**APPELLATE BRIEF**

David Martin

v.

Attorney General Kwame Raoul, Judge Gregory Emmett Ahern Jr., Unnamed Cook County Clerks, Cook County, Chief Deputy Clerk Gretchen Peterson, Unknown employee of the Illinois, Department of Employment Security

Appeal No. xxxx

March 19, 2021

Appeal from the United States District Court for the Northern District of Illinois.

**Brief of Appellant David Martin**

Pro - Se: David Martin, 5352 S. Princeton, Chicago IL 60649, Email: [martinvthompson@gmail.com](mailto:martinvthompson@gmail.com), Phone: 773-893-0813

**TABLE OF CONTENTS**

Table of contents………………………………………………………………………..…

Standard of Review……………………………………………………………………..…

Parties to the proceedings………………………………………………………………...

Statement of Jurisdiction………………………………………………………….………

Statement of Facts………………………………………………………………………...

Statement of the Issues…………………………………………………………………..

Statement of the case……………………………………………..………………………

Questions Presented………………………………………………………………………

Summary of Argument…………………………………………………………………….

Argument……………………………………………………………………………………

Conclusion………………………………………………………………………………..…

Relief sought………………………………………………………………………………..

**Table of Authorities**

**Statutes and Rules**

**Appendix of District Court judgments**

**STANDARD OF REVIEW**

I am requesting a De Novo Review of all issues.

**PARTIES TO THE PROCEEDING**

1. The Plaintiff

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](mailto:MartinvThompson@gmail.com)

The Defendant(s)

1. Name: Attorney General Kwame Raoul individually

and in his official capacity

Represented by: Mary Johnston

Street Address: 115 South LaSalle Street, 27th Floor

City and County: Chicago, Cook County

State and Zip Code: Illinois 60603

Phone: (312) 814-4417

E-Mail Address: mary.johnston@ilag.gov

2. Name: Judge Gregory Emmett Ahern Jr. , individually

and in his official capacity

Represented by: Mary Johnston

Street Address: 115 South LaSalle Street, 27th Floor

City and County: Chicago, Cook County

State and Zip Code: Illinois 60603

Phone: (312) 814-4417

E-Mail Address: mary.johnston@ilag.gov

**STATEMENT OF JURISDICTION**

The US District Courts jurisdiction is based on 42 U.S. Code § 1983, 28 U.S.C. § 1331, 28 U.S. Code § 1446 and § 1441(c)… A civil rights complaint was filed against the defendants in the US District Court. Among many things, the complaint alleges deprivations of rights under the color of law, and it seeks declaratory relief. The district court has made a final and appealable order on May 23rd 2024. The US Court of Appeals for the Seventh Circuit has jurisdiction under 28 U.S.C. §§ 1291-1292.

Defective allegations of jurisdiction can be amended in the court of appeals. See 28 U.S.C. § 1653**…** **“the court of appeals can order a party to file an amended pleading which establishes jurisdiction or file a notice with the court explaining why that cannot be done”. See Heinen v. Northrup Grumman Corp., 671 F.3d 669, 670 (7th Cir. 2012).** Given the afore mentioned case law, I would like to amend my jurisdictional claim in US District Court to include 28 US Code section 151 Declaratory Judgments… I am seeking several declaratory judgments. Most notably, I’m seeking declaratory judgment that would allow me to appeal the state case in the state court of appeals.

**STATEMENT OF FACTS   
(CIRCUIT COURT OF COOK COUNTY)**

1. On or around May 2017, Illinois Dept of HFS filed a petition for arrearages. Ms. Thompson was the plaintiff in that petition; however, she did not provide a mailing address or an email address… Among many things, I responded to Ms. Thompson’s petition with a 2-619 motion to dismiss and a counter claim. My 2-619 motion contained an argument and defense against Ms. Thompson claims for contribution of College Expenses.
2. On August 24th 2020 I filed a claim against Ms. Thompson. I requested a trial by jury for that claim.
3. On May 25th 2021, Judge Mackoff entered a final and appealable judgment. After the hearing. Judge Mackoff gave Ms. Thompson an in-depth lecture about hiring a lawyer. He told her that I was going to file a motion for a default judgment, and that bad things would happen if she did not have a lawyer. Judge Mackoff then told Ms. Thompson that he would talk to her in more detail after the call.
4. On June 7th 2021, I filed a notice of appeal for the child support judgment. Ms. Thompson was served the notice of appeal at her address 3550 South Giles Avenue Unit 4N Chicago, IL 60653.
5. On June 16th 2021, I filed the docketing statement with the court of appeals. Ms. Thompson was served the docketing statement at her 3550 South Giles Avenue Unit 4N Chicago, IL 60653.
6. On or around June 22nd 2021 Attorney Keith L. Spence filed an appearance.
7. On July 13th Attorney Spencer filed a motion for contribution of college expenses.
8. On October 29th Judge Marita Sullivan issued an order for the “Defendant to appear”
9. On December 3rd Ms. Thompson did not appear, and as a result Judge Julie Aimen Struck the case from her call.
10. On January 7th 2022, Judge Julie Aimen issued an order for the “defendant to appear” on January 31, 2022. via zoom ID: 984 1388 9930; Passcode 102870.
11. On January 10th I refiled my motions to correct the court record. These motions were previously filed several times. Most notably November 29th and December 13th.
12. On January 12th 2022, I was diagnosed with COVID 19.
13. On January 31st  2022, a default order for contribution of college expenses was entered against me.
14. On June 8th 2022, Judge Ahern denied my motion to certify the bystanders report, and subsequently a notice of appeal was filed in state court on 6/10/22.
15. On September 8th 2022, the state court appeal for child support was dismissed for lack of jurisdiction.
16. On December 15th 2022, the state court appeal for college expenses was dismissed for lack of jurisdiction.

**STATEMENT OF FACTS**

**(U.S DISTRICT COURT)**

1. On 11/10/22 I filed a complaint in the US DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS. Judge Ahern is one of the defendant in that complaint.
2. On 11/14/22 I filed a notice of removal in state court, and email copies to the opposing party.
3. On 11/18/22 I appeared in court via zoom to notify Judge Ahern and the opposing parties that the case had been removed to federal court.
4. On 3/17/23 Judge Ahern continued to conduct court room hearings.
5. On 4/26/23 I refiled the notice of removal in state court
6. On 8/23/23 I received an email copy of a court order indicating that a body attachment may be issued if I fail to appear in state court.
7. On 8/23/23 I performed a case search on cook county’s website and I found the following entry for my state case “Activity Date: 08/10/2023 Event Desc: Held In Contempt Of Court - Allowed“
8. On 9/14/23, I filed a motion for a temporary restraining order requesting that the arrest warrant be vacated.
9. On 10/10/23, I presented the motion to Judge Andrea Wood and both the defendant’s and I gave oral arguments over the matter.
10. On 11/30/23, Judge Wood agreed that the case was properly removed, and that she would enter a judgment on 1/25/24.
11. On 1/25/24, the court date was stricken and reset for 2/2/24.
12. On 2/2/24. Judge wood again agreed that the case was properly removed, and said that she would enter her judgment on 2/28/24.
13. On 2/28/24, the court date was stricken and reset for 3/13/24.
14. On 3/13/24, I expressed to Judge wood that I was concerned about the warrant for my arrest. She said that she would enter her judgment on 4/29/24.
15. On 4/2/24, a general order was issued, and my case was transferred to the Honorable Sunil R. Harjani.
16. On 4/15/24, I filed a motion to retain Judge Andrea Wood, arguing that she had heard all of the oral arguments, and there was nothing left to do except enter a judgment.
17. On 4/22/24 My motion to retain Andrea Wood was denied.

**STATEMENT OF THE ISSUES**

DISMISAL BASED ON:

**A. Federal Abstention Doctrine**

1. Federal abstention doctrines and immunity.
2. Defendants Ahern and Raoul move to dismiss the Complaint based on Rules

12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure.

1. Defendant Ahern alleges this suit should be dismissed because: (1) this Court lacks jurisdiction under the Rooker-Feldman doctrine, the Younger doctrine, or the principles of federal abstention; and/or (2) Plaintiff cannot state a claim based on judicial immunity.
2. Defendant Raoul argues that there cannot be a viable claim against him based on sovereign immunity and that Plaintiff cannot properly challenge the Illinois Marriage and Dissolution of Marriage Act’s constitutionality.

5. The Seventh Circuit’s holding in J.B. v. Woodard is instructive. 997 F.3d 714 (7th Cir. 2021). In *Woodard*, the plaintiff filed suit in district court alleging due process violations and a constitutional challenge to a section of the Illinois Marriage and Dissolution of Marriage Act. *Id*. at 719. When plaintiff filed suit, the state court appeal remained pending. *Id.* at 718-19. The Seventh Circuit reasoned that none of the established abstention doctrines were well-suited to this case due to the timing of the federal suit and the constitutional claims alleged:

MOST OF THE FOLLOWING STATEMENT IS NOT TRUE “Specifically, Plaintiff argues that the due process violations he suffered—failure to receive a fair impartial hearing, failure to be provided videoconference hearing information, failure to receive proper certified records for appeal, and failure of Judge Ahern to certify a bystander report—interfered with his ability to appeal in state court. 2 Plaintiff requests that this Court review the procedures of the state court, order a new hearing, force Judge Ahern to certify the bystander report, and hold sections of the Illinois Marriage and Dissolution of Marriage Act and Illinois Supreme Court Rule 63(A)(8) unconstitutional. Plaintiff filed this action while the state court action and appeals were pending in 2022.3”

“reasonable opportunity” to raise his federal issues in state court, see Swartz v. Heartland Equine Rescue, 940 F.3d 387, 392 (7th Cir. 2019)

HAJANI’S INTERPRETATION OF WOODARD “As in Woodard, it is not enough for Plaintiff to invoke § 1983 and point to constitutional violations to compel the adjudication of claims that would inject a federal court into a state court proceeding. Plaintiff here seeks a favorable federal court judgment so that he can influence ongoing state court decision making, which is exactly what federal abstention seeks to prevent. Woodard, 997 F.3d at 722 (“Allowing that federal disruption and interference would offend the principles on which the abstention doctrines rest.”). State courts are also perfectly capable of adjudicating whether state statutes violate the federal constitution. See Huffman v. Pursue, Ltd., 420 U.S. 592, 605 (1975). For these reasons, this Court must decline jurisdiction based on federal abstention.”

**B. Immunity and Failure to Effectuate Service**

Alternatively, Plaintiff’s claims would still fail based on the doctrines of judicial immunity, sovereign immunity, and failure to effectuate service. As noted above, Plaintiff’s ten count complaint alleges due process violations and extrinsic fraud against Judge Ahern, Attorney General Raoul, unnamed Cook County Clerks, and Cook County. Each of these defendants must be dismissed.

Plaintiff initially brings claims against Judge Ahern for his conduct in the underlying action. Namely, Plaintiff takes issue with Judge Ahern’s decisions to exercise jurisdiction over Plaintiff’s case and not to certify his bystander report. A judge enjoys absolute immunity for an act or admission taken in their judicial capacity. 42 U.S.C. § 1983; see also Kowalski v. Boliker, 893 F.3d 987, 999 (7th Cir. 2018).

Judge Ahern appeared to act squarely within his jurisdiction.

…Here, the Court takes judicial notice of the documents from the state court action because they form the basis for Defendants’ motion to dismiss.

waiting until after the Illinois Appellate Court dismissed the appeal to continue the case and hold Plaintiff in contempt.

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Defendant Attorney General Kwame Raoul also must be dismissed because of sovereign immunity. Under the 11th Amendment, the sovereign cannot be sued without its consent. U.S. Const. amend. XI; see also Driftless Area Land Conservancy v. Valcq, 16 F.4th 508, 520 (7th Cir. 2021). “The Amendment bars actions in federal court against a state, state agencies, or state officials acting in their official capacity.” Driftless, 16 F.4th at 520 (cleaned up). Here, Plaintiff is suing the Attorney General based on the alleged unconstitutional nature of Illinois statute 750 ILCS 5/513 and Illinois Supreme Court Rule 63(A)(8).

Plaintiff invokes Ex parte Young (the exception allowing a state official to be sued for enforcing state law) as a means of saving their argument. This is unavailing. The Amended Complaint is void of any allegations that Attorney General Raoul enforced either Illinois statute 750 ILCS 5/513 or Illinois Supreme Court Rule 63(A)(8) and thus Ex parte Young cannot apply. Id. at 520-21 (citing Green v. Mansour, 474 U.S. 64, 68 (1985)). Thus, he is afforded sovereign immunity and the claims against him must be dismissed.

Last but certainly not least, Plaintiff brings claims against unnamed Cook County Clerks and Cook County. Pursuant to Rule 4(m) “[i]f a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant.” Fed. R. Civ. P. 4(m).

The Illinois constitution grants state citizens the right to appeal.

Woodard does not apply:

1. First of The court had several hearings in the circuit court in cook county in which both state court litigants participated in. I did not have any hearings. In addition I did not receive notice and opportunity to be heard. I found out about the state court suit when I phoned in to schedule a court date to correct the court record. Several hearings held in state court. October 10th (the court found that abuse had occurred and entered a protective order for supervised parenting time)…. November 30th (The court suspended Edwin’s parenting time until anger management counseling.)… (Around December 21, 2018 permitted Edwin to have visitation at the therapist office)… (unspecified court date. Hearing to restore Emergency parenting time. To which the court ruled that Edwin could not rely on Statements made by his child in counseling)… (February 2019 judment was entered to dissolve the marriage and maintain Edwin’s termination of parenting time until he completed counseling)… (in 2019, the Illinois Appellate court largely Affirmed the judgment, but remanded the domestic relations court for final judgment on parenting time…. Edwin filed his 42 U.S.C section 1983 complaint sometime after and before final judgement)
2. Second, The judgment I am seeking against Ahern does not have an impact on his judgment for college expenses(quote federal records). I believe my claim against Ahern is being confused with my other claims, some of which are not against Ahern. The only claim that applies to Ahern is that concerning the bystandards report. I am seeking injunctive/declaratory relief so that I may preserve my appeal. The right to appeal has not been brought before Ahern to abjudicate. The state constitution grants me the right to appeal(quote relevant state constitution). However, I need the bystanders report to appeal my case(quote federal court records argument on why appeal is necessary). Without it I cannot appeal. In this case declaratory / injunctive relief could not be used to over turn Ahern’s order for college expenses. I already have a basic right to appeal. Granting relief would simply mean that I would be able to use the bystanders report, this would simply allow the state appeals court to properly adjudicate my appeal. Woodard does not apply because granting declarative / injunctive relief would have no impact on Ahern’s judgment for college expenses. Relief from this court would not allow me to overturn Ahern’s judgment. I would simply allow me to appeal. The right to appeal cannot be brought before Ahern for abjudication.   
   When Edwin filed his federal complaint in June 2019, the state court proceedings were ongoing, and the facts underpinning his loss of parenting time in state court are the same alleged facts he relies on to support his due process claims. Now in federal court, Edwin observes that he has a fundamental right to familial association....He invokes that right as a constitutional hook to bring federal claims under § 1983, thereby seeking federal court intervention to resolve essentially the same dispute that remains pending on the state court's docket. Right to it, Edwin's complaint leaves us with the clear and unmistakable impression that he seeks a favorable federal court judgment so that he can use that judgment to influence ongoing state court decision making. Therein lies the jurisdictional problem.
3. It is not enough for Edwin to invoke § 1983 and point to his constitutional right to familial association. He cannot compel the adjudication of claims that would inject a federal court into a contested and ongoing family court custody dispute. Yet that is precisely what is going on. Edwin came to federal court to go on the offensive—to use a favorable federal court judgment in state court to influence the state judge's parenting time decisions.
4. Allowing that federal disruption and interference would offend the principles on which the abstention doctrines rest. Edwin seeks a level of intrusion by the federal courts that is "simply too high." Id. at 1074. Exercising federal jurisdiction over his claims would "reflect a lack of respect for the state's ability to resolve [these issues] properly before its courts." SKS & Assocs., 619 F.3d at 679.
5. Observing that no abstention doctrine is an exact fit does not resolve the jurisdictional inquiry, though. To insist on literal perfection—based on the allegations in Edwin's complaint—risks a serious federalism infringement. The domestic relations proceeding remains ongoing in the local Circuit Court of Cook County, and Edwin's complaint makes plain that the entire design of his federal action: to receive a favorable federal constitutional ruling that can be used affirmatively or offensively to shape—or perhaps change—the direction and course of the state court proceedings. Edwin's requests for declaratory and injunctive relief reinforce this observation. Indeed, granting declaratory or injunctive relief would provide Edwin with an offensive tool to take to state court to challenge that judge's orders. In these circumstances, federal courts need to stay on the sidelines.
6. "Abstention from the exercise of federal jurisdiction is the exception, not the rule." Id. at 677 (citing Colo. River Water Conservation Dist. v. United States, 424 U.S. 800, 813, 96 S.Ct. 1236, 47 L.Ed.2d 483 (1976)). Indeed, "[w]hen a Federal court is properly appealed to in a case over which it has by law jurisdiction, it is its duty to take such jurisdiction." New Orleans Pub. Serv., Inc. v. Council of City of New Orleans, 491 U.S. 350, 358-59, 109 S.Ct. 2506, 105 L.Ed.2d 298 (1989) (emphasis added) (quoting Willcox v. Consol. Gas Co., 212 U.S. 19, 40, 29 S.Ct. 192, 53 L.Ed. 382 (1909)).
7. Certifying a bystander’s report is a routine function of a circuit court judge of cook county. Nothing in law allows Ahern to consider refusing a timely bystanders report. The law simply allows Ahern to settle any disputed facts and certify the report. I would like to appeal my case, but there is simply to state court remedy available that would allow me to effectively resolve the issue regarding the bystanders report. I argue that this court should intervene because the state court has refused to resolve the constitutional issues regarding the bystanders report….According to woodard this court can intervene…"Unless and until the state courts have proven unwilling to address" Edwin's alleged constitutional claims, "the federal courts should not exercise jurisdiction over the matter." Courthouse News Serv., 908 F.3d at 1071.

On May 24th 2024, my case was dismissed in the US District Court. The dismal was based on federal abstention doctrines and immunity… A detailed list of reasons for the dismissal can be found in the Judge’s order. I will Summarize those reasons here. In his order dismissing my complaint Judge Sunil R. Harjani wrote:

1. **A. Federal Abstention Doctrine.** “Plaintiff requests that this Court review the procedures of the state court, order a new hearing, force Judge Ahern to certify the bystander report, and hold sections of the Illinois Marriage and Dissolution of Marriage Act and Illinois Supreme Court Rule 63(A)(8) unconstitutional. Plaintiff filed this action while the state court action and appeals were pending in 2022.3 As in Woodard, it is not enough for Plaintiff to invoke § 1983 and point to constitutional violations to compel the adjudication of claims that would inject a federal court into a state court proceeding. Plaintiff here seeks a favorable federal court judgment so that he can influence ongoing state court decision making, which is exactly what federal abstention seeks to prevent. Woodard, 997 F.3d at 722 (“Allowing that federal disruption and interference would offend the principles on which the abstention doctrines rest.”). State courts are also perfectly capable of adjudicating whether state statutes violate the federal constitution. See Huffman v. Pursue, Ltd., 420 U.S. 592, 605 (1975). For these reasons, this Court must decline jurisdiction based on federal abstention

The Court notes that even though Plaintiff filed a notice of removal on November 14, 2022 in the state court proceeding, this Court did not receive the underlying action via removal, for reasons that are currently unknown. Instead, Plaintiff filed a new complaint (this action) in the Northern District of Illinois on November 10, 2022.”

1. **B. Immunity and Failure to Effectuate Service.**“Alternatively, Plaintiff’s claims would still fail based on the doctrines of judicial immunity, sovereign immunity, and failure to effectuate service. As noted above, Plaintiff’s ten count complaint alleges due process violations and extrinsic fraud against Judge Ahern, Attorney General Raoul, unnamed Cook County Clerks, and Cook County. Each of these defendants must be dismissed…The Court’s review of the state court docket indicates that since the filing of this action, the appeal has been terminated, Judge Ahern held Plaintiff in contempt of court, and judgment was entered. Nevertheless, abstention doctrines require analysis of the state court docket at the time this district court action was filed… waiting until after the Illinois Appellate Court dismissed the appeal to continue the case and hold Plaintiff in contempt. Judge Ahern is afforded absolute judicial immunity for the actions in the Amended Complaint and must be dismissed. Here, Plaintiff is suing the Attorney General based on the alleged unconstitutional nature of Illinois statute 750 ILCS 5/513 and Illinois Supreme Court Rule 63(A)(8). Plaintiff invokes Ex parte Young (the exception allowing a state official to be sued for enforcing state law) as a means of saving their argument. This is unavailing. The Amended Complaint is void of any allegations that Attorney General Raoul enforced either Illinois statute 750 ILCS 5/513 or Illinois Supreme Court Rule 63(A)(8) and thus Ex parte Young cannot apply. Id. at 520-21 (citing Green v. Mansour, 474 U.S. 64, 68 (1985)). Thus, he is afforded sovereign immunity and the claims against him must be dismissed.  
    “[i]f a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant.” Fed. R. Civ. P. 4(m). The decision of whether to dismiss is inherently discretionary. Cardenas v. City of Chicago, 646 F.3d 1001, 1005 (7th Cir. 2011). To this day, Plaintiff has failed to notify these parties of the lawsuit filed against them. Therefore, these parties must be dismissed. ”

**STATEMENT OF THE CASE**

I allege that the defendants are trying to sabotage my appeal in state court. A litigant needs two things to appeal a case in state court… The record of proceedings (bystanders report), and the court records.

Judge Ahern is refusing to certify my bystanders report. Other defendants are altering and omitting state court records so that they can’t be used in the state court of appeals. My case cannot be appealed in state court without the bystanders report and the state court records. I am seeking declaratory relief declaring that I have a right to the bystanders report and accurate state records. Alternatively, I am seeking any other declaratory relief that would allow me to appeal in state court.

In addition, I am seeking declaratory relief for; 1) The right to record state court zoom proceedings, 2) The right to metadata contained in zoom and 3) The right to proper notice of future state court hearings.

That Ahern is being forced to certify the bystanders report. (it’s his job to certify the bystanders report. There is no option to not certify it, unless he simply does not want to do his job.)

Most importantly, why does he not want to certify the bystandards report? Its apart of his job and it’s a routine task?

**QUESTION PRESENTED**

**SUMMARY OF ARGUMENT**

**ARGUMENT**

\*\*\*\*\*\*\*” Private party enforcement of a state statute is considered state action…  
Ms. Thompson is enforcing an unconstitutional state statute.  
  
  
  
Shelley v. Kraemer… Private parties may abide by the terms of such a covenant, but they may not seek judicial enforcement of such a covenant, as that would be a state action. Thus, the enforcements of the racially restrictive covenants in state court violated the Equal Protection Clause of the Fourteenth Amendment.

If a private party is enforcing a state statute against you and the state's attorney has not brought any claims, you could argue that the enforcement by the private party, if it involves the courts, constitutes state action. You can contend that this state action violates your constitutional rights, similar to how the judicial enforcement of racial covenants in Shelley v. Kraemer was deemed unconstitutional.”

If a private party is enforcing a state statute against you and the state's attorney has not brought any claims, you could argue that the enforcement by the private party, if it involves the courts, constitutes state action. You can contend that this state action violates your constitutional rights, similar to how the judicial enforcement of racial covenants in Shelley v. Kraemer was deemed unconstitutional.

1. Lugar v. Edmondson Oil Co. (1982)

Summary: In this case, Edmondson Oil Co. used Virginia's prejudgment attachment procedure to seize Lugar's property. The Supreme Court held that this constituted state action because the private party invoked state power to achieve the seizure.

Key Points:

The use of state procedures by a private party, particularly when involving state officials, can constitute state action.

This case establishes that significant state involvement in a private party’s actions can implicate the state, making those actions subject to constitutional scrutiny.

Reference: Lugar v. Edmondson Oil Co.

2. Edmonson v. Leesville Concrete Co. (1991)

Summary: This case involved a private litigant using peremptory challenges in a civil case to exclude jurors based on race. The Supreme Court ruled that the private party’s actions constituted state action because they used the state's judicial procedures.

Key Points:

The exercise of peremptory challenges by a private party in a state court involves significant state action, as it is part of the judicial process.

This case extends the prohibition of racial discrimination in jury selection to civil cases, emphasizing the role of state action in private litigant procedures.

Reference: Edmonson v. Leesville Concrete Co.

3. Terry v. Adams (1953)

Summary: In this case, the Jaybird Democratic Association, a private organization, conducted pre-primary elections that effectively excluded African-American voters. The Supreme Court held that these private elections constituted state action because they were part of the electoral process that led to official state elections.

Key Points:

The actions of private parties can be considered state action when they are part of a process that impacts the official state electoral system.

The Court found that even though the Jaybird Democratic Association was a private organization, its elections had a direct effect on the public electoral process, thereby implicating state action.

Reference: Terry v. Adams

Legal Argument Using These Cases:

To challenge a state statute being enforced by a private party, you can argue that the enforcement involves significant state action. This implicates the state in the private party’s actions, making those actions subject to constitutional scrutiny under the Fourteenth Amendment.

Structuring Your Argument:

Cite Lugar v. Edmondson Oil Co. and Edmonson v. Leesville Concrete Co.:

Argue that the use of state judicial procedures by a private party constitutes state action.

Reference Terry v. Adams:

Emphasize that private actions that impact official state functions, such as elections or enforcement of statutes, are subject to the same constitutional standards as direct state actions.

These cases provide a robust framework for arguing that a private party's enforcement of a state statute constitutes state action, which can then be challenged on constitutional grounds.\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

\*\*\*\*\*\*\*\*\*\*\*\*”Ahern and Kwame lacks standing because much of the case does not directly apply to them. They also lack standing because they have made several arguments in controversies that do not involve them.”\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*\*

**CONCLUSION**

**RELIEF SOUGHT**

**WHEREFOR I PRAY:**

David Martin

5352 S. Princeton, Chicago IL 60649

Email: martinvthompson@gmail.com

Signature of Plaintiff

Date of Signing.

**APPENDIX A**

**APPENDIX B**

**APPENDIX** **C**

**APPENDIX** **D**