### IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF ILLINOIS

CHICAGO EASTERN DIVISION



	)	Appeal from the District Court for the
	)	Northern District, Chicago Eastern Division
Ravanna Sanders-Bey	)	
	)	District Court No. 07 C 538
Petitioner/Appellant	)	
	)	
v Appellant Case No. 07-2204	)	Honorable Wayne R, Andersen
And Case No. 07-3891	)	FII.
	)	JNILEN
John Cunningham Dugan, Comptroller, at al	)	
Office of the Comptroller of the Currency	)	FEB 0 8 2008 FEB X 8 2008
	)	
Respondents / Appellee(s)	)	Date: February 08, 2008 CHAEL W. DOBBINS en, American National of the Washitaw Nation of Muurs Rigt GOURT
The Petitioner/Plaintiff: Indigenous U.S. No.	n-Citiz	en. American National of the Washitaw Nation of Muurs RIGT COLL
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NOTICE OF ENTRY OF DEFAULT AND ORDER FOR ENFORCEMENT [Fed. R. App. P. Rule 27(a)(2)(C)(ii) and Rule 15(b)(2)] [Fed. R. Civ. P. Rule 55(b)(2) and Rule 54(c) & (e)]

PLEASE TAKE NOTICE that on February 08, 2008, I have this day filed with the Clerk of the United States District Court for the Northern District of Illinois, Eastern Division, Petitioner/Appellant's Motion for Judgment by Default and Application to Enforce a Judgment by Default, a copy of which is attached hereto. Notice is hereby served on the U.S. Attorney and the Attorney General, and that movant will present this Notice, accompanied by Petitioner / Appellant's Motion for Judgment by Default and Application to Enforce, to the Clerk of the Court.

To: JOHN CUNNINGHAM DUGAN
Office of the Comptroller of the Currency
U.S. Department of the Treasury, 9<sup>th</sup> Floor
Independence Square, 250 E Street, S.W.
Washington, D.C. 20219 – 0000

MICHAEL B. MUKASEY, Atty. General Attorney General of the United States United States Department of Justice 10<sup>th</sup> & Constitution Avenues, NW # 5111 Washington, D.C. 20530 – 0000

I hereby certify that I have caused to be filed and served with the United States District Court for the Northern District of Illinois, Eastern Division, a copy of the attached documents with the Court and, via U.S. mail delivery, service to the Comptroller of the Currency, JOHN CUNNINGHAM DUGAN, this 08th day of February, 2008.

Patrick Fitzgerald, U.S. Attorney Northern District of Illinois Chicago Eastern Division, 5th Floor 219 South Dearborn Street Chicago, Illinois 60604 – 0000

Signature of Petitioner / Appellant ro/se Litigant: 28 U.S.C. § 1654(a)

### IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF ILLINOIS

CHICAGO EASTERN DIVISION

Ravanna Sanders-Bey	<ul> <li>Appeal from the District Court for the</li> <li>Northern District, Chicago Eastern Division</li> <li>District Court No. 07 C 538</li> </ul>
Petitioner/Appellant	)
v Appellant Case No. 07–2204	) Honorable Wayne R. Andersen
And Case No. 07-3891	<b>₽.</b>
John Cunningham Dugan, Comptroller	JN LE.
Office of the Comptroller of the Currency	FEB 0 8 2008 FEB X 0
Respondents/Appellee(s)	
The Petitioner/Plaintiff: Indigenous, U.S. Non-Ci	Date: February 08/2008  Citizen, American National of the Washitaw Nation of Manager DORSHA'S  Ludemont by Default
Motion for 1	Judgment by Default

Motion for Judgment by Default

[Fed. R. App. P. Rule 27(a)(2)(B)(iii) and Fed. R. Civ. P. Rule 55(a) & Rule 69(a)]

Application to Enforce a Judgment by Default

[Fed. R. App. P. Rule 15(b) and Fed. R. Civ. P. Rule 69(b) & Rule 55(b)(2)]

**Docketing Statement And Appearance** [Cir. R. Rule 3(c)] and Cir. R. Rule 3(c)]

Pro se Litigant: District Court No. 07 C 538

Appellant Case No. 07-2204

Notice: Entry for Judgment by Default Date: February 08, 2008 Appellant Case No. 07–3891

Consolidated Appeals

December 05, 2007

Brief Filed December 11, 2007

In the nature of an executory action, Petitioner / Appellant seeks an Order for Entry of Default and Application to Enforce a Judgment by Default, that said Order shall be Entered on the Docket pursuant to Fed. R. App. P. Rule 36(a), Rules 15(b), 15(b)(2) & 15(c), and

Fed. R. Civ. P. Rule 54(c) & Rule 58(d).

Ravanna Sanders-Bey

U.S.A. Post Office Box 21318 Chicago, Illinois Republic, Washitaw [Via: u.s.A. postal zone 60621-0318] Ravanna Sanders—Bey

Signature of Petitioner/Appellant Pro se Litigant: 28 U.S.C. § 1654(a)

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS CHICAGO EASTERN DIVISION

#### Grounds And Relief Sought

[Fed. R. App. P. Rule 27(a)(2)(A) & Rule 15(b)(3)]

On February 8, 2008, Petitioner / Appellant filed a Motion [Fed. R. App. P. Rule 27(a)(2)(B) (iii), for an Entry of Default [Fed. R. Civ. P. Rule 55(a) & Rule 69(a)] and an Application to Enforce a Judgment by Default [Fed. R. App. P. Rule 15(b) and Fed. R. Civ. P. Rule 55(b)] against Respondents / Appellees [Fed. R. Civ. Rule 69(b)], with the Clerk of the U.S. District Court.

If Respondents / Appellees fail to file an answer or otherwise file an appearance with the Clerk of the U.S. District Court within 20 days [Fed. R. App. P. Rule 15(b)(2)], after receipt of the Notice [Fed. R. App. P. Rule 15(c)] filed February 8, 2008, the Court shall enter a Default Judgment [Fed. R. Civ. P. Rule 55(b)] and Writ of Execution [Fed. R. Civ. P. Rule 69(a) & (b)] against Respondents / Appellees for the relief requested.

Respondents / Appellees, 60 days after the filing and service of the Complaint and summons, were non-responsive to allegations of the pleadings, upon which relief was sought. Therefore, a Judgment by Default should be Entered for want of an appearance, or for failure to plead, against the United States, Officers and Agency [Fed. R. Civ. P. Rule 55(d) & 55(e)]. Claimant has established a claim or right to relief by a showing of government breach of fiduciary duty.

# Application for Relief and Enforcement: Demand for Judgment [Fed. R. App. P. Rule 27(a)(1) & Rule 15(b) and Fed. R. Civ. P. Rule 54(c)]

Respondents / Appellees have failed to exercise do care in their actions or omissions as fiduciary agents for the federal government. Each have breached their fiduciary duty to protect the "Trust Relationship" established between the fiduciary and the trustee. The Office of the Comptroller of the Currency has failed to provide adequate guidance and advice to bank officials at TCF National Bank. Each Respondent, therefore, must be held accountable for the loss of trust funds in the name of the Trustee Ravanna Sanders—Bey [28 U.S.C.S. § 2465(a)(1), § 2465(b)(1)(C)(i) and 31 U.S.C. § 3721(a)(3)].

# IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS CHICAGO EASTERN DIVISION

The authority for any federal agency to be sued in its own name shall be construed to authorize suits against such federal agency on claims which are cognizable under section 1606 of Title 28 of the United States Codes, and remedies provided under said section: "the foreign state shall be liable in the same manner and to the same extent as a private individual under like circumstances."

The remedy against the United States provided by sections 1330(a), 1330 (b), 1605(a)(5) and 1606 of Title 28 of the United States Code for "loss of property," resulting from the wrongful act or omission of any employee of the Government while acting within the scope of his/her office or employment, is exclusive of any other civil action or proceeding for money damages by reason of the same subject matter against federal employee(s) whose act or omission gave rise to the claim [31 U.S.C.S. § 3721(a)(2)(C) & § 3721(c)].

Any civil action or proceeding commenced upon such claim in a United States district court shall be deemed an action against the United States under the provisions of sections and 1610(a)(2) of Title 28 of the United States Codes, and the United States shall be substituted as the party respondent, pursuant to Fed. R. Civ. P. Rule 4(d)(4).

# Remedy: Prayer For Relief Subrogation / Indemnification: Court Assessment Of Damages [31 U.S.C. § 3721(c), (f)(1) & (g) and 31 U.S.C. § 3721(a)(2)(C)]

Indemnification of the United States against the liability of its employees, pursuant 31 U.S.C. § 3721(c) & § 3721(g), gives rise to government employee immunity for any damages incurred by the injured party. Therefore, Respondents / Appellees, Officers and Agency of the United States may be regarded as the "subrogate; and said government employees, Respondents / Appellee(s), Officers and Agency, may be regarded as "Subrogor" in their individual capacity, in which a "Subrogation/Indemnity action" brought by the Petitioner / Appellant as the "Subrogee," the injured party, may receive relief, as assessed by the Court, sufficient to support an award of punitive damage pursuant to Title 28 U.S.C. § 1606.

### IN THE UNITED STATES DISTRICT COURT CHICAGO EASTERN DIVISION FOR THE NORTHERN DISTRICT OF ILLINOIS Appeal from the District Court for the Northern District, Chicago Eastern Division Ravanna Sanders-Bey ) District Court No. 07 C 538 Petitioner/Appellant Appellant Case No. 07–2204 Honorable Wayne R. Andersen v And Case No. **07–3891** John Cunningham Dugan, Comptroller Office of the Comptroller of the Currency Date: February 08, 2008 Respondents/Appellee(s)

The Petitioner/Plaintiff: Indigenous, U.S. Non-Citizen, American National of the Washitaw Nation of Muurs

# Appendix, Table Of Contents: Motion for Judgment by Default [Fed. R. App. P. Rule 27(a)(2)(B)(iii) and Fed. R. Civ. P. Rule 55(a) & Rule 69(a)]

### Application to Enforce a Judgment by Default

[Fed. R. App. P. Rule 15(b) and Fed. R. Civ. P. Rule 69(b) & Rule 55(b)(2)]

District Court No. 07 C 538 Appellant Case No. 07-2204 Appellant Case No. 07–3891
Consolidated Appeals
December 05, 2007
Brief Filed December 11, 2007

Notice: Entry for Judgment by Default Date: February 08, 2008

#### Motion for Judgment by Default

- Cover Page
- II. Grounds and Relief Sought
- III. Application for Relief and Enforcement: Demand for Judgment
- IV. Remedy: Prayer for Relief, Court Assessment of Damages
- V. Interest on Judgment [Fed. R. App. P. Rule 37(a)]:
  The Judgment shall draw interest at a rate determined by the Court [six percent per annum] from the date of judgment until satisfaction.
- VI. Appendix, Table Of Contents: Exhibits in Support of Motion [Fed. R. App. P. Rule 30(e)]:
  - A. Briefing Completed and the Appeal will proceed to Disposition [December 11, 2007];
  - B. Appeals Consolidated Order [December 05, 2007];
  - C. Certificate Of Service;
  - D. Certified Mail Return Receipt.

### United States Court of Appeals

For the Seventh Circuit Chicago, Illinois 60604

December 11, 2007

#### Before

### Hon. RICHARD A. POSNER, Circuit Judge

RAVANNA SANDERS-BEY,	] Appeals from the United
Plaintiff-Appellant,	] States District Court for
	) the Northern District of
Nos. 07-2204 and 07-3891 v.	] Illinois, Eastern Division.
JOHN C. DUGAN, DEBRA BAKER, Manager, NANCY DALE, et al.,	No. 07 C 538
Defendants-Appellees.	j Wayne R. Andersen, Judge

The appellant has filed his opening brief and requests, without an explanation, that the appeal be expedited. Because there are no appellees, the appeal is now ready for disposition. Accordingly, briefing is now completed and the appeal will proceed to disposition as soon as this court's docket permits.

### United States Court of Appeals

For the Metenth Circuit Chicago, Filinois 60604

December 5, 2007

#### By the Court:

RAVANNA SANDERS-BEY, Plaintiff-Appellant,	<pre>J Appeals from the United J States District Court for l the Northern District of</pre>
Nos. 07-2204 and 07-3891 v.	] Illinois, Eastern Division.
JOHN C. DUGAN, DEBRA BAKER, Manager, NANCY DALE, et al.,	No. 07 C 538
Defendants-Appellees.	] Wayne R. Andersen, Judge.

#### ORDER

The court, on its own motion, orders that these appeals are CONSOLIDATED for purposes of briefing and disposition.

The briefing schedule is as follows:

1. The plaintiff-appellant shall file his consolidated brief and required short appendix on or before January 7, 2008.

Goursel should note that the digital copy of the brief required by Circuit Rule 31(e) must contain the entire brief from cover to conclusion. The language in the rule that "[ijhs disk contain nothing more than the text of the brief..." means that the disk must not contain other files, not that tabular matter or other sections of the brief not included in the word count should be omitted. The parties are advised that Federal Rule of Appellate Procedure 25(c), which allows for three additional days after service by mail, does not apply when the due dates of briefs are set by order of this court. All briefs are due by the dates ordered.

#### Important Scheduling Notice!

Notices of hearing for particular appeals are mailed shortly before the date of oral argument. Griminal appeals are achequied shortly after the filing of the appealant's main brief; civil appeals after the filing of the appealant's main brief; civil appeals after the filing of the appealant brief. If you forms a that you will be unavailable during a period in which your particular appeal might be achequied, please write the clark advising him of the time period and the reason for such unavailablety. Seesion date is because it http://www.ca7.uecounts.gov/caf/cafundar.pdf. Once an appeal is formally scheduled for a certain date, it is very difficult to have the setting changed. See Circuit Rule 34(e).

## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS CHICAGO EASTERN DIVISION

#### Certificate Of Service

District Court No. 07 C 538
Honorable Wayne R. Andersen
Date: February 08, 2008

The Petitioner/Plaintiff: Indigenous, U.S. Non-Citizen, American National of the Washitaw Nation of Muurs

### Proof Of Service: Notice and Motion for Judgment by Default

I, Ravanna Sanders-Bey, do declare that on this date, February 08, 2008, I served a Notice and Motion to the parties noted below, by depositing a properly mail envelope containing said Notice and Motion in the United States mail addressed to each via "certified return receipt," postage prepaid.

I declare under penalty of perjury, under International Law and pursuant to the laws for the United States of America, pursuant to 28 C.F.R. § 16.41(d) and 28 U.S.C. § 1746(1), that the foregoing is true and correct.

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John Cunningham Dugan, Comptroller
Office of the Comptroller of the Currency
U.S. Department of the Treasury, 9th Floor
Independence Square, 250 E Street, S.W.

Washington, D.C. 20058 – 0000

7007 0220 0001 5366 4122

Patrick Fitzgerald, U.S. Attorney
Northern District of Illinois
Chicago Eastern Division, 5<sup>th</sup> FL
219 South Dearborn Street
Chicago, Illinois 60604 - 0000

February 08, 2008

7007 0220 0001 5366 4146

Michael B. Mukasey, Attorney General
Attorney General of the United States
U.S. Department of Justice
10<sup>th</sup> and Constitution Avenues, N.W. 5111

10<sup>th</sup> and Constitution Avenues, N.W. 511 Washington, D/C/20530 – 0000

> Signature of Petitioner/Appellant Pro se Litigant: 28 U.S.C. §1654(a)

> > / Ravanna Sanders–Bey

V.S.A. Post Office Box 21318 Chicago, Illinois Republic, Washitaw [Via: u.s.A. pz 60621 0318]

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