

I, David Martin, in pursuant to Federal Rule of Civil Procedure 56, request that this court issue a partial summary judgment and or any remedy that this court deems appropriate. In support of this motion, I state the following.

**United States District Court  
Northern District of Illinois**

**UNDISPUTED FACTS**

1. There was no actual controversy in the state court case.
2. On January 31<sup>st</sup> 2022, a default order for contribution of college expenses was entered against me.
3. On March 10<sup>th</sup> 2022, I appeared in court to correct the court's record and to object to the court's jurisdiction to hear a claim for college expenses. **(see affidavit of proceedings)**. Judge Ahern issued an order for college expenses.
4. On June 8<sup>th</sup> 2022 Judge Ahern denied my request to certify my bystanders report. **(see affidavit of proceedings)**.
5. The bystander's report is necessary to appeal Ahern's judgments.

**ARGUMENT**

In my complaint filed in the U.S. district court, various allegations are made against several individuals. Specifically addressing defendant Ahern, the central issue pertains to the possibility of filing a bystander's report. As previously asserted, the ability to appeal hinges on having a bystander's report or a record of the proceedings. Notably, there are no disputes regarding material facts in this matter. A default judgment was

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rendered against me after I contested Ahern's jurisdiction in court. Despite my objections, Ahern proceeded to enter a judgment. Subsequently, I filed a motion seeking certification of a bystander's report, which Ahern denied. I am unable to appeal without the certification of my bystander's report.

In Ahern's response to my federal complaint, he has not contested the aforementioned facts. I contend that this matter could be resolved through a partial summary judgment and request the court to issue a judgment affirming my right to file a bystander's report. Alternatively, I seek any other declaratory order that would allow me to appeal Ahern's judgment in state court.

**Wherefor I pray:**

- 1. Any remedy that this court can provide.**
- 2. A summary judgment that declares I have a right to file a by standers report in state court.**

**Date of signing:**

**David Martin**

**5352 S. Princeton, Chicago IL 60649**

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**Signature of Plaintiff**

**United States District Court  
Northern District of Illinois**