

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

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

APPLICATION FOR IN FORMA PAUPERIS STATUS

1. Exhibit A hereto is a true and correct copy of the affidavit and financial information that Windsor recently filed in the District Court.

2. Windsor has less than \$16 in the bank. All of Windsor's assets are pledged.

3. The UPDATED financial statement of William M. Windsor shows a negative net worth of \$1,254,574. (Exhibit B is a true and correct copy of the latest Financial Statement.)

4. Windsor is insolvent. The government of the United States says so. Windsor has no money and a negative net worth of approximately \$1,254,574.

Insolvency is defined in the Bankruptcy Code as a "financial condition such that the sum of [the insolvent] entity's debts is greater than all such entity's property, at a fair valuation." 11 U.S.C. § 101(32).

5. Windsor has no income.

6. The Plaintiffs in Civil Action 1:06-CV-0714-ODE have filed liens on the assets of both Windsor and his wife (though she is not a party to any legal action).

7. Windsor has absolutely not one single asset that he could sell or use as collateral in an attempt to obtain a loan.

8. Windsor was advised to file bankruptcy in 2010. Rather than file bankruptcy, Windsor cashed in his entire 401(k) account and used it to pay court costs, deposits into the registry of the court for improper awards of sanctions, and to pay mortgages. All of that money is now gone. Those funds would have been protected in bankruptcy.

9. Income tax returns for the Windsors show little net income on paper for the last five years. The true financial picture is even worse. Some income was shown on income tax returns, but that income was not real because the costs of the Ball Mill Road home were not fully deductible and so-called “dividends” were paper transactions that were only increases in the investments that are actually held by Wells Fargo. The Windsors never received that so-called income, but it is “income” for income tax purposes. The Windsors actual financial status for the last five years has been negative cash flow. Expenses have exceeded income. Over the last few years, Windsor has gotten money by withdrawals from his 401(k)

account. That money is now gone. Windsor received a small inheritance from his father following his death in late 2008/early 2009 – perhaps \$25,000. That money is now gone.

10. Windsor sold his magazine publishing business in 1981-82. He foolishly invested most of the proceeds after taxes in developing a 600-acre tract of land in Dallas County, Texas. An MAI appraisal scandal in the Dallas area, economic problems in Texas, and the inability of Windsor's small bank to get other banks to participate in an orally-committed loan put Windsor in a serious financial bind. Efforts to obtain financing, despite an MAI Appraisal of \$8.1 million, were hopeless. Windsor went through a series of buyers who did not close. The last of the potential buyers was Vernon Hulme. Hulme put up a significant amount of non-refundable earnest money, and it appeared the Windsors would survive and salvage \$1 to \$2 million after paying off the mortgages and other related debt. Then Windsor received a call from the Securities and Exchange Commission. It seemed that Hulme had used fraudulent stock certificates as collateral to obtain loans. The money paid to Windsor as earnest money was obtained in that manner. See http://articles.orlandosentinel.com/1985-10-11/business/0330380221_1_stock-certificates-hulme-securities-transfer
http://articles.orlandosentinel.com/1986-06-23/business/8606270601_1_hulme-

civil-contempt-civil-proceedings

<http://www.sec.gov/news/digest/1985/dig101685.pdf> This mess had the property tied up for many months. Windsor testified for the SEC. The Windsors sold their home in Dallas (despite the fact they were advised that in Texas, residences are protected in bankruptcy) and used the \$300,000 proceeds to buy time to try to find a buyer. Time finally ran out, and the Windsors ended up with nothing after Chapter 7 liquidation in 1986-87. The trustee had enough assets to pay all other bills after the bank agreed to take the property back. There should have been money left over, but it magically disappeared in the wonderful world of trustees, attorneys, courts, and dishonest creditors. The Windsors received \$0.00, so all they had was their furniture and clothes.

11. From 1987 to 1996, Windsor worked for others and did some consulting work. From 1992 to 1996, he was employed by Advanstar, a large publishing and trade show company owned by Goldman Sachs. Two of those years were based in Chester, England. The Windsors had bought another home in Dallas with the proceeds from a consulting job. While the Windsors were living in England, their property value plummeted when a nearby apartment complex became a center for drug activity. The Windsors had to sell for a price that resulted in a loss of virtually all of their equity.

12. From 1996 to 2001, Windsor was employed by an entity owned by Bain Capital. He had ownership options, but they were never realized. Windsor resigned from the company in 2001.

13. In April 2007, Windsor was attracted to the home at 3924 Lower Roswell Road, Marietta, Georgia 30068, he thought the Ball Mill Road home would sell quickly, though it had been on the market for a while without a contract offer. There were, however, a number of lookers. The loan on 3924 Lower Roswell Road, Marietta, Georgia closed in late June 2007. The Windsors have attempted to sell both homes with no success. The values of both homes are substantially lower than the purchase prices.

14. In August 2007, Judge Orinda D. Evans committed perjury and other crimes when she ordered Windsor to pay approximately \$450,000 in Maid of the Mist's legal fees in Civil Action No. 1:06-CV-0714-ODE. She has subsequently committed many felonies and has wrongfully ordered Windsor to pay hundreds of thousands of dollars in sanctions. The total legal expense in 1:06-CV-0714-ODE is now over \$1,500,000. Windsor owes his son \$1,000,000 in legal expense that was paid by his son and his son's company that Windsor was responsible for. There is a promissory note for this amount.

15. On September 16, 2008, there was the start of a stock market crash due to failures of massive financial institutions in the United States, due primarily to exposure of securities of packaged subprime loans and credit default swaps issued to insure these loans and their issuers. Windsor's agent at Wachovia told him to hang in there rather than sell his mutual funds and modify the collateral with Wachovia to a money market account. The advice was terrible, and the value of Windsor's mutual fund account and 401(k) dropped by as much as 40%.

16. Windsor's financial situation is the result of (1) the criminal acts of Judge Orinda D. Evans and Judge William S. Duffey, (2) the real estate crisis, and (3) the stock market crash.

17. Windsor's financial efforts over the last three years have been centered on two things. First, money was withdrawn from IRA funds or borrowed to keep the two mortgages current. While there may be little or no equity available from either home, the homes represent the potential to realize something. Second, all efforts have been made to correct the gross miscarriage of justice in the federal courts in Atlanta and Washington, DC.

18. Windsor does not have the ability to pay. There is no money. He has no income. There are no assets available for sale. There are current debts of

\$1,254,574 that take precedence over paying for anything new. Monthly and annual expenses significantly exceed the income of Windsor's wife.

Submitted, this 26th day of September 2011.

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

William M. Windsor

Pro Se

PO Box 681236

Marietta, GA 30068

Phone: 770-578-1094 -- Fax: 770-234-4106

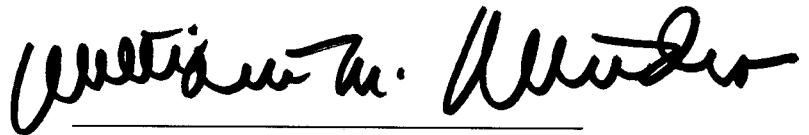
Email: williamwindsor@bellsouth.net

VERIFICATION OF WILLIAM M. WINDSOR

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. This Notice is also a Sworn Affidavit.

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 26th day of September 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

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.

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

CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing 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 26th day of September 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

A

UNITED STATES DISTRICT COURT

for the
NORTHERN District of GEORGIA

 Plaintiff/Petitioner
 v.

 Defendant/Respondent

)
)
) Civil Action No.
)
)

**APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS
 (Long Form)**

<p>Affidavit in Support of the Application</p> <p>I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested. I declare under penalty of perjury that the information below is true and understand that a false statement may result in a dismissal of my claims.</p> <p>Signed: <u>Andrew M. Anderson</u></p>	<p>Instructions</p> <p>Complete all questions in this application and then sign it. Do not leave any blanks: if the answer to a question is "0," "none," or "not applicable (N/A)," write that response. If you need more space to answer a question or to explain your answer, attach a separate sheet of paper identified with your name, your case's docket number, and the question number.</p> <p>Date: <u>7-29-11</u></p>
--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

1. For both you and your spouse estimate the average amount of money received from each of the following sources during the past 12 months. Adjust any amount that was received weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate. Use gross amounts, that is, amounts before any deductions for taxes or otherwise.

Income source	Average monthly income amount during the past 12 months		Income amount expected next month	
	You	Spouse	You	Spouse
Employment	\$ 0	\$ 2000	\$ 0	\$ 2000
Self-employment	\$ 0	\$ 0	\$ 0	\$ 0
Income from real property (such as rental income)	\$ 0	\$ 0	\$ 0	\$ 0
Interest and dividends	\$ 0	\$ 0	\$ 0	\$ 0
Gifts	\$ 0	\$ 0	\$ 0	\$ 0
Alimony	\$ 0	\$ 0	\$ 0	\$ 0
Child support	\$ 0	\$ 0	\$ 0	\$ 0

Local Form 239 (Non-Prisoner Cases) (07/09) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

Retirement (such as social security, pensions, annuities, insurance)	\$ 0	\$ 0	\$ 0	\$ 0
Disability (such as social security, insurance payments)	\$ 0	\$ 0	\$ 0	\$ 0
Unemployment payments	\$ 0	\$ 0	\$ 0	\$ 0
Public-assistance (such as welfare)	\$ 0	\$ 0	\$ 0	\$ 0
Other (specify):	\$ 0	\$ 0	\$ 0	\$ 0
Total monthly income:	\$ 0	\$ 2000	\$ 0	\$ 2000

2. List your employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
NONE	—	—	\$ 0
			\$

3. List your spouse's employment history for the past two years, most recent employer first. (Gross monthly pay is before taxes or other deductions.)

Employer	Address	Dates of employment	Gross monthly pay
ALCATRAZ MEDIA	8200 ROBERTS DR ATLANTA, GA 30350	2004 TO PRESENT	\$ 2000.00
			\$
			\$

4. How much cash do you ^{and your spouse} have? \$ 380.00

Below, state any money you or your spouse have in bank accounts or in any other financial institution.

Financial institution	Type of account	Amount you have	Amount your spouse has
BANK OF AMERICA	CHECKING	\$ 69.84	\$ —
		\$	\$ —
		\$	\$ —

5. List the assets, and their values, which you own or your spouse owns. Do not list clothing and ordinary household furnishings.

Assets owned by you or your spouse *www*

Home (Value) <i>OWNED JOINTLY</i>	\$1,640,000.
Other real estate (Value)	\$1,640,000.00 0
Motor vehicle #1 (Value)	\$ 0
Make and year:	⊘
Model:	
Registration #:	
Motor vehicle #2 (Value)	\$ 0
Make and year:	
Model:	
Registration #:	
Other assets (Value)	\$ 0
Other assets (Value)	\$ 0

6. State every person, business, or organization owing you or your spouse money, and the amount owed.

Person owing you or your spouse money	Amount owed to you	Amount owed to your spouse
<i>NONE</i>	\$ 0	\$ 0
	\$	\$
	\$	\$

7. State the persons who rely on you or your spouse for support.

Name (or, if under 18, initials only)	Relationship	Age
<i>NONE</i>	<i>—</i>	<i>—</i>

Local Form 2.19 (Non-Prisoner Cases) (07/09) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

8. Estimate the average monthly expenses of you and your family. Show separately the amounts paid by your spouse. Adjust any payments that are made weekly, biweekly, quarterly, semiannually, or annually to show the monthly rate.

	You	Your spouse
Rent or home-mortgage payment (including lot rented for mobile home) Are real estate taxes included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Is property insurance included? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	\$ 0	\$ 8200.00
Utilities (electricity, heating fuel, water, sewer, and telephone)	\$ 0	\$ 800.
Home maintenance (repairs and upkeep)	\$ 0	\$ 200.
Food	\$ 0	\$ 800.
Clothing	\$ 0	\$ 200.
Laundry and dry-cleaning	\$ 0	\$ 100.
Medical and dental expenses	\$ 0	\$ 500.
Transportation (not including motor vehicle payments)	\$ 0	\$ 0
Recreation, entertainment, newspapers, magazines, etc.	\$ 0	\$ 50.
Insurance (not deducted from wages or included in mortgage payments)		
Homeowner's or renter's:	\$ 0	\$ 0
Life:	\$ 0	\$ 0
Health:	\$ 0	\$ 0
Motor vehicle:	\$ 0	\$ 100.
Other:	\$ 0	\$ 0
Taxes (not deducted from wages or included in mortgage payments) (specify):	\$ 0	\$ 0
Installment payments		
Motor vehicle:	\$ 0	\$ 0
Credit card (name):	\$ 200	\$ 300
Department store (name):	\$ 0	\$ 0
Other:	\$ 0	\$ 0
Alimony, maintenance, and support paid to others	\$ 0	\$ 0

Local Form 239 (Non-Prisoner Cases) (07/09) Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form)

Regular expenses for operation of business, profession, or farm (attach detailed statement)	\$ 0	\$ —
Other (specify):	\$ 0	\$ 0
Total monthly expenses:		\$ 200
		\$ 11,250.

9. Do you expect any major changes to your monthly income or expenses or in your assets or liabilities during the next 12 months?

Yes No If yes, describe on an attached sheet.

10. Have you paid — or will you be paying — an attorney any money for services in connection with this case, including the completion of this form? Yes No

If yes, how much? \$ 0
 If yes, state the attorney's name, address, and telephone number:

11. Have you paid — or will you be paying — anyone other than an attorney (such as a paralegal or a typist) any money for services in connection with this case, including the completion of this form? Yes No

If yes, how much? \$ 0
 If yes, state the person's name, address, and telephone number:

12. Provide any other information that will help explain why you cannot pay the costs of these proceedings.

SEE ATTACHED

13. Identify the city and state of your legal residence.

MARKETTA, GEORGIA

Your daytime phone number: 770-578-1094

Your age: 62 Your years of schooling: 16

Last four digits of your social-security number: 4479

MY WIFE'S SEPARATE ASSETS ARE NOT LISTED AS THESE ARE HER PERSONAL ASSETS — NOT MINE — AND SHE IS NOT A PARTY
 GEORGIA CONSTITUTION BILL OF RIGHTS MAKES HER ^{SOLE} ASSETS HER PROPERTY AND NOT MINE

Exhibit

B

William M. and Barbara G. Windsor¹

PO Box 681236 * Marietta, GA 30068 * 770-578-1094 * Fax: 770-234-4106

Financial Statement as of September 26, 2011

<u>ASSETS</u>	
Cash – Bank of America	\$ 15.²
Investment Account – Wells Fargo	\$ 1,015,230.³
Investment Account (401k funds) – Wells Fargo	\$ 34,672.⁴
Real Estate – 7675 Ball Mill Road	\$ 695,000.⁵
Real Estate – 3924 Lower Roswell Road	\$ 945,000.⁶
Furniture & Fixtures	\$ 10,000.
Jewelry (watch)	\$ 5,000.
TOTAL ASSETS	\$ 2,704,197.

¹ Joint balance sheet showing all joint assets as well as sole assets of William M. Windsor.

² Joint checking account – Bank of America -- William M. and Barbara G. Windsor.

³ Investment Account – Wells Fargo -- account is actually in Wells Fargo's name and control. The full amount is pledged as collateral on the loan with Wells Fargo with a second given on note to Ryan Windsor. \$62,212.46 of this amount is subject to tax. These funds are not joint; these funds are solely in the name of William M. Windsor (not joint tenant with right of survivorship).

⁴ IRA Retirement funds – Wells Fargo -- William M. Windsor FCC as Custodian. This amount is pending payment to the IRS for taxes on withdrawals; the balance is insufficient to pay the income taxes. To obtain the money used to post cash bonds, Windsor borrowed \$415,000 from this account rather than file bankruptcy. According to Windsor's bankruptcy attorney, these funds were not available to creditors inside or outside bankruptcy. These funds are not joint; these funds are solely in the name of William M. Windsor (not joint tenant with right of survivorship).

⁵ Home was purchased for \$849,000 in 2001. Home has been for sale since 2006, and there has never been an offer. The home next door is on a short sale, and while appraised at about the same amount as our home, it was expected to sell at \$695,000 nine months ago, but the listing price has been lowered to \$449,900. Our realtor indicates that \$695,000 may be a more realistic price for our home, but the price next door is devastating to us.

⁶ Home was purchased for \$1,133,000 in 2007. Home next door sold for \$1,695,000 in 2007 and sold in 2009 for \$998,900. Similar home in the neighborhood just sold for \$866,000.

<u>LIABILITIES</u>	
Accounts Payable	\$ 21,394.⁷
Notes Payable to Bank – Wells Fargo	\$ 495,919.⁸
Notes Payable – Ryan Windsor	\$ 1,173,469.⁹
Payables	\$ 500,000.¹⁰
Payables - Sanctions	\$ 75,521.¹¹
Mortgage on Real Estate – 7675 Ball Mill Road	\$ 658,000.¹²
Estimated Real Estate Commission	\$ 48,650.
Estimated Closing Costs & Repairs	\$ 10,000.
Mortgage on Real Estate – 3924 Lower Roswell Road	\$ 849,750.¹³
Estimated Real Estate Commission	\$ 66,150.
Estimated Closing Costs & Repairs	\$ 10,000.
Income Tax Liability	\$ 49,918.¹⁴
TOTAL LIABILITIES	\$ 3,958,771.
NET WORTH	(\$1,254,574.)

⁷ Bank of America credit cards only; pending bills are not reflected.

⁸ This money was borrowed for the downpayment on 3924 Roswell Road and improvements to 7675 Ball Mill Road.

⁹ Note payable to Ryan Windsor dated December 31, 2008.

¹⁰ This amount is a ballpark; it will definitely be more than this.

¹¹ These amounts are disputed.

¹² Interest Only Mortgage.

¹³ Interest Only Mortgage.

¹⁴ 2009 income tax has not yet been calculated as Windsor was unable to read; not sure if more money will be owed. 2010 income tax return is on extension.

William M. Anderson
9-11-26