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United States District Court
Northern District of Illinois
Eastern Division

Plaintiff,)	
Vibron L. Lloyd)	Case No: <u>13cv 6948</u>
v.)	
Elijah Willis, et al.)	Judge: <u>Honorable Ronald A. Guzman</u>
Defendants,)	

FILED
1-15-14
JAN 15 2014

Motion For Judgement
In Favor Of The Plaintiff

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Now Comes the plaintiff Vibron Lloyd and moves for this Honorable Court to grant this motion For Judgement In favor of the Plaintiff and for the relief sought in this action before the court, in support of which the plaintiff states:

1. The Plaintiff Vibron L. Lloyd (Lloyd) has filed a civil complaint under 42 USC section 1983 in this said court against the Defendants.
2. This action was filed on September, 26th, 2013.
3. An order was entered on November 14th, 2013 by this Honorable court, granting the Plaintiff leave to proceed with said case in forma pauperis. And ordering and directing the U.S. Marshal's Service to serve summons and complaints to the Defendants.
4. Lloyd received the USM-285 forms from the U.S. Marshal's Service on November 26th, 2013 filled the 3 forms out

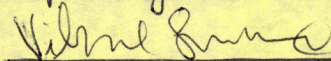
accurately. Additionally specifying the address of the Maywood Police Department as the Service Location: "125 South Fifth Avenue Maywood, IL, 60153."

5. Subsequently, in response to receiving Lloyd's USM-285 forms, on December 16th, 2013, The U.S. Marshal Service, Specifically, Officer Leslie Grandberry, served the complaint on all the Defendants on December 23rd 2013 at 1400 Hours (2:00 pm Central Standard time)
6. The Federal Rules of Civil Procedure, Rule 12, give Defendants 20 days to serve the Plaintiff an answer to the complaint, after the Defendants have been served a summons and complaint.
7. As of this day, Monday, January 13th, 2014 AD., 21 days have elapsed since the Defendants have been served a summons and complaint.
8. The Defendants, by their Attorney(s) have attempted to exercise waiver of service via "waiver of service of summons," dated 1/1/2014 1/3/2014. Pursuant to a letter from Ktj, The Attorney(s) for the Defendant (Klien, Thorpe and Jenkins, LTD. Mallory Milluzzi Esq.), to Lloyd and this Honorable court, dated January 8th, 2014 AD. Stating their intentions to waive service of summons.
9. The summons and complaint were served on December 23rd, 2013. The Defendants cannot waive service of summons and complaint 17 days (and increasing by the day) after being served a summons and complaint.

10. Therefore, The Defendants are not entitled to waive Service of Summons after the fact, they, the Defendants by their Attorney(s) have 20 days from the Date of service to answer, and service the Plaintiff with that answer or motion etc. Furthermore, Today makes 21 days and counting. The Defense is in violation of the Federal Rules of Civil Procedure, Rule 12 among other rules. And they have forfeited defense in this matter.

Wherefore The Plaintiff moves to request that this Honorable Court Enter a Judgement in favor of the Plaintiff for the relief Sought in this matter before the court. The Plaintiff thanks the court for its time and Patience in this matter.

Respectfully Submitted:



Vibron Lloyd, Plaintiff

on this 13th day of Jan. 2014

Vibron. L. Lloyd

#20130313018

(Po Box: 089002)

2700 s. California Ave

Chicago, IL 60608

Service:

Vibron Lloyd being first duly Sworn on oath deposes and says that he did deposit a copy of this Motion for Judgement in favor of the Plaintiff to the Defense attorney in this matter, K TJ (Klien, Thorpe and Jenkins) Mallory Milluzzi Esq. 20 N. Wacker Dr. Ste. 1660, Chicago, IL, 60606, with the U.S. Postage fully prepaid Thereon on this 13th day of Jan, 2014.

28 USC 1746

Notary Public

28 USC 1746

Notary Seal