

 **FILED**

SEP 17 2015

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

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

UNITED STATES OF AMERICA,
Plaintiff/Petitioner

Case No.: 1:14-CV-05402

v.
Victor M. Crown, Individually and D/B/A
Crown and Franklin Accounting and Refunds, et al
Defendant/Respondent

HON. JAMES ZAGEL
FRAP 11 (a)(c)(e)(f)
Circuit Rule 11(b)
28 USC 1631- 28 USC 1491

DEFENDANTS' FRCP RULE 54 MOTION FOR ENTRY OF JUDGMENT

Respondent Victor M. Crown, Pro Se, as provided under the Federal Rules of Civil Procedure, FRCP 54 (c)(d)(1), herewith now moves for entry of judgment in this civil case as follows:

This motion is technically a request for reconsideration of the docket entry from August 13, 2015, and is timely filed after a legal mandate by the 7th Circuit Court of Appeals [Docket No. 15-1734 – USA v. Victor M. Crown, et al] on August 14, 2015 was backdated to June 22, 2015 – or 10 days after the filing of a correction under FRAP 10 on June 12, 2015 ordered \$90333 in post-judgment statutory interest to the defendant [Victor M. Crown] for a Shakman 2 claim that was timely filed on May 12, 2008 and intentionally defaulted by the City of Chicago.

The 7th Circuit mandate in this case in my favor has therefore legally established a “non-frivolous” basis for filing amended tax returns by C&F Inc.; and provides a proper legal basis to then re-open the now-closed Shakman case for 1425 other Shakman award recipients covered under the 2007 consent order and legal determination of the federal monitor from 3-26-2008.

This motion is therefore being filed under FRCP 54 (c)(d)(1) to permit immediate and affirmative enforcement of a General Order[s] which then directs Bank of America Legal Order

Processing to process, with electronic funds transfer [EFT] the amount of \$90333 in statutory post-judgment interest which was/is in accord with the 7th Circuit mandate and the Rule of Law.

This motion, which is being submitted under FRCP 54 (c)(d)(1) therefore sets the hourly rate of \$56.80 which has been established by the Internal Revenue Service [IRS] with my 2014 federal tax return [Form 1040] and the 2012 and 2013 federal amended tax returns [Form 1040x] that were submitted after Shakman defendant[s] [City of Chicago, County of Cook and State of Illinois [from 2008 to 2010] each separately failed to obtain a legal stay of the 7th Circuit legal order on 7/13/2015 – which has now created a legal basis to terminate the civil injunction case on tax preparation entirely since the ruling effectively changes an incorrect legal determination and misclassification of all the Shakman tax claims by C&F Inc. from “frivolous” to “not-frivolous” – which was a significant part of the civil injunction case filed on 7/16/2014.

The mandate by the 7th Circuit has therefore vindicated the IRS waivers {#10055, #10147} which were granted to Crown and Franklin Accounting, Inc. on 1/31/2013 and 2/27/2014.

This motion should then be construed as a reconsideration of defendants’ earlier motion to transfer to the Court of Federal Claims since the 7th Circuit Court of Appeals entered [on 6/12/2015] a procedural order affirming a “filing bar” and also granting statutory interest on petitioners’ [administrators] Shakman 2 claim from 5-26-09 which now liberates 1426 Shakman award recipients to obtain IRS corrections and refunds [under 26 USC 1311-1314] from 2005 forward and at least 40 earnings credits under rules of the Social Security Administration for the period of 2001-2010. The legal deadline for City of Chicago [Corporation Counsel] to now bring a petition to the US Supreme Court for legal [emergency] stay of the order was waived – which then permits a re-opening of any closed cases filed under Shakman case [1:69-CV-2145 NDIL] from 2007 forward as covered under 26 USC 1311-1314 for 1425 award recipients who can “floodgate” the court system – by overturning the June, 2014 attempt by Mayor Rahm Emanuel to mislead the court prior to having a detailed financial accounting [“forensic audit”] of the City Comptrollers’ office run by convicted criminal **Ahmer Ahmad** from the period of 2011 to 2013.

The statutory interest claim affecting the 7th Circuit financial mandate would then establish and validate [prove-up] a **“breach of fiduciary duty”** by the City of Chicago **Chief Financial Officer [Carole Brown], Corporation Counsel Stephen Patton, Mayor Rahm Emanuel** and City of Chicago Comptroller due to the city’s non-compliance [and intentional defiance] with a legal mandates entered by the 7th Circuit Court of Appeals on 9/20/2011 and defaulted by United States on 9/4/2015 and the continuing effort by the City of Chicago to intentionally defy legal [financial] mandates I have obtained on 9/13/2013 [voting rights expert fee] and 8/14/2015 [statutory interest] and disregard all of the general orders filed from 4/7/15 forward.

My counter-claim and this legal demurrer by defendant [Victor M. Crown] is filed and now prosecuted under the rules and the Rule of Law with Judicial Notice of 28 USC 1927-1928

The civil injunction case on tax preparation therefore is not able to proceed since opposing counsel is and would be unable to prove that defendant was legally served with a valid civil complaint and because there was/is a fraudulent Proof of Service/Return of Service filed and docketed with this court – which then provides defendant with a proper legal basis to bring this motion as a legal demurrer and/or to ask the court to now strike all FRCP Rule 26 disclosures and interrogatories or, in the contrary to limit discovery to the germane period of 2012-2014.

This is because opposing counsel [Atty. Olivia Hussey-Scott] has/is now breaching [**violating**] FRCP 37 (c) [failure to disclose, to supplement an earlier response or to legally admit] -- by intentionally failing to include, notate /designate IRS employees who sent false/fraudulent letters [3176C] on Shakman tax-related claims as frivolous; omitting or skipping over the 7/20/15 filing for a “protective order” in the DOJ Motion to Compel; failing to direct the **DOJ Office of Public Affairs** to notify the 1426 Shakman victims on its own DOJ legal default[s] and failing to obtain a legal stay on the 7th Circuit ruling and IRS **oppression** in creating an incorrect record of civil penalties, levies, liens and interest charges against Shakman award recipients;

and the failure of Bank of America [City of Chicago custodian for the February 2014 bond issue] to comply with ALL of the general order[s] filed with the court for petitioner from 4/7/15.

The State of Illinois Attorney General failed to obtain a legal stay on the filing bar on 5/26/10

The City of Chicago [3rd party] failed to obtain a legal stay on the filing bar on 5/26/10

The County of Cook [3rd party] failed to obtain a legal stay on the filing bar on 5/26/10.

The entire group of entities failed to obtain a legal stay or contest the financial judgment filed by the 7th Circuit on 9/20/2011 in – Victor M. Crown v. City of Chicago [Docket No. 11-1546]

The USDOJ failed to obtain a legal stay on the correction on 7/13/15

The State of Illinois Attorney General failed to obtain a legal stay on the correction on 7/13/15

The City of Chicago [3rd party] failed to obtain a legal stay on the correction on 7/13/15.

The County of Cook [3rd party] failed to obtain a legal stay on the correction on 7/13/15.

The USDOJ failed to obtain legal stay of the mandate [statutory interest] on 9/4/15

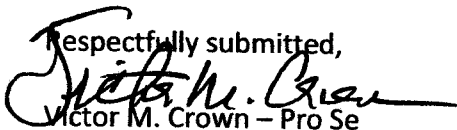
The State of Illinois failed to obtain legal stay of the mandate [statutory interest] on 9/4/15

The City of Chicago [3rd party] failed to obtain legal stay of the mandate on 9/4/15.

The County of Cook [3rd party] failed to obtain legal stay of the mandate on 9/4/15.

The defendant [Victor M. Crown and Crown and Franklin Accounting, Inc.] is therefore establishing a clear record of missed deadlines and legal defaults involving plaintiff [USDOJ] and related legal entities all involved in the Shakman federal case, including state, city and county.

Respectfully submitted,



Victor M. Crown – Pro Se

5962 N. Lincoln Avenue – LL2

Chicago, Illinois 60659-3711

(773) 691-5978

GENERAL ORDER 09-014 – BY DISTRICT COURT EXECUTIVE COMMITTEE

This order specifically applies to the Notice of Patent Claim filed on 4/7/2015 by defendant [Victor M. Crown] and applies to an Executive Committee order entered 5/3/2007 which provides authorization for a Writ of Mandamus order under 28 USC 1651 and 28 USC 1652 for the “prevailing party” [Victor Crown]

VI. ENTRY OF COURT ORDERS

[A][1] –All orders, decrees, judgments and proceedings of the court will be filed in accordance with this General Order and will constitute entry on the docket kept by the Clerk of the Court under Fed. R. Civ. P. 58 and 79 and Fed. R. Crim. P. 49 and 55. All signed orders will be filed electronically by the court or court personnel. Any order filed electronically by the court or court personnel without the original signature of a judge [or, where applicable, the Clerk of the Court] has the same force and effect as if the judge or the Clerk of the Court had affixed the Judge’s or Clerk of the Court’s signature to a paper copy of the order and it had been entered on the docket in the manner otherwise provided.

[2] – The Clerk of the Court may establish additional procedures for filing, creating and storing electronic versions or orders, decrees and judgments.

28 USC 1651 – WRIT OF MANDAMUS [PEREMPTORY] ordering **Bank of America** [as trustee for the City of Chicago] – bond issue of February, 2014] to process [and certify] on or before 7/17/2015 electronic funds transfer [EFT] of \$42436 for Shakman 1 BILL OF COSTS filed with US District Court on 9/3/2008.

28 USC 1651 – WRIT OF MANDAMUS [PEREMPTORY] ordering **Bank of America** [as trustee for the City of Chicago] – bond issue of February, 2014] to process [and certify] on or before 7/24/2015 electronic funds transfer [EFT] of \$934665 for Shakman 2 BILL OF COSTS served upon defendant [City of Chicago Corporation Counsel] on 9/30/2013 and filed with US District Court on 7/6/2015.

28 USC 1651 – WRIT OF MANDAMUS [PEREMPTORY] ordering **Bank of America** [as trustee for the City of Chicago] – bond issue of February, 2014] to process [and certify] on or before 9-18-2015 electronic funds transfer [EFT] of **\$90333 for post-judgment statutory interest** affirmed by the 7th Circuit Court of Appeals in a correction order entered on 6/12/2015 and defaulted by City of Chicago on 9-4-15

ABA ROUTING # - [redacted]

ACCOUNT # - [redacted]

XI. NOTICE OF COURT ORDERS AND JUDGMENTS

[A] Immediately upon the entry of an order or judgment in a case assigned to ECF, the Clerk of the Court will transmit to E-Fileers in the case, in electronic form, a Notice of Electronic Filing. Electronic transmission of the Notice of Electronic Filing constitutes the notice required by Fed. R. Civ. P. 77[d] and Fed R. Crim. P. 49[e]. The Clerk of the Court must give notice in paper form to a person who is not an E-Filer or represented by an E-Filer in accordance with the Federal Rules of Civil Procedure, Federal Rules of Criminal Procedure, and the local rules of this court.

TO: BANK OF AMERICA LEGAL ORDER PROCESSING
FROM: VICTOR M. CROWN
RE: JUDICIAL ORDER FILED ON 9-18-15 FOR EFT

THE attached FAX includes a filed judicial order and certification which was entered by US DISTRICT JUDGE JAMES ZAGEL after 9-17-15 which mandated [ordered] the electronic funds transfer [EFT] of \$552159 no later than 9-18-15 – or 14 business days after default by the City of Chicago on 9-4-15

This includes a transfer from the City of Chicago Custody Account [bond issue of February 2014] into my designated BOA account.

I am therefore now FAXING a certified copy of this order and requesting that BOA therefore comply with the legal [levy] order from US District Judge James Zagel by 10:00 AM on 9-18-2015.

Victor M. Crown
Independent Administrator
Lourdes Theodossis Estate



Fax Header Information

Bank of America
7732934917
2015-Sep-17 11:54 AM

Job	Date/Time	Type	Identification	Duration	Pgs	Result
3658	2015-Sep-17 11:49 AM	Send	916173102751	3:41	10	Success



Fax Cover Sheet

To: Bank of America Legal Order Processing
Company: Bank of America
Telephone Number: 1.213.580.0702
Fax Number: 1.617.310.2751
Date: 09/17/2015
From: Patrick Miriani
Department:
Telephone Number: 773.293.4900
Fax Number: 773.293.4917
Number of pages including this cover sheet: 10
If transmission problems occur, please call: 773.293.4900

Message: Victor M Crown. Documents. Case Number, 114-cv-05462

This fax, which you requested, may contain promotional materials from Bank of America or one of our affiliate companies. You may choose not to receive future faxes that contain promotional materials by:

- Faxing: (804.627.7042)
- Calling: (800.421.2110)

Important: You must inform the bank of the specific fax number(s) to which the fax opt-out request will apply.

As required by Federal law we will honor your opt-out request within 30 days.

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Bank of America



Fax Cover Sheet

To: Bank of America Legal Order Processing
Company: Bank of America
Telephone Number: 1.213.580.0702
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AFFIDAVIT

I, Victor M. Crown, the Independent Administrator of the Lourdes Theodossis Estate [open – 9/5/2014] and the Frank Theodossis Estate [closed], now affirm that I have the legal and statutory authority to submit this motion under FRCP, FRAP and Local Rules, and, as such, affirm the following:

[1] The statements in the Defendants Motion to Transfer Case from District Court to the Court of Federal Claims under federal law [28 USC 1631 – transfer of case for want of jurisdiction and 28 USC 1491 [Court of Federal Claims] are true and correct to the best of my knowledge.

[2] The defendant [Victor M. Crown] therefore affirms the procedural requirements under rules of the Court of Federal Claims, with a zero balance [full payment of taxes] and a “right to sue” letter from IRS on statutory interest claim affecting City of Chicago issued by IRS on 10-2-14.

[3] The answers filed under Federal Rules of Appellate Procedure and Circuit Rule 11(b) are filed timely pursuant to an order entered by District Judge James Zagel.

[4] This motion to transfer and dismiss the civil case under FRCP Rule 41[b] is timely filed within 30 business days after Judge Zagel’s 6-4-2015 order initially denying the transfer request; and within 30 calendar days after the 7th Circuit entered on order on statutory interest on 6-12-15.

Respectfully submitted,


Victor M. Crown

Independent Administrator
Lourdes Theodossis Estate

CERTIFICATE OF SERVICE

I, Victor M. Crown, the Independent Administrator of the Lourdes Theodossis Estate [open – 9/5/2014], herewith certify that I legally served this response to the civil complaint filed on 7/16/2014 under FRCP and FRAP and pursuant to the Standards of Professional Conduct for the Seventh Federal Judicial Circuit – I have fully complied with Rule 18, and have also notified, as under Federal Rules of Appellate Procedure [FRAP] Procedure 25 counsel representing the United States and District Judge James Zagel pursuant to orders entered on 3/4/15 and 3/25/15.

I, Victor M. Crown, herewith affirm that this Motion to Transfer Case from District Court to the Court of Federal Claims was/is timely filed on 5/1/2015.

SERVICE LIST:

US DISTRICT JUDGE JAMES ZAGEL
US DEPARTMENT OF JUSTICE – ATTY. OLIVIA HUSSEY-SCOTT
US DEPARTMENT OF JUSTICE – ATTY. ROBERT BRANMAN
CITY OF CHICAGO – CORPORATION COUNSEL STEPHEN PATTON

 **FILED**

SEP 17 2015

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

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

UNITED STATES OF AMERICA
Plaintiff

VS.

VICTOR M. CROWN
CROWN FRANKLIN ACCT INC.
Defendant

CASE No. 14-CV-05402

JUDGE HON JAMES ZAGEL

HON. JEFFREI GILBERT

GENERAL ORDER 09-014

COMPLIANCE SET for 9/18/2015

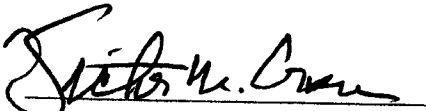
DEFAULT ON 9/9/2015

NOTICE OF FILING

TO: BANK OF AMERICA LEGAL ORDER PROCESSING
800 JAMSET DRIVE
NEWARK, DE 19713-6001

TO: DEPT. OF JUSTICE
555 4th Street, NW
WASHINGTON, DC 20001

I understand (plaintiff/defendant), certify that on the 17th day of SEPTEMBER,
¹⁵ 2009, I served a copy of this DEFENDANT'S FREPSY MOTION to each person whom it is
directed by way of ELECTRONIC SERVICE; PERSONAL SERVICE.

Signature: 

Name: VICTOR M. CROWN

Address: 5962 N. LINCOLN AVE

City/Zip: CHICAGO, IL 60659

Telephone: 773 691-5928

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

UNITED STATES OF AMERICA
Plaintiff(s)

CASE No. 1:14-CV-05462

vs.

JUDGE: HON. JAMES ZACEL

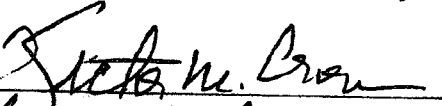
VICTOR M. CROWN
CROWN-FRANKLIN ACCT. INC.
Defendant(s)

PROOF OF SERVICE

TO: BANK OF AMERICA
LEGAL CREDIT PROCESSING
800 SANDSET DRIVE
NEWARK, DE. 19713-0001

TO: CITY OF CHICAGO CORP. COUNSEL
121 N. LA SALLE - 6TH FLOOR
CHICAGO, IL. 60601

I, the undersigned (plaintiff/defendant), certify that on the 17th day of September,
2015, I served a copy of this DEFENDANTS FRCP54 JUDGMENT to each person whom it is
directed by way of ELECTRONIC SERVICE; PERSONAL SERVICE.
FAX SENT TO BOA ON 9/17/15; ENFORCEMENT SET FOR 9/18/15

Signature: 
Name: VICTOR M. CROWN
Address: 5962 N. LINCOLN AVE
City/Zip: CHICAGO, IL. 60659
Telephone: 773 691-5978