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Clerk, U.S. District Court, ILCD

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS
SPRINGFIELD DIVISION

FILED

MAY 17 2010

ANDY MARTIN,)
)
 Plaintiff,)
)
 vs.)
)
 WASHINGTON POST COMPANY,)
 et al.,)
 Defendants.)

CLERK OF THE COURT
U.S. DISTRICT COURT
CENTRAL DISTRICT OF ILLINOIS

CASE NO. 3:09-3295-JES-CHE

MOTION PURSUANT TO RULE 59 TO VACATE "JUDGMENT" AND
MOTION TO RECUSE DISTRICT JUDGE BECAUSE OF IRREPARABLE
BIAS AGAINST THE PLAINTIFF

Plaintiff moves the Court to vacate the purported judgment in this case entered on May 7, 2010 for the following reasons:

1. The removal in this case was incomplete. All served persons did not respond.
2. In the continuing kangaroo court proceedings, the court entered an order on April 23rd but never served it on the Plaintiff. Plaintiff learned of the order when he received the judgment. The district judge has repeatedly harassed and abused and violated the federal constitutional rights of the Plaintiff by failing to give him notice and any opportunity to respond to court action.
3. Plaintiff asks the Court to set a briefing schedule on this motion.

MEMORANDUM OF LAW IN SUPPORT OF
RULE 59 MOTION AND MOTION TO RECUSE

1. Plaintiff has a right to a "neutral and detached" judge. The district judge in this case has been an "activist seeking combat" and constantly seeking to harass and abuse the plaintiff. The entire proceeding has been a sham and farce in which the Plaintiff was denied notice of the proceedings.

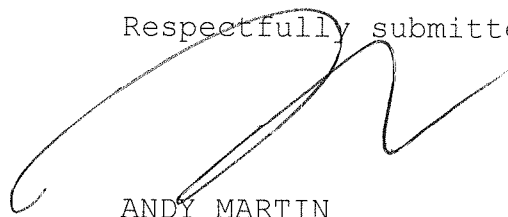
2. The removal in this case was not complete because all served parties never joined in the removal. The biased judge has prevented this issue from being presented due to her irreparable and malicious bias against the Plaintiff. The Seventh Circuit has recognized (in 1982 and thereafter) that district judges in this state dislike plaintiff because he exposes their arrogance and corruption.

3. The orders in this case should be vacated and set aside, and the improper removal should be vacated and remanded to the state court where this case is filed. Plaintiff wants no part of the crooked federal courts in this state.

4. Plaintiff asks the court to set a briefing schedule on these motions.

DATED: May 15, 2010

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'ANDY MARTIN', is written over the typed name. The signature is fluid and cursive, with a large loop at the end.

ANDY MARTIN

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**SERVICE OF NOTICES IS RESPECTFULLY
REQUESTED BY FAX OR E-MAIL**

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CERTIFICATE OF SERVICE

I certify I have served the defendants and their attorneys as follows:

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John Gilchrest,
Scott Shirley,

on May 15, 2010.



ANDY MARTIN