

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

WILLIAM M. WINDSOR,)	
Plaintiff)	
)	
v.)	CIVIL ACTION NO.
)	
JUDGE WILLIAM S. DUFFEY,)	1:11-CV-01922-TWT
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,)	
Defendants.)	
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AMENDED NOTICE OF APPEAL

1. Notice is hereby given that William M. Windsor (“Windsor” or “Plaintiff”) in the above-named case hereby amends the appeal filed on July 14, 2011 [Docket #46] and adds an appeal to the United States Court of Appeals from orders issued in Civil Action No. 1:11-CV-01922-TWT on July 15, 28, and 29, 2011. (Exhibits 1, 2, and 3 are true and correct copies of these Orders.

1. Windsor is merely adding the Order of July 15, 28, and 29, 2011 to the initial Appeal. (See *Rinaldo v. Corbett*, 256 F.3d 1276 (11th Cir. 07/13/2001).)

The originally appealed orders are not being attached as exhibits again. This Amended Notice of Appeal supplements the Notice of Appeal at Docket #46.

2. The appeal fee has already been paid. This is an amendment, not a new appeal. Amended appeals are absolutely authorized by the FRCP and case law in the Eleventh Circuit. The Clerk of the Court have illegally charged Windsor for amended appeals in the past when *Federal Rules of Appellate Procedure* 4(a)(4)(B)(iii) clearly states:

“No additional fee is required to file an amended notice.” (FRAP

4(a)(4)(B)(iii).)

See 20 James Wm. Moore, *Moore's Federal Practice* § 303.21[3][c] (explaining that a notice of appeal does not ordinarily include orders that have not been entered at the time a notice of appeal is filed and that, for post-notice orders, a second notice or appeal, or an amended notice of appeal, is usually necessary). (*Bogle v. Orange County Board of County Commissioners*, 162 F.3d 653 (11th Cir. 12/09/1998).)

"a party intending to challenge an order disposing of [a post-judgment motion] . . . must file a notice of appeal, or an **amended notice of appeal**." Federal Rules of Appellate Procedure 4(a)(4)(B)(ii) and (iii). (*Williams v. Plantation Police Dep't*, 379 Fed.Appx. 866 (11th Cir. 05/17/2010).) **[emphasis added.]**

See also *Finch v. City of Vernon*, 845 F.2d 256, 259-60 (11th Cir. 1988); *Fuller v. Terry*, 381 Fed.Appx. 907 (11th Cir. 06/03/2010); *Davis v. Locke*, 936 F.2d 1208 (11th Cir. 07/26/1991); *United States v. Elso*, 571 F.3d 1163 (11th Cir. 06/19/2009); *United States v. Calles*, No. 07-10166 (11th Cir. 03/31/2008).)

3. The Docket shows that the Eleventh Circuit has not yet even

confirmed the appeal, and no Appeal Number has even been assigned.

4. Windsor has also moved the Eleventh Circuit to allow appeals filed on July 14, 2011 in Civil Actions 1:11-CV-01923-TWT, 1:11-CV-01922-TWT, AND 1:11-CV-02027-TWT to be considered as one appeal.

5. This interlocutory appeal includes denial of a Motion for Remand, issuance of a filing injunction without notice or an opportunity to be heard, and more. The new orders added to the appeal are simply additional instances of illegal orders issued pursuant to the illegal injunction that has been appealed.

6. This appeal is necessary due to the violation of Windsor's Constitutional rights by Judge Thomas Woodrow Thrash ("TWT"), abuse of "discretion," fraud upon the court by TWT, and more. The appeal will be based upon abuse of discretion, violation of Constitutional rights, denial of due process, errors of law, violation of statutes, errors of fact, violations of various statutes, judicial bias, corruption, conspiracy, racketeering, and more.

7. TWT'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).)

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

9. TWT has committed fraud upon the court as has the U.S. Attorney. This means this Court does not have subject matter jurisdiction.

10. TWT has not followed mandatory statutory procedures. This means this Court does not have subject matter jurisdiction.

11. TWT committed unlawful acts. This means this Court does not have subject matter jurisdiction.

12. TWT has violated due process. This means this Court does not have subject matter jurisdiction.

13. TWT is part of a criminal racketeering enterprise. This means this Court does not have subject matter jurisdiction.

14. TWT 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.

15. Upon information and belief, TWT does not have a copy of his oath of office in his chambers. This means this Court does not have subject matter jurisdiction.

16. 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. TWT failed to do so, and his so-called orders are void. (*Adams v. State*, No. 1:07-cv-2924-WSD-CCH (N.D.Ga. 03/05/2008).) (See *Steel Co. v. Citizens for a Better Env't*, 523 U.S. 83, 94 (1998); see also *University of S. Ala. v. The Am. Tobacco Co.*, 168 F.3d 405, 410 (11th Cir. 1999) ("[O]nce a federal court determines that it is without subject matter jurisdiction, the court is powerless to continue."). (*Jean Dean v. Wells Fargo Home Mortgage*, No. 2:10-cv-564-FtM-29SPC (M.D.Fla. 04/21/2011).) (*Taylor v. Appleton*, 30 F.3d 1365, 1366 (11th Cir. 1994).)

17. TWT has demonstrated pervasive bias, and he lost jurisdiction when he failed to recuse himself. A study of pro se cases that TWT has handled reveals that TWT has a proven overwhelming bias against pro se plaintiffs. TWT has an "extra-judicial" bias against pro se parties. According to Windsor's review of every case TWT has handled in his career using www.versuslaw.com, no pro se plaintiff has ever won in TWT's court; 90% of pro se cases are dismissed, and 10% are defeated at summary judgment; no pro se plaintiff has ever received a jury trial

18. Failure to follow the mandatory requirements of the law is a further evidence of the appearance of partiality of TWT. This required recusal.

“Disqualification is required if an objective observer would entertain reasonable questions about the judges impartiality. If a judge's attitude or state of mind leads a detached observer to conclude that a fair and impartial hearing is unlikely, the judge **must be disqualified.**” (*Liteky v. U.S.*, 114 S.Ct. 1147 (1994).)

Rankin v. Howard (1980) 633 F.2d 844, cert den. *Zeller v. Rankin*, 101 S.Ct. 2020, 451 U.S. 939, 68 L.Ed 2d 326. When a judge knows that he lacks jurisdiction, or acts face of clearly statutes valid statutes expressly depriving him of jurisdiction, judicial immunity is lost.

“When there is no jurisdiction, there can be no discretion, for discretion is incident to jurisdiction.” *Piper v. Pearson*, 2 Gray 120, cited in *Bradley v. Fisher*, 13 Wall 335, 20 L. Ed. 646 (1872).

19. TWT has committed treason.

Whenever a judge acts where he/she does not have jurisdiction to act, the judge is engaged in an act or acts of treason. *U.S. v. Will*, 449 U.S. 200, 216, 101 S.Ct. 471, 66 L.Ed.2d 392, 406 (1980); *Cohens v. Virginia*, 19 U.S. (6 Wheat) 264, 404, 5 L.Ed 257 (1821).

20. 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.”

21. All of these rights have been violated.

22. TWT has improperly foreclosed Windsor's access to the court. TWT 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. (*Zipperer v. City of Fort Myers*, 41 F.3d 619, 623 (11th Cir. 1995).)

23. Meaningful access to the courts is a Constitutional right that has been denied by TWT, and this latest order denies significant rights.

(See *Procup v. Strickland*, 792 F.2d 1069, 1072 (11th Cir. 1986) (per curiam) (en banc); *Christopher v. Harbury*, 536 U.S. 403, 415 & n.12, 122 S.Ct. 2179, 2187 & n.12, 153 L.Ed.2d 413 (2002).)

24. There was no Show Cause order issued to Windsor as required by Eleventh Circuit law. Windsor has had no proper notice.

Upon these findings and **consistent with Eleventh Circuit law, this Court required Plaintiff to show cause within ten days... why a Martin-Trigona injunction should not be entered.** (See *Procup v. Strickland*, 792 F.2d 1069 (11th Cir. 1986); *Torres v. McCoun*, No. 8:08-cv-1605-T-33MSS (M.D.Fla. 09/10/2008); *Western Water Management, Inc. v. Brown*, 40 F.3d 105, 109 (5th Cir. 1994).) [**emphasis added.**]

25. 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 TWT has, then he has defrauded not only the Plaintiff involved, but has also the government. TWT is paid to support the U.S. Constitution. By not supporting the Constitution, TWT is collecting monies for

work not performed.

26. The Court of Appeals has jurisdiction pursuant to 28 U.S.C. § 1292(a)(1) because one of the district court's rulings (1) imposed an injunction; or (2) had the practical effect of an injunction; or (3) worked a modification of an injunction. The PROTECTIVE ORDER denies rights to Windsor and implicitly enjoins Windsor from future exercise of rights.

27. Injunctions are appealable pursuant to 28 U.S.C. §1292(a). A court order prohibiting someone from doing some specified act is an injunction. The PROTECTIVE ORDER prohibits Windsor from filing anything.

See *Black's Law Dictionary* 784 (6th ed. 1990) (defining "injunction" as "[a] court order prohibiting someone from doing some specified act or commanding someone to undo some wrong or injury"). (*Nken v. Holder*, 129 S.Ct. 1749, 173 L.Ed.2d 550 (U.S. 04/22/2009).) (See also *KPMG, LLP v. SEC*, 289 F.3d 109, 124 (D.C. Cir. 2002); *Lundberg v. United States*, No. 09-01466 (D.D.C. 07/01/2010).)

28. TWT entered "a court order prohibiting someone from doing some specified act," and that is an injunction (or a restraining order). It is immaterial that TWT did not call the prohibitions on Windsor an injunction or restraining order.

"...we have jurisdiction under 28 U.S.C. § 1292(a)(1) (1982), which permits an immediate appeal from the issuance of a new or modified injunction. It is immaterial that the court characterized the March order as a finding of contempt. 'an injunction does not cease to be appealable under section 1292(a) (1) merely because it is contained in an order for civil contempt.'

Szabo v. U.S. Marine Corp., 819 F.2d 714, 718 (7th Cir. 1987); see also ***I.A.M. Nat'l Pension Fund Benefit Plan A v. Cooper Indus.***, 252 U.S. App. D.C. 189, 789 F.2d 21, 23-24 (D.C. Cir.), cert. denied, 479 U.S. 971, 107 S. Ct. 473, 93 L. Ed. 2d 417 (1986). Accordingly, we have jurisdiction over Eastern's appeal under 28 U.S.C. § 1292(a) (1)." (06/07/88 ***International Association v. Eastern Airlines, Inc.***, No. 88-7079, UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA CIRCUIT.)

...preliminary injunctions are appealable orders under 28 U.S.C. § 1292(a)(1). See, e.g., ***El Paso Natural Gas Co. v. Neztosie***, 526 U.S. 473, 482 (1999).

...we have appellate jurisdiction to review the District Court's granting or denying of a preliminary injunction. See ***Davis v. Pension Benefit Guar. Corp.***, 571 F.3d 1288, 1291 (D.C. Cir. 2009). A restraining order lasting longer than 14 days generally is considered an injunction, the granting or denying of which is subject to appeal. See ***Sampson v. Murray***, 415 U.S. 61, 86 (1974); ***United States v. E-Gold, Ltd.***, 521 F.3d 411, 414-15 (D.C. Cir. 2008) (order restraining "assets pending trial and judgment" is an "injunction" under 28 U.S.C. § 1292(a)(1)). (***In re Any and all Funds or Other Assets, in Brown Brothers Harriman & Co. Account #8870792 in the Name of Tiger Eye Investments Ltd.***, 613 F.3d 1122 (D.C.Cir. 07/16/2010).)

Under 28 U.S.C. § 1292(a)(1), the court has jurisdiction to review "[i]nterlocutory orders of the district courts of the United States ... granting, continuing, modifying, refusing, or dissolving injunctions, or refusing to dissolve or modify injunctions...." 28 U.S.C. § 1292(a)(1). Although the provision is typically invoked to appeal preliminary injunctions, it can be invoked to appeal permanent injunctions that are interlocutory in nature. ***Smith v. Vulcan Iron Works***, 165 U.S. 518 (1897); see also ***Ty, Inc. v. Publ'ns Int'l Ltd.***, 292 F.3d 512, 516 (7th Cir. 2002), cert. denied, 123 S. Ct. 892 (2003); ***Cohen v. Bd. of Trs. of Univ. of Med. & Dentistry***, 867 F.2d 1455, 1464 n.7 (3d Cir. 1989); ***CFTC v. Preferred Capital Inv. Co.***, 664 F.2d 1316, 1319 n.4 (5th Cir. 1982); 16 Charles Alan Wright & Arthur R. Miller, ***Federal Practice and Procedure*** § 3924 (2d ed. 1996). (***National Railroad Passenger Corporation v. ExpressTrak, L.L.C.***, 330 F.3d 523 (D.C.Cir. 06/06/2003).)

Under 28 U.S.C. § 1292(a)(1), circuit courts have jurisdiction to review "[i]nterlocutory orders . . . granting, continuing, modifying, refusing or dissolving injunctions." Regardless of how the district court may choose to characterize its order, **section 1292(a)(1) applies to any order that has "the practical effect of granting or denying an injunction,"** so long as it also "might have a serious, perhaps irreparable, consequence, and . . . can be effectually challenged only by immediate appeal." *I.A.M. Nat'l Pension Fund Benefit Plan A v. Cooper Indus., Inc.*, 789 F.2d 21, 23-24 (D.C. Cir. 1986) (internal quotation marks omitted). **[emphasis added.]**

29. Windsor will suffer irreparable harm if the PROTECTIVE ORDER is allowed to stand and Windsor loses the legal right to file actions due to the statute of limitations. Windsor will lose because he can't file anything.

30. In this matter, practicality and fundamental fairness require that the orders be appealable. TWT has obliterated Windsor's Constitutional rights and rights to due process.

31. Windsor's fundamental rights are seriously prejudiced by the appealed orders. Many jurisdictions make an exception for decisions that are particularly prejudicial to the rights of one of the parties. The Court of Appeals has the recognized right to do what is fair and practical. The Court of Appeals cannot allow TWT to blatantly violate Windsor's rights. The courthouse doors have been closed to Windsor in violation of extensive case law. Windsor has been denied the right to petition the government for redress of grievances. Windsor has been denied rights pursuant to the Constitution and Bill of Rights.

It is sometimes appropriate to give the finality requirement a practical rather than a technical construction. *Firestone Tire & Rubber Co. v. Risjord*, 449 U.S. 368, 375, 66 L. Ed. 2d 571, 101 S. Ct. 669 (1981). See *In Re Coordinated Pretrial Proceedings*, 747 F.2d 1303, 1305 (9th Cir. 1984). "Final . . . does not necessarily mean the last order possible to be made in a case." *Gillespie v. United States Steel Corp.*, 379 U.S. 148, 152, 13 L. Ed. 2d 199, 85 S. Ct. 308 (1964). (*United States v. Washington*, 761 F.2d 1404 (9th Cir. 05/28/1985).)

32. Some of the appealed orders may be considered "collateral orders." It deals with an important issue that is completely separate from the underlying civil action, and it is effectively unreviewable on appeal from a final judgment because the impact cannot be reversed, and no compensation is available for the wrongdoing.

In order to be considered a collateral order, it would have to "...resolve an important issue completely separate from the merits of the action, and be effectively unreviewable on appeal from a final judgment." *Coopers & Lybrand v. Livesay*, 437 U.S. 463, 468 (1978) (footnote omitted). See *Cohen v. Beneficial Indus. Loan Corp.*, 337 U.S. 541 (1949) (setting out the collateral order doctrine). (See also *Kassuelke v. Alliant Techsystems, Inc.*, 223 F.3d 929, 931 (8th Cir. 2000).)

To be appealable as a collateral order under *Cohen*, "the order must conclusively determine the disputed question, resolve an important issue completely separate from the merits of the action, and be effectively unreviewable on appeal from a final judgment." *Risjord*, 449 U.S. at 375 (quoting *Coopers & Lybrand v. Livesay*, 437 U.S. 463, 468, 57 L. Ed. 2d 351, 98 S. Ct. 2454 (1978)). (*United States v. One 1986 Ford Pickup*, 56 F.3d 1181 (9th Cir. 06/08/1995).)

33. In this matter, TWT issued an order that had immediate and irreparable impact on Windsor. The statute of limitations is running on claims that

Windsor needs to file, and TWT is blocking Windsor from filing anything and taking action to protect his rights. When the statute of limitations expires, Windsor suffers irreparable harm. If Windsor is not given the opportunity to have his motions for remand considered, he will be irreparably harmed as he will have no recourse.

The courts of appeal have considered "irreparable harm" relevant in determining whether jurisdiction is available pursuant to the collateral order doctrine -- which the Government does not invoke -- but not pursuant to § 1291 itself. See *Trout*, 891 F.2d at 335; *Rosenfeld*, 859 F.2d at 721-22; *Palmer v. City of Chicago*, 806 F.2d 1316, 1318 (7th Cir. 1986).

Forgay v. Conrad, 47 U.S. (6 How.) 201, 204 (1848), which held an interlocutory appeal will lie from an order that "directs the property in dispute to be delivered to the complainant" and "subject[s the appellant] to irreparable injury."

34. The ORDER dated July 29, 2011 (Exhibit 3) cites a false, malicious, perjured statement by a Court of Appeals. There is no evidence before the Court as to this scurrilous and reckless statement by the Court of Appeals as regurgitated by TWT. This must be stricken. In the entire Docket, the only evidence before this Court is from Windsor. Windsor has filed verifications of virtually everything he has filed, and the Complaint was verified. No Defendant, and no one acting on behalf of any of the Defendants, has filed any affidavit or evidence of any type. Therefore, TWT is committing perjury, fraud upon the court, and obstruction of

justice when he pretends there is evidence before the Court that he may cite or quote.

35. The ORDER says other papers submitted on July 25, 2011 are “attempted abuse of the judicial system.” A true and correct copy of the cover letter for the papers submitted on July 25, 2011 is attached as Exhibit 4. This shows that the so-called “attempted abuse of the judicial system” was “Notice of Filing & Emergency Request for Consent to file a Motion for Stay.” There can be no attempted abuse of the legal system by filing a three-paragraph motion for stay. A true and correct copy of the documents submitted for filing is Exhibit 5.

36. The ORDER also says: “The scurrilous and reckless claims of fraud and criminality on the part of Judges of the Northern District are frivolous.” There are no such claims in the documents files. A true and correct copy of the documents accepted for filing, Notice of Filing & Emergency Request for Consent to file a Motion for Extension, is Exhibit 6. Neither Exhibit 5 nor Exhibit 6 even mention fraud, criminality, or judges of the Northern District.

37. Here are the entire contents of the Emergency Request for Consent to file a Motion for Stay:

- a. On July 14, 2011, Windsor filed a VERIFIED INDEPENDENT ACTION to set aside the orders in this Civil Action pursuant to

FRCP Rule 60(d). A true and correct copy of this VERIFIED INDEPENDENT ACTION (less exhibits) is attached as Exhibit A hereto, and is incorporated herein.

- b. This Rule 60(d) motion must be heard by a different judge, and this motion must be resolved before this Court may consider the Motion to Dismiss filed by the U.S. Attorney.
- c. WHEREFORE, Windsor requests that the Court grant Windsor's request to file a motion for stay. This Court should order a stay until the VERIFIED INDEPENDENT ACTION is resolved. This Civil Action is also on appeal.

38. Here are the entire contents of the Emergency Request for Consent to file a Motion for Extension:

- a. On July 14, 2011, Windsor filed a VERIFIED INDEPENDENT ACTION to set aside the orders in this Civil Action pursuant to FRCP Rule 60(d).
- b. This Rule 60(d) motion must be heard by a different judge, and this motion must be resolved before this Court may consider the Motion to Dismiss filed by the U.S. Attorney.

- c. Windsor requests an extension of time to respond to the Motion to Dismiss until after the VERIFIED INDEPENDENT ACTION is resolved.
- d. Windsor does not have the right to even file a response to the Motion to Dismiss, so Windsor seeks approval to file a response and asks that the Court set a due date for the response.
- e. WHEREFORE, Windsor requests that the Court do as follows:
 - i. grant this REQUEST;
 - ii. allow Windsor to file a Response to the Motion to Dismiss;
 - iii. grant an extension of time for Windsor to respond to the Motion to Dismiss until after the VERIFIED INDEPENDENT ACTION is resolved; and
 - iv. grant such other and further relief as the Court feels is appropriate.

39. TWT has never had any jurisdiction over this Civil Action.

40. Orders issued by TWT are invalid. Orders have not been signed, issued under seal, or signed by the Clerk of the Court in violation of 28 U.S.C. 1691.

The word "process" at 28 U.S.C. 1691 means a court order. See *Middleton Paper Co. v. Rock River Paper Co.*, 19 F. 252 (C.C. W.D. Wisconsin

1884); *Taylor v. U.S.*, 45 F. 531 (C.C. E.D. Tennessee 1891); *U.S. v. Murphy*, 82 F. 893 (DCUS Delaware 1897); *Leas & McVitty v. Merriman*, 132 F. 510 (C.C. W.D. Virginia 1904); *U.S. v. Sharrock*, 276 F. 30 (DCUS Montana 1921); *In re Simon*, 297 F. 942, 34 ALR 1404 (2nd Cir. 1924); *Scanbe Mfg. Co. v. Tryon*, 400 F.2d 598 (9th Cir. 1968); and *Miles v. Gussin*, 104 B.R. 553 (Bankruptcy D.C. 1989).

41. This is a case of the most overt bias imaginable. TWT has made absolutely false statements in his orders and has announced that he has reached a decision in the case without having any facts before him except Windsor's.

42. These civil actions are now on appeal and are stayed.

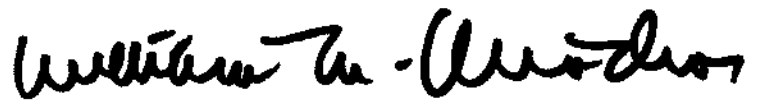
43. In the words of Defendant Duffey:

("[A] federal district court and a federal court of appeals should not attempt to assert jurisdiction over a case simultaneously. The filing of a notice of appeal is an event of jurisdictional significance--it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal."). (*Bryant v. Jones*, No. 1:04-cv-2462-WSD (N.D.Ga. 01/10/2007).)

44. Windsor has many orders from the United States Court of Appeals for the Eleventh Circuit that provide that this civil action is stayed and hundreds from federal courts everywhere. See *Mahone v. Ray*, 326 F.3d 1176, 1179 (11th Cir. 2003) and hundreds of others.

45. Windsor has not yet fully researched the legal issues, but he will do so by the time he files his Appeal, so he reserves the right to include anything deemed appropriate in the Appellant's Brief.

Submitted, this 1st day of August 2011.



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 1st day of August 2011.

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

William M. Windsor

CERTIFICATE OF COMPLIANCE

As required by Local Rule 7.1D, N.D. Ga., I hereby certify that this pleading has been prepared in Times New Roman 14-point font, one of the font and point selections approved by this Court in Local Rule 5.1B, N.D. Ga.



William M. Windsor

Pro Se

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Marietta, GA 30068

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Facsimile: 770-234-4106

Email: williamwindsor@bellsouth.net

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing AMENDED NOTICE OF APPEAL by depositing the same with the United States Postal Service with sufficient postage and addressed as follows:

CHRISTOPHER J. HUBER
ASSISTANT U.S. ATTORNEY
Georgia Bar No. 545627
600 Richard B. Russell Federal Bldg.
75 Spring Street, S.W. -- Atlanta, Georgia 30303
Telephone: (404) 581-6292 -- Facsimile: (404) 581-6181
Email: chris.huber@usdoj.gov

This 1st day of August 2011.



William M. Windsor
Pro Se

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

Exhibit

1

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

WILLIAM M. WINDSOR,

Plaintiff,

v.

JUDGE WILLIAM S. DUFFEY, et al.,

Defendants.

CIVIL ACTION FILE
NO. 1:11-CV-1922-TWT

ORDER

This is a pro se civil action against the Clerk of this Court and various judges of this Court and the Eleventh Circuit Court of Appeals and others. The Court notes that in a related case where the Plaintiff's appeal was dismissed as frivolous, the Court of Appeals described the Plaintiff's abuse of the judicial system as follows:

[The Plaintiff's] litigious behavior [has] undermined the integrity of the judgments and orders in this case. Although the case is closed, Windsor has repeatedly filed unsubstantiated, duplicative pleadings, many after the district court issued an order denying them. Moreover, his pleadings are long and repetitive, and the volume of his filings poses a burden to clerical and judicial operations and is an impediment to the administration of justice.

After review, permission to file the papers received by the Clerk from the Plaintiff on July 14, 2011 is GRANTED.

SO ORDERED, this 15 day of July, 2011.

/s/Thomas W. Thrash
THOMAS W. THRASH, JR.
United States District Judge

Exhibit

2

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

WILLIAM M. WINDSOR,
Plaintiff,

v.

JUDGE WILLIAM S. DUFFEY, et al.,
Defendants.

CIVIL ACTION FILE
NO. 1:11-CV-1922-TWT

ORDER

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After review, permission to file the papers received by the Clerk from the Plaintiff on July 20, 2011 is GRANTED.

SO ORDERED, this 28 day of July, 2011.

/s/Thomas W. Thrash
THOMAS W. THRASH, JR.
United States District Judge

Exhibit

3

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

WILLIAM M. WINDSOR,

Plaintiff,

v.

JUDGE WILLIAM S. DUFFEY, et al.,

Defendants.

CIVIL ACTION FILE
NO. 1:11-CV-1922-TWT

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After review, permission to file the papers received by the Clerk from the Plaintiff on July 25, 2011 is GRANTED with respect to the Request for Consent to File a Motion for Extension of Time to File Response to Motion to Dismiss and Consent to File a

Response to the Motion to Dismiss. Consent to file is DENIED as to the other papers which constitute attempted abuse of the judicial system. The scurrilous and reckless claims of fraud and criminality on the part of the Judges of the Northern District are frivolous.

SO ORDERED, this 29 day of July, 2011.

/s/Thomas W. Thrash
THOMAS W. THRASH, JR.
United States District Judge

Exhibit

4

William M. Windsor

PO Box 681236 * Marletta, GA 30068 * 770-578-1094 * Cell: 404-606-1885

July 25, 2011

Clerk of the Court
United States District Court Northern District of Georgia
75 Spring Street, SW, 22nd Floor
Atlanta, Georgia 30303-3361

Dear Clerk:

Please file these first thing this morning:

1:11-CV-01922-TWT: Notice of Filing & Emergency Request for Consent to file a Motion for Extension....

1:11-CV-01922-TWT: Notice of Filing & Emergency Request for Consent to file a Motion for Stay

1:11-CV-01923-TWT: Notice of Filing of Third Amended Notice of Appeal

Please deliver this to Judge Duffey for his information and approval for filing:

1:09-CV-01543-WSD: Notice of Filing of Petition for Writ of Mandamus

Please deliver the enclosed letters for Mr. Hatten and several judges.

Sincerely,



William M. Windsor
Barbara G. Windsor

Exhibit

5

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

WILLIAM M. WINDSOR,
Plaintiff

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,
Defendants.

CIVIL ACTION NO.

1:11-CV-01922-TWT

EMERGENCY MOTION

**NOTICE OF FILING OF WILLIAM M. WINDSOR'S EMERGENCY
REQUEST FOR CONSENT TO FILE MOTION FOR STAY**

Plaintiff William M. Windsor hereby gives NOTICE OF FILING OF
WILLIAM M. WINDSOR'S EMERGENCY REQUEST FOR CONSENT TO
FILE MOTION FOR STAY for consideration in connection with this matter.

Respectfully submitted, this 25th day of July 2011.




William M. Windsor
Pro Se

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

CERTIFICATE OF COMPLIANCE

As required by Local Rule 7.1D, N.D. Ga., I hereby certify that this pleading has been prepared in Times New Roman 14-point font, one of the font and point selections approved by this Court in Local Rule 5.1B, N.D. Ga.



William M. Windsor

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Email: williamwindsor@bellsouth.net

CERTIFICATE OF SERVICE

I hereby certify that I served this NOTICE OF FILING by depositing in the United States Mail with sufficient postage addressed as follows:

CHRISTOPHER J. HUBER
ASSISTANT U.S. ATTORNEY
Georgia Bar No. 545627
600 Richard B. Russell Federal Bldg.
75 Spring Street, S.W. -- Atlanta, Georgia 30303
Telephone: (404) 581-6292 -- Facsimile: (404) 581-6181
Email: chris.huber@usdoj.gov

I have also prepared a copy for each Defendant to be served with the Summons and Complaint.

This 25th day of July 2011.



William M. Windsor
Pro Se

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

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

WILLIAM M. WINDSOR,)	
Plaintiff)	
)	
v.)	CIVIL ACTION NO.
)	
JUDGE WILLIAM S. DUFFEY,)	1:11-CV-01922-TWT
MAID OF THE MIST)	
CORPORATION, MAID OF THE)	EMERGENCY MOTION
MIST STEAMBOAT COMPANY,)	
LTD., JUDGE ORINDA D. EVANS,)	
JUDGE JULIE E. CARNES, JUDGE)	
JOEL F. DUBINA, JOHN LEY, AND)	
JAMES N. HATTEN,)	
Defendants.)	
<hr/>		

**WILLIAM M. WINDSOR'S EMERGENCY REQUEST FOR
CONSENT TO FILE MOTION FOR STAY**

COMES NOW Plaintiff William M. Windsor, and moves this Court to request consent to file a motion for a stay. Support for moving Windsor's request is set forth in the Memorandum immediately below.

1. On July 14, 2011, Windsor filed a VERIFIED INDEPENDENT ACTION to set aside the orders in this Civil Action pursuant to FRCP Rule 60(d). A true and correct copy of this VERIFIED INDEPENDENT ACTION (less exhibits) is attached as Exhibit A hereto, and is incorporated herein.

2. This Rule 60(d) motion must be heard by a different judge, and this motion must be resolved before this Court may consider the Motion to Dismiss filed by the U.S. Attorney.

3. WHEREFORE, Windsor requests that the Court grant Windsor's request to file a motion for stay. This Court should order a stay until the VERIFIED INDEPENDENT ACTION is resolved. This Civil Action is also on appeal.

Submitted, this 25th 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

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 REQUEST 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 25th day of July 2011.

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

William M. Windsor

CERTIFICATE OF COMPLIANCE

As required by Local Rule 7.1D, N.D. Ga., I hereby certify that this pleading has been prepared in Times New Roman 14-point font, one of the font and point selections approved by this Court in Local Rule 5.1B, N.D. Ga.



William M. Windsor
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Marietta, GA 30068
Telephone: 770-578-1094
Facsimile: 770-234-4106
Email: williamwindsor@bellsouth.net

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing REQUEST by mail with sufficient postage addressed to:

CHRISTOPHER J. HUBER
ASSISTANT U.S. ATTORNEY
Georgia Bar No. 545627
600 Richard B. Russell Federal Bldg.
75 Spring Street, S.W. -- Atlanta, Georgia 30303
Telephone: (404) 581-6292 -- Facsimile: (404) 581-6181
Email: chris.huber@usdoj.gov

I have also prepared a copy for each Defendant to be served with the Summons and Complaint.

This 25th day of July 2011.



William M. Windsor
Pro Se

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Telephone: 770-578-1094
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Email: williamwindsor@bellsouth.net

Exhibit

6

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

WILLIAM M. WINDSOR,
Plaintiff

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,
Defendants.

CIVIL ACTION NO.

1:11-CV-01922-TWT

EMERGENCY MOTION

**NOTICE OF FILING OF WILLIAM M. WINDSOR'S EMERGENCY
REQUEST FOR CONSENT TO FILE A MOTION FOR EXTENSION OF
TIME TO FILE RESPONSE TO MOTION TO DISMISS
AND CONSENT TO FILE A RESPONSE TO THE MOTION TO DISMISS**

Plaintiff William M. Windsor hereby gives NOTICE OF FILING OF WILLIAM M. WINDSOR'S EMERGENCY REQUEST FOR CONSENT TO FILE A MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO MOTION TO DISMISS AND CONSENT TO FILE A RESPONSE TO THE MOTION TO DISMISS for consideration in connection with this matter.

Submitted, this 25th day of July 2011.

William M. Windsor

William M. Windsor
Pro Se

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

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This 25th day of July 2011.



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

WILLIAM M. WINDSOR,
Plaintiff

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,
Defendants.

CIVIL ACTION NO.

1:11-CV-01922-TWT

EMERGENCY MOTION

**WILLIAM M. WINDSOR'S EMERGENCY REQUEST
FOR CONSENT TO FILE A MOTION FOR EXTENSION OF TIME
TO FILE RESPONSE TO MOTION TO DISMISS
AND CONSENT TO FILE A RESPONSE TO THE MOTION TO DISMISS**

COMES NOW Plaintiff William M. Windsor, and moves this Court to request consent TO FILE A MOTION FOR EXTENSION OF TIME TO FILE RESPONSE TO MOTION TO DISMISS AND CONSENT TO FILE A RESPONSE TO THE MOTION TO DISMISS. Support for moving Windsor's request is set forth in the Memorandum immediately below.

1. On July 14, 2011, Windsor filed a VERIFIED INDEPENDENT ACTION to set aside the orders in this Civil Action pursuant to FRCP Rule 60(d).

2. This Rule 60(d) motion must be heard by a different judge, and this motion must be resolved before this Court may consider the Motion to Dismiss filed by the U.S. Attorney.

3. Windsor requests an extension of time to respond to the Motion to Dismiss until after the VERIFIED INDEPENDENT ACTION is resolved.

4. Windsor does not have the right to even file a response to the Motion to Dismiss, so Windsor seeks approval to file a response and asks that the Court set a due date for the response.

WHEREFORE, Windsor requests that the Court do as follows:

- (1) grant this REQUEST;
- (2) allow Windsor to file a Response to the Motion to Dismiss;
- (3) grant an extension of time for Windsor to respond to the Motion to Dismiss until after the VERIFIED INDEPENDENT ACTION is resolved; and
- (4) grant such other and further relief as the Court feels is appropriate.

Submitted, this 25th day of July 2011.

William M. Windsor

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 REQUEST 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 25th day of July 2011.

A handwritten signature in black ink, appearing to read "William M. Windsor", written in a cursive style. The signature is positioned above a horizontal line.

William M. Windsor

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This 25th day of July 2011.



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

WILLIAM M. WINDSOR,)	
Plaintiff)	
)	
v.)	CIVIL ACTION NO.
)	
JUDGE WILLIAM S. DUFFEY,)	1:11-CV-01922-TWT
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,)	
Defendants.)	
)	

NOTICE OF FILING OF AMENDED NOTICE OF APPEAL

Plaintiff William M. Windsor hereby gives NOTICE OF FILING OF AMENDED NOTICE OF APPEAL for consideration in this matter.

Respectfully submitted, this 1st day of August 2011.



**William M. Windsor
Pro Se**

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

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This 1st day of August 2011.



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