

No. 18-7438

IN THE
SUPREME COURT OF THE UNITED STATES

ORIGINAL

Supreme Court, U.S.
FILED
DEC 26 2018
OFFICE OF THE CLERK

ARMANDO A. VILLA – PETITIONER

VS.

ROBERT J. KOWALSKI – RESPONDENT

**ON PETITION FOR WRIT OF CERTIORARI TO
APPELLATE COURT SECOND DISTRICT OF STATE OF ILLINOIS**

PETITION FOR WRIT OF CERTIORARI

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QUESTIONS PRESENTED

- 1) Why would the United States Supreme Court refuse to hear the Appeal of a case in which an individual, who as an "Honorable" member of the legal profession, disrepute with impunity the Legal System, the Rule of Law and the Constitution?

By exercising its right to refusal of this appeal, the United States Supreme Court converts that individual into a person who is above the law.

- 2) Why would the United States Supreme Court refuse to hear the Appeal of a case in which an individual who, while a member of the legal profession, commits a federal crime by destroying the rural mailbox of the Defendant and also commits a hate crime by replacing the destroyed mailbox of it's Hispanic owner with the American flag?

Bellow is a link showing retired Judge Robert J. Kowalski committing the above mentioned crimes which gave birth to the Circuit Court defamation action

<https://www.youtube.com/watch?v=55juEscQe1U>

- 3) Why would the United States Supreme Court refuse to hear the Appeal of a case in which the Plaintiff, who as a member of the legal profession, committed similar acts of defamation against the Defendant, thus presenting an action by a litigant having "unclean hands"?

Bellow is a link to "THE SHITWEASEL" a video created by the Plaintiff, retired Judge Robert J. Kowalski and defaming the character of Defendant Armando Villa.

<https://www.youtube.com/watch?v=GnP2PHZqCv4>

- 4) Why would the United States Supreme Court refuse to hear the Appeal of a case in which the Circuit Judge unjustly sided with the Plaintiff and did not dismiss the Plaintiff's case that was presented by a Plaintiff with "unclean hands"?
- 5) Why would the United States Supreme Court refuse to hear the Appeal of a case in which the Plaintiff, a former Circuit judge, initiates a domino of corruption within the Illinois legal system in order to protect himself?
- 6) Why would the United States Supreme Court refuse to hear the Appeal of a case in which the Jo Daviess County Clerk conveniently "forgets" to include the majority of Defendant's exhibits into the Record of Appeal?

7) Why would the United States Supreme Court refuse to hear the Appeal of a case in which the Jo Daviess County Clerk conveniently "forgets" to include an important Defendant's Court Transcript, where the Plaintiff admits being the creator of the defamatory video called "THE SHITWEASEL"?

8) Why would the United States Supreme Court refuse to hear the Appeal of a case in which the Clerk of the Illinois Second District Appellate Court called the Appeal bullshit and compared it to "pissing into the wind"?

Since when I talked with Mr. Mangan, the Clerk of the Illinois Second District Appellate Court, he called my appeal bullshit, then I recorded him and I uploaded the recording on the Internet. One can hear what Mr. Bob Mangan, said about my Appeal in the following link

<https://www.youtube.com/watch?v=uздGKTF0KP8>

9) Why would the United States Supreme Court refuse to hear the Appeal of a case in which the two Courts of Appeal of the State of Illinois denied the appeal without giving any reasons?

10) Why would the United States Supreme Court refuse to hear the Appeal of a case in which the Defendant was unjustly ordered to pay \$500,000.00 to the Plaintiff, a case that should have never be tried for the reasons above?

11) Why would the United States Supreme Court refuse to hear the Appeal from a citizen who's Constitutional Rights were violated by the Justice System of the State of Illinois?

12) Why is it that being 35 minutes late in electronically filing the Appellant's Petition for Rehearing (with the Appellate Court of the Second District of Illinois) it is sufficient reason to justify the denial of the Appeal?

The deadline for the submission of the Petition for Rehearing was March 28, 2018 at 11:59 PM. Due to the slowness of the Odyssey server, the files finally uploaded 35 minutes late, on March 29, 2018 at 12:35 AM.

As confirmed by the attached Exhibits, near around the time of the filing the Petition for Rehearing, the operators of the Odyssey system confirmed that the service had been slow and that they were working to remediate the problems related to the speed of uploading files.

Exhibit 1 Stamped Petition for rehearing: March 29, 2018 at 12:35 AM

Exhibit 2 E-mail from Odyssey eFileLL confirming Slowness issues

LIST OF PARTIES

All parties appear in the caption of the case on the cover page

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IN THE
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PETITION FOR WRIT OF CERTIORARI

Petitioner respectfully prays that a writ of certiorari issue to review the judgment bellow.

OPINIONS BELOW

For cases from **state courts**:

The opinion of the highest state court to review the merits appears at Appendix A-1 to A-5 to the petition and is unpublished

The Petitioner believes that his Brief was never reviewed by an Appellate Judge, but believes it was Mr. Robert Mangan, the Clerk of the Appellate Court the person who denied the petitioner's appeal.

The Supreme Court of Illinois denied the Petitioner's "Petition for Leave to Appeal on September 26, 2018 and I believe the order is unpublished.

JURISDICTION

For cases from **state courts**:

The date on which the highest state court decided my case was on September 26, 2018, a copy of that decision appears at Appendix C.

The Jurisdiction of this Court is invoked under 28 U.S.C.# 1257(a)

CONSTITUTIONAL AND STATUTORY PROVISIONS INVOLVED

1) United States Constitution, First Amendment:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

2) United States Constitution, Fourteenth Amendment:

"All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

STATEMENT OF THE CASE

If it was not because of the Record of Appeal and the videos on the Internet, it would be very difficult to believe the veracity of how this legal proceeding went totally out of line and becoming unjust and un-American.

In 1996 the petitioner bought a 10 acres farm that was part of a rural residential subdivision near Galena, Illinois and started a small business as a dog friendly Bed and Breakfast named Tierra Linda Bed and Breakfast.

The business was doing great and the guests and their dogs liked it so much that due to their excellent reviews in 2007 the Internet travel site TripAdvisor named Tierra Linda the "Top Dog" pet friendly accommodation in the USA. In 2008 Tierra Linda was number 2.

In October 2006 Cook County Judge Robert J. Kowalski was again running for his position.

In the October 6, 2006 article by Chicago Tribune reporter Michael Higgins wrote an article about Judge Robert J. Kowalski and titled his article: **"Bar gives one judge thumbs down rating. Dump Circuit Court Jurist, voters urged"** Exhibit 3-1 The article states that Judge Kowalski had made offensive remarks in open court relating to gender and national origin.

In 2007 Judge Robert J. Kowalski retires and buys a lot in the same rural subdivision where the petitioner had lived for many years.

Soon after moving to his new home, Judge Robert J. Kowalski becomes the president of the subdivision Association and started harassing the petitioner.

Judge Robert J. Kowalski makes false police reports accusing the petitioner of trespassing for walking in the roads and the common elements of the subdivision.

While the petitioner is video taping this event, Judge Robert J. Kowalski destroyed the petitioner's mailbox and planted the American flag in its place. He is in the company of a Lieutenant from the Jo Daviess County Sheriff Department.

The petitioner uploads that video to YouTube where it can be seen here
<https://www.youtube.com/watch?v=55juEscQe1U>

Judge Robert J. Kowalski creates an uploads a video to YouTube that he called THESHITWEASEL . It is a very vulgar video accusing the Petitioner Armando Villa of various sexual acts including having sex with dogs. The video can be seen here <https://www.youtube.com/watch?v=GnP2PHZqCv4>

Judge Robert J. Kowalski commits identity theft by creating a false Armando Villa on Facebook and inviting Petitioner's family and friends to watch THESHITWEASEL video. Screenshots of Judge Robert J. Kowalski fake Facebook page as Armando Villa are on the Record of Appeal.

In 2011, Judge Robert J. Kowalski filed a defamation action against the Petitioner, accusing the Petitioner of defamation for uploading and commenting on Judge Robert J. Kowalski's crimes and bullying.

Because of the Nature of the action and because his economical situation, the Petitioner represented himself as a pro-se litigant.

The judge that was assigned to the case was Ogle County Judge John C. Redington.

One of the first actions that Judge Redington did, was to accept an ex parte hearing with the Plaintiff's attorney, at which time an amended complaint was presented and accepted without the knowledge or participation of the Defendant, the Petitioner.

Judge Redington denied the majority of Petitioner's motions and more than once sanctioned him with fines and payments to the Plaintiff's attorney.

Judge Redington when presented with a Petition for Substitution of Judge for cause, acted against the Illinois Supreme Court Rules and decided to rule on the petition himself.

Judge Redington dismissed the totality of the counter claim because the petitioner was late in filing preliminary witnesses and trial instructions (six months or more before the actual trial) The counterclaim is on the Record of Appeal

Judge Redington accepts a Plaintiff's motion in Limine, where the Petitioner is forbidden of using some of his defenses at the trial.

The case went to a Jury trial on May 1, 2 and 3, 2017 and the Petitioner faced a Jury to whom he could not show his defense because of the dismissal of the counterclaim and because of the Plaintiff's Motion in Limine that forbid the Plaintiff of mentioning very crucial elements of his defense.

On May 3rd, 2017, a Jo Daviess County Jury found the Petitioner liable of defamation of character and awarded Judge Robert J. Kowalski the amount of \$250,000.00 in actual damages and \$250,000.00 in punitive damages.

The petitioner appealed the verdict at the Illinois Second District Appellate Court.

The Clerk of Jo Daviess County sent the Record of Appeal to the Appellate Court but "forgetting" to send 99% of the Petitioner's Exhibits.

The Clerk of Jo Daviess County sent the Record of Appeal but also "forgetting" to send the very compromising transcript where the Plaintiff admitted of being the creator of the video "THE SHITWEASEL"

Finally, on January 28, 2018, after several months of fighting to have the Petitioner's USB flash drive exhibits on the Record of Appeal, the Record was finally complete. Exhibit 5

The Petitioner's Brief was accepted by the Appellate court on February 23, 2018 and a schedule was established Appendix A- 6

The Plaintiff filed an objection and a motion to dismiss the appeal with arguments that the Brief did not conform to the Appellate rules, but those arguments were contrary to the truth.

The Petitioner responded to the Plaintiff's objection on the six day after the Plaintiff's objection was filed. The Appellate rules state that the response should be filed within five days, thus Petitioner's response was one day late.

Because the Petitioner failed to object or respond to the Plaintiff objection and motion to dismiss the Appeal, the Appellate Court dismissed my Appeal. Appendix A-5

Several times the Petitioner tried to save his appeal, but his efforts were in vain.

The Petitioner talked several times over the phone with the Clerk of the Appellate Court, Mr. Robert Mangan, and was very surprised of the manner and the language that Mr. Mangan used while talking about the Petitioner's appeal. So the Petitioner decided to record one of those conversations. Following is a link where one can hear the Clerk of the Appellate Court for the Second Illinois District talking with the Petitioner about the Appeal.

<https://www.youtube.com/watch?v=uздGKTF0KP8&feature=youtu.be>

It is really unconceivable that the Clerk of the Appellate Court was so bias and crude against the Petitioner that was appealing and absurd verdict.

Again, the Petitioner is convinced that his Brief was never evaluated by an Appellate judge, but believes that it was the Clerk of the Court who ruled on the validity of the Appeal.

REASONS FOR GRANTING THE PETITION

The reason why the Petitioner is making this Appeal is because what happened in this case is not the America the fathers of our Nation envisioned and fought for. This is not the ideal that was promised to me when I became an American.

This is a Nation of Laws for all. Nobody is above the Rule of Law, not President Trump or retired Cook County Judge Robert J. Kowalski. No one

America is the ideal of Liberty, the land of Justice and Independence for all.

As they say, when trying to avert an act of terrorism; if you see something suspicious, say something!

I am saying that it is un-American that all these people, knowing the kind of bully Judge Kowalski is, went along with him, sided with him and protected him. In doing so, they also committed illegal acts, like lying in Court, false arrests for trespassing, conducting a partial trial, all of this with the only purpose of hiding the truth.

This Court should grant my petition not only because of me, but because it is the duty of the ultimate Court of the Land to assert it's authority in stopping known chains of corruption like the one that Retired Judge Robert J. Kowalski started when he called the Jo Daviess County Sheriff to be present in the commission of Federal Crimes.

"Whoever willfully or maliciously injures, tears down or destroys any letter box or other receptacle intended or used for the receipt or delivery of mail on any mail route, or breaks open the same or willfully or maliciously injures, defaces or destroys any mail deposited therein, shall be fined under this title or imprisoned not more than three years, or both"

It went from the Sheriff to the State's Attorney, to the local office of the Postal Inspectors, to the FBI, to Judge Redington and Attorneys Craig Brown and Lynda Kahn, to Sharon Wand, the Clerk of Jo Daviess County to Robert Mangan, the Clerk of the Appellate Court.

This chain of illegalities is very damaging for the trust in our institutions and our liberties. Many of the habitants of Jo Daviess County are familiar with this case and are aware of the Injustice but they say to me, yes it is unfair but you should have hired an attorney.

The Circuit Court verdict was Injustice masquerading as Justitia. I think this is a very bold Injustice and the Supreme Court should intervene in order to prevent further degradation of the concept of Justice. The word of the year according to Webster dictionary.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,



Date: December 26, 2018