Ferrari
Office of the Fulton County Attorney
141 Pryor Street, Suite 4038 -- Atlanta, GA 30303
404-612-0246 -- Fax: 404-730-6324
Lanna.hill@fultoncountyga.gov

This 7th day of October, 2011.

William M. Windsor
Pro Se

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