

**RECEIVED
BY MAIL**

MAR 19 2010

United States District Court

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

EASTERN DISTRICT OF MISSOURI

GREGORY MCKENNA,

Plaintiff

Vs.

THE ST. LOUIS COUNTY POLICE DEPARTMENT,
OFFICERS CHARLES BOSCHERT, KENNETH
WILLIAMS, 8 UNKNOWN AGENTS OF THE
FEDERAL BUREAU OF INVESTIGATION,
MARK KAPPELHOFF, APPLE INC., A-1 PRIVATE
INVESTIGATIONS, TIMOTHY BONINE,
D'ANGELO AUTOMOTIVE, CATHERINE PERRY

Case No. 4:09cv1113CDP

JURY DEMANDED

Defendants

PLAINTIFF'S MEMORANDUM IN SUPPORT OF HIS MOTION TO DISQUALIFY

FEDERAL DISTRICT COURT JUDGE CATHERINE PERRY

COMES NOW, pro se Plaintiff Gregory McKenna, and pursuant to 28 USC § 455, file his Motion to Disqualify Federal District Court Judge Catherine Perry for prejudicial acts against the Plaintiff for the following reasons:

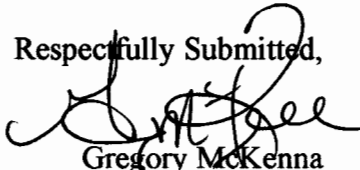
(1) On or around January 7, 2010, Plaintiff received notice via US Mail of Judge Perry's sua sponte Judgment that dismissed his Complaint against the Defendants for conspiring with the Italian Mafia to perpetuate a stalking, extortion and torture conspiracy in violation of 42 USC 1983, 1985, 1986, and 1988. The rationale for Judge Perry's dismissal of Plaintiff's Section 1983 claim was that Government officials have no duty to protect citizens from Constitutional rights violations except when an official "affirmatively created" a plaintiff's peril or "acted to render a [plaintiff] more vulnerable to danger." Judge Perry also alleged Plaintiff's Complaint failed to

“discovery rule” and “continuing wrong doctrine” to maliciously further the Mafia crimes and demonstrate prejudice against the Plaintiff.

(6) Judge Perry’s knowledge of the Mafia crimes and neglect of her judicial duties were sufficient to demonstrate she conspired with the Mafia to dismiss Plaintiff’s Complaint. Once existence of a conspiracy is established, even slight evidence connecting a defendant to a conspiracy may be sufficient proof of involvement in a scheme; it is necessary to show only that he knowingly contributed. *U.S. v. Lee*, 743 F.2d 1240 (1984). Furthermore, sua sponte dismissals are erroneous unless a plaintiff has been afforded an opportunity to respond. *Bennett v. U.S.*, 389 F.Supp.2d 121 (2005). Concurrently, the record shows that Defendant Unknown FBI agents never filed a response. Moreover, Judge Perry unlawfully conspired with the Mafia to dismiss Plaintiff’s Complaint despite knowledge of his right to relief. Therefore, Judge Perry showed acute prejudice against the Plaintiff to warrant recusal.

WHEREFORE, for the aforesaid reasons, Plaintiff Gregory McKenna submits his Motion To Disqualify Judge Catherine Perry and prays that this Honorable Court grant him all just and appropriate relief. Plaintiff also prays that this Court perform its mandatory duty and grant Plaintiff injunctive relief to end the Mafia crimes and continuing rights violations.

Date: March 17, 2010

Respectfully Submitted,

Gregory McKenna
Pro Se Plaintiff
9937 Young Drive, H
Beverly Hills, CA 90212
(310) 493-4990