

**UNITED STATES COURT OF APPEALS
FOR THE SEVENTH CIRCUIT**

DOCKETING STATEMENT

Appeal No. 21-1103

David Martin

v.

State of Illinois, State's Attorney Wobbekind, Illinois Department of Healthcare and Family Services, Circuit Court of Cook County, Unknown Defendants, Jennifer Olaya, Illinois State Treasure, Individual known as djh from unit aru1(HFS), Arnell Frances Thompson, Unknown States attorney, Unknown judicial clerks, Judge Myron Mackoff

APPELATE COURT JURISDICTION

The jurisdiction of the Court of Appeals for the Seventh Circuit extends to all criminal appeals and virtually all civil appeals from the seven district courts within the circuit. 28 U.S.C. §§ 1291-1292. The previously mentioned statutory provisions confer jurisdiction to review decisions made by a district court in a "judicial" capacity. The Seventh Circuit's jurisdiction over appeals from district court decisions includes appeals from a magistrate judge's final decision in civil cases pursuant to 28 U.S.C. § 636(c)(3); Fed. R. App. P. 3(a)(3).

In this situation I filed a section 1983 complaint for deprivation of civil rights under color of law, in the district court. The district court has made a final and appealable order. Therefore this appeals court has jurisdiction.

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Every litigant has an obligation to bring the appellate and district court jurisdictional problems to the court's attention. In this situation, my case was dismissed in district court allegedly because of jurisdictional issues such as the Rooker-Feldman doctrine. In good faith, I am appealing because I believe the Rooker-Feldman Doctrine does not apply. I believe that my claims are bona fide, and the district court does have jurisdiction to grant relief. As a result, a huge part of this appeal, is to bring the jurisdictional issues to the Appeals Court, so that the District Court's jurisdiction can be decided.

NOTICE OF PRO-SE LITIGANT

An individual has a statutory right to proceed personally in all federal courts without counsel. 28 U.S.C. § 1654. Cf. Tuduj v. Newbold, 958F.3d 576, 578-79 (7th Cir. 2020). The pleadings of pro se petitioners are held to less stringent standards than those prepared by attorneys, and are liberally construed when determining whether they fail to state a claim upon which relief can be granted. Haines v. Kerner, 404 U.S. 519, 520-21, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972); Jourdan v. Jabe, 951 F.2d 108, 110 (6th Cir.1991).

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Type of Action: Civil

Timelines of Appeal:

1. **Date of entry of judgment or order appealed from:** January 20, 2021.
2. **Date this notice of appeal filed:** January 25, 2021

Finality of order or judgment:

1. **Is the order or judgment appealed from a final decision on the merits:** Yes, the decision of this case is final. However, the case was terminated before trial. There was never a hearing on the merits. For all intents and purposes, I believe the judgment is final.
2. **Was a motion for new trial or a motion to reconsider the judgment filed?** : Yes
3. **On which date was a motion for new trial or a motion to reconsider the judgment filed?:** A motion to vacate(reconsider) was filed on October 12, 2020. An amended motion was filed on December 21, 2020
4. **On what date was the motion to reconsider resolved?** : January 20, 2021
5. **Are there any pending claims in district court?:** No
6. **Is the appeal from a magistrate judge's decision?:** This is an appeal from the Honorable John Robert Blakey. I don't believe he is a magistrate Judge.
7. **On what date did all parties consented to proceed before the magistrate judge?:** I never consented to proceed before a magistrate judge.

Has this case previously been appealed? : No

Are any related cases or cases raising related issues pending in this Court, any district court of this circuit, or the Supreme Court?: No

Where there any in-court proceedings below?: No

Is a transcript necessary for this appeal? : There was never an in court hearing. As a result there are no court reporter transcripts. I believe there is no need for transcripts. There have been several filings in this case. I believe those filings will be necessary for appeal.

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List each party to the appeal:

The Plaintiff(s)

1.

Name: David Martin, a natural person.

Street Address: 5352 S. Princeton Ave

City and County: Chicago, Cook County

State and Zip Code: Illinois, 60609

E-Mail Address: MartinvThompson@gmail.com

The Defendant(s)

2. Name: Illinois Department of Healthcare and Family Services

Represented by: Allison G. Castillo, Assistant Attorney General

Street Address: 100 W. Randolph St., 13th Fl.

City and County: Chicago Cook County

State and Zip Code: Illinois 60649

E-Mail Address: HFS.AG.Chicago@Illinois.gov

3. Name: Unknown employees and agents of the Illinois

Department of Healthcare and Family Services, individually
and in their official capacity

Represented by: Allison G. Castillo, Assistant Attorney General

Street Address: 100 W. Randolph St., 13th Fl.

City and County: Chicago Cook County

State and Zip Code: Illinois 60649

E-Mail Address: HFS.AG.Chicago@Illinois.gov

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4. Name: Jennifer Olaya, individually and in her official capacity

Street Address: 1 W. Old State Capitol Plaza Suite 400

City and County: Springfield

State and Zip Code: Illinois 62701

E-Mail Address: JOlaya@illinoistreasurer.gov

5. Name: Individual known as djh from unit aru1, individually and in his/her official capacity

Street Address: IL Dept of Healthcare and Family Services

Division of Child support Services

HEALTHCARE AND FAMILY SERVICES

509 S. 6TH ST, 2ND FL

City and County: Springfield

State and Zip Code: Illinois 62701

E-Mail Address: Unknown

6. Name: States Attorney Wobbekind, individually and in her official capacity

Street Address: 28 N. Clark Street, suit 300

City and County: Chicago Cook

State and Zip Code: 60602

E-Mail Address: sao.csed@cookcountyil.gov

7. Name: Attorney General Kwame Raoul, individually and in his official capacity

Street Address: 100 W. Randolph St.

City and County: Chicago, cook county

State and Zip Code: 60601

E-Mail Address: HFS.AG.Chicago@Illinois.gov

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8. Name: States Attorney Kim Fox, individually and in her official capacity

Street Address: 28 N. Clark Street, suit 300

City and County: Chicago Cook

State and Zip Code: 60602

E-Mail Address: sao.csed@cookcountyil.gov

9. Name: Unknown employees and agents of the State of Illinois, individually
and in their official capacity

Street Address: 28 N. Clark Street, suit 300

City and County: Chicago Cook

State and Zip Code: 60602

E-Mail Address: sao.csed@cookcountyil.gov

10. Name: Judge Mary S. Trew, individually and in her official capacity

Street Address: 50 W. Washington st. room 3003

City and County: Chicago, Cook County

State and Zip Code: 60602

E-Mail Address: Unknown

11. Name: Judge Myron Mackoff, individually and in his official capacity

Street Address: 50 W. Washington St. RM CL02

City and County: Chicago, Cook County

State and Zip Code: 60602

E-Mail Address: Myron.Mackoff@cookcountyil.gov

12. Name: Unknown judicial clerks, individually and in their official capacity

Street Address: 50 W. Washington St. RM CL02

City and County: Chicago, Cook County

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State and Zip Code: 60602

E-Mail Address: Unknown

13. Name: Illinois Governor JB Pritzker, individually and in his official capacity

Street Address: 100 W Randolph St,

City and County: Chicago, Cook County

State and Zip Code: 60601

E-Mail Address: Unknown

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Will you be handling the appeal? : Yes, I am the plaintiff and I am a Pro – se Litigant. It should be noted that **“The pleadings of pro se petitioners are held to less stringent standards than those prepared by attorneys, and are liberally construed when determining whether they fail to state a claim upon which relief can be granted”**. Haines v. Kerner, 404 U.S. 519, 520-21, 92 S.Ct. 594, 30 L.Ed.2d 652 (1972); Jourdan v. Jabe, 951 F.2d 108, 110 (6th Cir.1991).

David Martin
5352 S. Princeton, Chicago IL 60649
Email: martinvtompson@gmail.com
Signature of Plaintiff *David Martin*
Date of Signing.

2-2-21