

A Petition For Rehearing

Ineffective Counsel:

In the Probate Court in Peoria, Illinois the Plaintiff hired her third Counsel in May of 2018, paid his starting fee, gave him all the essential documents including an \$80,000.00 promissory note that were to be filed in the probate court because the file was not barred. He was to file the promissory note that the Plaintiff had loan to the Decedent in two separate installments which was the Plaintiff's two children college funds. The promissory note was given to all the Plaintiff's Counsels and found out two Counsels did not file the promissory note.

When Plaintiff questioned the Third Counsel as to when he filed the promissory note Counsel related to the Plaintiff that there was plenty of time to do so, and Plaintiff related to him that she wanted him to file it right away because the Opposing Counsels claimed that the file was barred. Plaintiff found out the promissory note was never filed by the first two Counsels. These Counsels failed to file the affidavit in accordance with the order of the state of Illinois for filing promissory notes.

Plaintiff instructed Counsel to please file the promissory note because Plaintiff's previous Counsel instructed her to tell the next Counsel to file the note because it was file was not barred because the Opposing Counsel did not file the proper papers in probate Count and that it was essential to tell the next Counsel to file it immediately. After the conversation with third Counsel, he promised that he would file promissory note immediately.

Now the third Counsel was given all necessary documents related to the probate case. The first Hearing third Counsel was a no show, second hearing he was late and fourth Hearing he was on time, but he did not present Plaintiff's evidence during the trial. The third Counsel had the witness invoices, and witness's letter, that were given to the third Counsel to present as evidence during the Probate Trial, this was the same witness who testified in Bankruptcy Court having the same evidence in Bankruptcy Court that the Plaintiff gave to the witness and the witness testified in Bankruptcy Court which were creditable evidence. But the third Counsel refused to present the same evidence in the Probate Trail. These cancelled checks that contained the name of the Decedent who signed the promissory note were given to Third Counsel who refused to submit them in the Probate Trail as evidence. The Executor of the Will who was the son of the Decedent testified during Probate Trail that the name was forged on the cancelled

checks because the Executior stated his father always used his middle initial E. when writing his name on his checks. The cancelled checks would have proved the Executor committed surgery. If the third Counsel had presented the cancelled checks during the Probate Trail the outcome would have been different. None of the Plaintiff's evidence were presented during Probate Trial. The Counsel did not bring the Plaintiff's file to Probate Trail. Plaintiff ask the third Counsel where were her evidence, he replied I gave them to you. When Counsel refused to present evidence to clear the matter and the count took the testimony of the son who was the Executor of the Will the Plaintiff lost the case. At that point Plaintiff ask Counsel to withdraw from her case. When the withdrawal reach the court room the Presiding Judge ask the Opposing Counsel should the Plaintiff's Counsel withdraw from her case, the Opposing Counsel's first response was "No". and later recinded his first response and the Presiding Judge gave the Plaintiff's Counsel the opportunity to expound on the reason why the withdrawal. The Third Counsel responded to the court that Plaintiff had lost confidence in him. After the withdrawal

the Plaintiff went Pro se. The Plaintiff could not find another attorney to take her probate case. After the Presiding Judge gave her 21 days to find another attorney with no avail Plaintiff filed a motion for an extention, court denied the extention and this is why she went Pro se.

UNFAIR TREATMENTS IN PROBATE COURT By OPPOSING COUNSELS AND PRESIDING JUDGES:

The Opposing Counsel call the plaintiff's extention frivolous also the Plaintiff was charged with fraud and fraudulent intent, injury, malice to the estate, and other charges that would have sent the Plaintiff to prison for a long time. The Opposing Counsel goes on to state that the Plaintiff's case was tainted and that the Estate has been open since 2016.

The Opposing Counsel told the Presiding Judge to give the Plaintiff seven more days to find an attorney, because the Plaintiff has gone through three attorneys already. And all the evidence were presented during the Probate Trail. This was not a true statement giving by the Opposing Counsel none of the Plaintiff's evidence were presented during the Probate trail, the Plaintiff's evidence were presented and a witness gave testimony in her Bankrutcy Trail, the same witness, Dave Plonitz and evidence were found credible in the Bankruptcy Court. The Opposing Counsel stated that he got to get this case over with. The motion filed by the Plaintiff asking for an extention to seek an attorney was denied by the Presiding Judge. And the Presiding Judge told the Opposing Counsel to move on to the next agender. The Presiding Judge stated that the Plaintiff "will" "Not" get a second bite of the apple."

During the fourth Probate Hearing there was a no show for the Opposing Counsel and the Plaintiff was confused when the Presiding Judge gave the Opposing Counsel a continuance. The Presiding Judge told the Plaintiff not to "Kick a gift horse in the mouth" At the time Plaintiff was Pro se this was just another instance where the presiding Judge spoke to the Plaintiff in a condescending manner during court procedures. Plaintiff have never missed a court Hearings and for the Presiding Judge to speak to the Plaintiff in this manner was not professional. By presiding as Pro se without any knowledge of the law terms, Plaintiff ask the Presiding Judge to explain what was meant by Case Management in the count of law, the presiding Judge responded by responding, "I will not answer any questions pertaining to the Plaintiff's case and that Plaintiff had to wait until April 11, 2019 and the Plaintiff had better show up for court if Plaintiff miss this Hearing date, Plaintiff will be arrested." Plaintiff has never missed a Hearing. The Presiding Judge told Plaintiff he did not want to see her in his court room again until April 11, 2019 and order Plaintiff to get up and lead his court room and go to the Circuit Clerk's office and give them her address. This was spoken in an unwarranted condescending manner coming from the Presiding Judge, he knew the court had the Plaintiff's address it was already in the court's record. Plaintiff went to the Circuit Clerk Office and while Plaintiff was in the line waiting to be served the phone rang and the person on the other line must have ask her to see if Plaintiff was in the office because the person who answer the phone called plaintiff's name to see if Plaintiff had made to the Clerk's office. Plaintiff as the lady, did the judge want to know if i came to the Clerk's office? There was no response from the lady who answer the phone and called the Plaintiff's name.

During one Hearing the Opposing Counsel ask the Plaintiff if she could read? This question stemed from a mistake of address by the city collector. The Plaintiff made a mistake and paid taxes on some property that she thought belonged to she and the Decedent because the city had send the property taxes to the wrong address and the Plaintiff paid the taxes because the taxes had not being paid in three or five years and Plaintiff though that the property would be taken by the city. The Plaintiff had been working out of town and the Decedent was taken care of the property, the Plaintiff paid the taxes to keep the city from taking the property. The Plaintiff thought since the Decedent had become ill while the Plaintiff was away working, Plaintiff thought it was an over sight on the part of the Decedent. The Presiding Judge wanted the Plaintiff to comfirm the fact if Plaintiff could read. The Presiding Judge "demanded" the Plaintiff to read a document aloud during Probate Hearing. This was disrespecful in an additional to an attack on the status of the Plaintiff as an educator. The Plaintiff taught at Mississippi Valley State University as an adjunct professor for nine years until there was a decline in enrolment.

Though it all besed on the testimony of the witness, Dave Plonitz in the Bankrupcty trail all the Court found to be credible, the court found no evidence of fraud or fraudulent intent on the part of the Plaintiff who was the Debtor in the Bankruptcy Court. There

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were no evidence that the Debtor acted to decieve the Executor. All the claims were dischargeable.

The Plaintiff's evidence in the Probate Court were not presented by Plaintiff's Third Counsel these were the same evidence and the same charges that were credible in the Bankruptcy Court but were not presented in the Probate Court and the Presiding Judge ruled on evidence that were not presented by Third Counsel who the Plaintiff had given to him to be presented in Probate Court. None of the Plaintiff's evidence were submitted by the plaintiff's Third Counsel in the Probate Court and the case was lost.

Rule: 44.2

Certificate of Lucille Jordan Jackson, I here certify that this petition for rehearing is presented in good faith and not for delay, and that it is restricted to the grounds specified in Supreme Court Rule 44.2

Lucille Jordan Jackson, Pro se

