

1. On May 19, 2011, plaintiff William M. Windsor (“Plaintiff”) filed a civil complaint (the “Complaint”) in the Superior Court of Fulton County, styled William M. Windsor v. Judge William S. Duffey, Maid of the Mist Corporation, Maid of the Mist Steamboat Company, Ltd., Judge Orinda D. Evans, Judge Julie E. Carnes, Judge Joel F. Dubina, John Ley, and James N. Hatten, Case No. 2011CV200857 (the “State Court Action”), naming as defendants the following federal district and appellate court judges, and clerks of court: Judge William S. Duffey, Judge Orinda D. Evans, Judge Julie E. Carnes, Judge Joel F. Dubina, John Ley and James N. Hatten (the “Federal Defendants”).

2. On May 24, 2011, plaintiff served the Complaint and Summons on the Honorable Orinda D. Evans. On June 1, 2011, plaintiff served the Complaint and Summons on the Honorable William S. Duffey, Jr. and James N. Hatten. On June 7, 2011, plaintiff served the Complaint and Summons on the Honorable Julie E. Carnes. A copy of the Complaint is attached hereto as Exhibit A, as required by 28 U.S.C. § 1446(a). A copy of a motion for a Temporary Restraining Order is attached hereto as Exhibit B.

3. No further proceedings have occurred and no orders have been entered by the Superior Court of Fulton County in the State Court Action.

4. The Complaint seeks the entry of a declaratory judgment against the Federal Defendants stating the following:

[T]hat O.C.G.A. § 10-6-5 allows a Georgia citizen (“Citizen”) to issue a power of attorney that delegates to an agent (“Agent”) the power to appear for the Citizen and in that citizen’s behalf before any personal having authority by the laws of any State or of the United States; to enter any personal appearance for the Citizen as a plaintiff or as a defendant in any legal action, suit, court, or hearing or to accept, waive or acknowledge any process or service of process from any court, board or agency whatsoever directed to the Citizen personally; to file motions, responses, and pleadings of any time; and to compromise, refer to arbitration, or submit to judgment in any such action or proceeding; to institute, supervise, prosecute, defend, intervene in, abandon, compromise, arbitrate, settle, dismiss, and appeal from any and all legal, equitable, judicial or administrative hearings, actions, suits, proceedings, attachments, arrests or distresses, involving the Citizen in any way, and in the Citizen’s behalf speak for the Citizen in open Court, in Judge’s chambers, or Clerk’s offices.

5. This action is one that may be removed to the United States District Court pursuant to 28 U.S.C. § 1442(a)(1), (3).

WHEREFORE, the Federal Defendants remove the State Court Action to this Court for such further proceedings as may be appropriate. The United States has submitted with this Notice of Removal a proposed order that would constitute a Writ of Certiorari directing the Clerk of the Superior Court of Fulton County, Georgia, to deliver forthwith to the Clerk of Court for the Northern District of Georgia a complete certified copy of the entire record in the Superior Court.

Respectfully submitted, this 13th day of June, 2011.

SALLY QUILLIAN YATES
UNITED STATES ATTORNEY

/s/Christopher J. Huber
Assistant U.S. Attorney
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600 U.S. Courthouse
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Atlanta, Georgia 30303
(404) 581-6303 (telephone)
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CERTIFICATE OF COMPLIANCE

I certify that the documents to which this certificate is attached have been prepared with one of the font and point selections approved by the Court in LR 5.1B (Times New Roman, 14 pt.) for documents prepared by computer.

This 13th day of June, 2011.

/s/Christopher J. Huber

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing Notice of Removal and proposed Order on the plaintiff and counsel of record to the State Court Action by causing true and correct copies thereof to be placed in the U.S. Mail, with proper postage affixed, and addressed as follows:

William M. Windsor
P.O. Box 681236
Marietta, Georgia 30068

Carl H. Anderson, Jr.
4000 Sun Trust Plaza
303 Peachtree Street NE
Atlanta, Georgia 30308-3243

This 13th day of June, 2011.

/s/Christopher J. Huber