

APP. NO. _____

IN THE SUPREME COURT OF THE UNITED STATES

ANDY WILLIAMS JR.,

Petitioner,

vs.

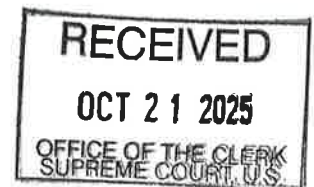
CITY OF AURORA, et, al,

Respondent,

**On Application for an Extension of Time
to File Petition for a Writ of Certiorari to the
United States Court of Appeals for the Seventh Circuit**

**PETITIONER'S APPLICATION TO EXTEND TIME
TO FILE PETITION FOR WRIT OF CERTIORARI**

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To the Honorable Amy Coney Barrett, Associate Justice of the Supreme Court of the United States and Circuit Justice for the Seventh Circuit:

1. Pursuant to Supreme Court Rule 13.5, petitioner Andy Williams Jr. respectfully requests a 60-day extension of time, until Monday, December 22, 2025 as December 21, 2025 falls on a Sunday, within which to file a petition for a writ of certiorari. The United States Court of Appeals for the Seventh Circuit issued its opinion on July 24, 2025. A copy of the opinion is attached. This Court has jurisdiction under 28 U.S.C. § 1254(1).

2. Absent an extension, a petition for a writ of certiorari would be due on October 23, 2025. See U.S.S.Ct.R. 13.1. This application is being filed more than 10 days in advance of that date, and no prior application has been made in this case. The requested extension is necessary because the issues to be presented in Petitioner's case are complex and significant and due to Petitioner's competing work obligations. Petitioner is also a candidate for Illinois Attorney General and petition season started on August 5, 2025, thus requiring a significant amount of time to trying to secure ballot access and traveling across the state.

3. In this case, Petitioner was acquitted of failing to come to a complete stop pertaining to an alleged traffic violation. He was, however, convicted of allegedly failing to signal 100 feet prior to turning. Despite Petitioner's acquittal of one traffic infraction, the Petitioner was still found guilty based on the testimony of the same two officers which he was acquitted from failing to come to a complete stop.

4. Subsequent to Petitioner's trial, the defense discovered that the prosecution had failed to disclose significant impeachment evidence pertaining to an edited video and evidence of a pretextual stop. Petitioner filed motions for new trial in the trial court, arguing that the prosecution's suppression of evidence violated *Brady v. Maryland*, 373 U.S. 83 (1963).

5. Petitioner had previously filed a complaint in the district court for the Seventh Circuit alleging a prolonged stop and violations of the Fourth Amendment. The case was stayed pending the outcome of the traffic case. Plaintiff amended his complaint to include violations of the Klu Klux Klan Act 1985 (3) as well as section 2 of the Thirteenth Amendment. The district Court dismissed Petitioner's claims for lack of subject matter jurisdiction, based on Rooker Feldman doctrines jurisdictional bar on disturbing state court judgments.

6. Petitioner appealed arguing he was denied a due process and fair trial because the process by which the state courts reached their decisions was tainted because the defendants conspired against him as evidence of legally and logically inconsistent verdicts. Petitioner sought redress for an injury independent of the one caused (allegedly) by the state-court determination thus the claim was not barred by *Rooker-Feldman*. *Nesses v. Shepard*, 68 F.3d 1003, 1005 (7th Cir. 1995) (Rooker-Feldman doctrine does not bar plaintiff's claim "that people involved in the [state court] decision violated some independent right of his, such as the right (if it is a right) to be judged by a tribunal that is uncontaminated by politics"); *Johnson v. Orr*, 551 F.3d 564, 570 (7th Cir. 2008).

7. Additionally, Plaintiff argued the Thirteenth Amendment's absolute, self-executing ban on slavery and its incidents prohibits racially discriminatory traffic enforcement and prosecution as modern badges and incidents of slavery, and whether the courts below erred in dismissing such claims as "frivolous" by selectively relying on *The Civil Rights Cases* (1883) while disregarding *Bailey v. Alabama*, 219 U.S. 219 (1911); *Jones v. Alfred H. Mayer Co.*, 392 U.S. 409 (1968)

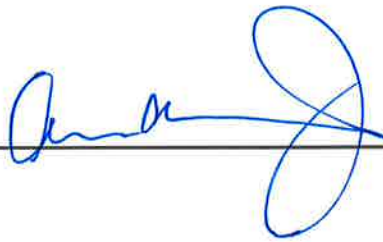
8. Petitioner competing work obligations and his campaign schedule limited his ability to devote adequate time to Petitioner's petition for writ of certiorari between today and October 23,

2025.

8. Wherefore, Petitioner respectfully requests that an order be entered extending the time to file a petition for a writ of certiorari to Monday, December 22, 2025, as December 21, 2025, falls on a Sunday.

PROOF OF SERVICE

I, Andy Williams Jr., hereby certify that three copies of this foregoing Motion for Extension of Time to File Petition for Writ of Certiorari in Andy Williams Jr. v. City of Aurora, et,al were sent via United States Postal Service to the U.S. Supreme Court and one copy was sent to the below service list on October 14, 2025.

By  _____

Service List

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NONPRECEDENTIAL DISPOSITION

To be cited only in accordance with FED. R. APP. P. 32.1

United States Court of Appeals**For the Seventh Circuit****Chicago, Illinois 60604**

Submitted July 9, 2025*

Decided July 24, 2025

BeforeTHOMAS L. KIRSCH II, *Circuit Judge*JOHN Z. LEE, *Circuit Judge*JOSHUA P. KOLAR, *Circuit Judge*

No. 24-1635

ANDY H. WILLIAMS, JR.,
*Plaintiff-Appellant,**v.*CITY OF AURORA, et al.,
*Defendants-Appellees.*Appeal from the United States District
Court for the Northern District of
Illinois, Eastern Division.

No. 20 CV 2549

John J. Tharp, Jr.,
*Judge.***ORDER**

Andy Williams appeals the dismissal of his complaint against the City of Aurora and various municipal officials for allegedly violating his rights under the Constitution and Illinois law. *See* 42 U.S.C. § 1983; 740 ILCS 23/5. The lawsuit concerns a traffic stop

* We have agreed to decide the case without oral argument because the briefs and record adequately present the facts and legal arguments, and oral argument would not significantly aid the court. FED. R. APP. P. 34(a)(2)(C).

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and the ensuing state trial in which Williams was found guilty of a turn-signal violation. We affirm.

We accept the facts recounted in Williams's complaint as true and draw all reasonable inferences in his favor. *See Hess v. Garcia*, 72 F.4th 753, 756–57 (7th Cir. 2023). Williams was on his way home from a meeting when four undercover police officers in an unmarked vehicle pulled him over. One officer approached the driver's-side door of Williams's car and the other three approached the passenger's side. The officer on the driver's side told Williams that the officers pulled him over for signaling a turn too late and for rolling a stop sign. The officer also explained that Williams appeared to be coming from a house that was involved in recent shootings and robberies. Williams denied coming from that house as well as the alleged traffic violations. The parties dispute how long the stop lasted, but Williams alleges that it lasted over an hour. During the stop, the officers told Williams that he was "lawfully detained" and "did not have the right to travel." A dashboard camera captured at least part of the incident.

The officers gave Williams two traffic citations, one for failing to signal at least 100 feet before turning, 625 ILCS 5/11-804(b), and one for disobeying a stop sign, 625 ILCS 5/11-1204(b). Following extensive discovery, Williams filed various pretrial motions in the state court, which accused city officials of using pretextual traffic stops to investigate gang-related crimes and fabricating evidence at his trial by editing a video of the incident. The case proceeded to a bench trial. Williams was found guilty of the signal violation but acquitted of the stop-sign violation. As a result, the court issued a fine of \$287.50. He did not appeal the verdict or fine.

While the state-court proceedings were ongoing, Williams sued the City of Aurora, the mayor, the police department, the chief of police, a police sergeant, and the four responding officers in federal court. He alleged an unreasonable seizure under the Fourth Amendment, racial discrimination under the Fourteenth Amendment, and citywide policies condoning those types of constitutional violations. He then filed a separate lawsuit against the City of Aurora, the chief of police, and a police sergeant claiming unspecified constitutional violations for maintaining an "arbitrary" and "error-ridden" database of suspected gang members and a violation of the Illinois Freedom of Information Act for failing to provide records from and relating to the database. Because the two cases arose out of the same events, the district court granted Williams leave to file an amended complaint consolidating the two actions.

Williams's amended complaint included 22 "counts" against 25 defendants. The district court screened the complaint under 28 U.S.C. § 1915(e)(2) and reorganized it

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into ten claims. The ten claims involved (I) the traffic stop; (II) the maintenance of a gang database; (III) two state “gang statutes”; (IV) the fabrication of evidence at trial; (V) selective prosecution; (VI) lack of standing to bring traffic charges; (VII) judicial bias; (VIII) burden on Williams’s religious exercise; (IX) Illinois’s driver licensing law; and (X) the denial of Williams’s Illinois FOIA request. The court dismissed most of Williams’s claims without prejudice for lack of subject matter jurisdiction, based on the *Rooker-Feldman* doctrine’s jurisdictional bar on disturbing state-court judgments; it dismissed Claims I, VIII, and IX with prejudice to the extent that they were frivolous; and it declined to exercise supplemental jurisdiction over Claim X.

On appeal, Williams raises multiple arguments that rely on the incorrect premise that state courts lack subject matter jurisdiction over traffic violations arising under state law. He argues that the state court’s lack of jurisdiction means that he was improperly prosecuted for the traffic violations. But Williams has identified no colorable support for the proposition that Illinois courts lack jurisdiction over criminal violations of Illinois law. *See Puerto Rico v. Sanchez Valle*, 579 U.S. 59, 69 (2016) (“The States’ ‘powers to undertake criminal prosecutions’ ... do not ‘derive[] ... from the Federal Government.’ Instead, the States rely on ‘authority originally belonging to them before admission to the Union and preserved to them by the Tenth Amendment.’”) (quoting *Heath v. Alabama*, 474 U.S. 82, 89 (1985)) (internal citation omitted).

Williams also challenges the dismissal of his claim that the City of Aurora, its mayor, and one of its police sergeants used pretextual traffic stops to target drivers based on their race. The district court concluded that this claim was substantially similar to claims previously dismissed after Williams failed to respond to the defendants’ motion to dismiss one of his pre-consolidated complaints. The court dismissed this claim in the amended complaint under the law-of-the-case doctrine.

“As most commonly defined, the doctrine posits that when a court decides upon a rule of law, that decision should continue to govern the same issues in subsequent stages in the same case.” *Arizona v. California*, 460 U.S. 605, 618 (1983), *decision supplemented*, 466 U.S. 144 (1984). But the court’s conclusion in ruling upon the defendants’ motion to dismiss that Williams had procedurally defaulted his claim is not a decision “upon a rule of law,” *Arizona*, 460 U.S. at 618, because it did not address the adequacy of Williams’s pleading. Without a ruling on the merits of whether Williams’s allegations stated a claim upon which relief could be granted, there was no law of the case to apply. *Cf. Creek v. Vill. of Westhaven*, 144 F.3d 441, 445 (7th Cir. 1998) (“[I]t is essential to determine what issues were actually decided in order to define what is the

‘law of the case.’”). In any event, the doctrine does not apply here because the district court vacated its own decision dismissing the claim. The doctrine allows courts “to refuse to reopen what has been decided,” *Musacchio v. United States*, 577 U.S. 237, 245 (2016) (quoting *Messenger v. Anderson*, 225 U.S. 436, 444 (1912)), but here, the court had already reopened the issue by vacating its earlier decision. We therefore address the adequacy of Williams’s allegations de novo.

Williams argues that these three defendants, along with the responding officers, unreasonably seized him under § 1983 and the Illinois Civil Rights Act (a claim over which the district court had supplemental jurisdiction, *see* 28 U.S.C. § 1367(a)). The Act provides a state-law remedy against state and local governments, including the city of Aurora, for violations of federal civil rights. *See* 740 ILCS 23/5(a); *Ill. Native Am. Bar Ass’n v. Univ. of Ill.*, 856 N.E.2d 460, 467 (Ill. App. Ct. 2006). And § 1983 allows Williams to proceed against the individually named defendants. Under both theories, we analyze Williams’s claim under the Fourth Amendment.

Even liberally construing Williams’s allegations, *see Haines v. Kerner*, 404 U.S. 519, 520 (1972), he did not plausibly allege an unreasonable seizure under the Fourth Amendment. A traffic stop is a “seizure” and “is thus subject to the constitutional imperative that it not be ‘unreasonable’ under the circumstances.” *Whren v. United States*, 517 U.S. 806, 809–10 (1996). We agree with the district court that the officers had a reasonable suspicion to believe that Williams violated a traffic law (evinced by his eventual conviction) and that therefore the stop itself was not unreasonable under the Fourth Amendment. *See United States v. Cole*, 21 F.4th 421, 427 (7th Cir. 2021). The stop could have become unreasonable, however, if the duration was measurably extended beyond the original objective without further justification. *See id.* at 427–28. Williams alleged that the stop lasted over an hour, but he did not allege any activity by the officers—other than asking him a few questions unrelated to the traffic violations—that prolonged the stop beyond the time reasonably required to issue him a ticket. “An officer’s inquiries into matters unrelated to the justification for the traffic stop ... do not convert the encounter into something other than a lawful seizure, so long as those inquiries do not measurably extend the duration of the stop.” *Arizona v. Johnson*, 555 U.S. 323, 333 (2009); *see also Cole*, 21 F.4th at 429. Here, Williams did not allege any specific activity by the officers that plausibly prolonged the stop by an unreasonable margin.

Williams next challenges the court’s decision that he lacked standing to sue various defendants for the maintenance of a gang database and the existence of two

gang-related state statutes. See 720 ILCS 5/33G; 740 ILCS 147/5. The risk of a chilling effect on Williams's right to associate with people who appear in the database could be sufficient to state a claim under the First Amendment. See *Americans for Prosperity Found. v. Bonta*, 594 U.S. 595, 618–19 (2021). But Williams has not alleged that either statute actually had a chilling effect on him. Instead, he alleged that the statutes would allow police officers to harass him, stop him without probable cause, and arrest him based on who he associates with. But nowhere in the amended complaint did Williams plausibly allege that law enforcement ever stopped him or threatened to stop him based upon the information in the database. Nor did he allege that he ever refrained from associating with someone because of either statute.

Williams also challenges the dismissal of his claim that the defendants conspired to convict him by using a deceptively edited video of the traffic stop. The district court dismissed this claim under the *Rooker-Feldman* doctrine, which imposes a jurisdictional bar preventing district courts from granting relief inconsistent with final state-court judgments. *Hadzi-Tanovic v. Johnson*, 62 F.4th 394, 399 (7th Cir. 2023). But “awarding damages usually does not affect a state court judgment not sounding in monetary terms.” *Gilbank v. Wood Cnty. Dep’t of Hum. Servs.*, 111 F.4th 754, 792 (7th Cir. 2024) (en banc) (holding on claims for damages set forth in Part I of opinion by Kirsch, J.), *cert. denied*, 145 S. Ct. 1167 (2025).¹ Williams argues that *Rooker-Feldman* does not apply to allegations that a state-court judgment was procured by fraud, but no such fraud exception exists. *Id.* at 780–85 (holding on fraud exception set forth in Part VI of opinion by Hamilton, J.). But because Williams’s claim for damages “does not seek to reverse a state court judgment,” it avoids the jurisdictional bar. *Id.* at 793 (Kirsch, J.).

Still, Williams’s allegation—that the defendants used fabricated evidence to maliciously prosecute him—fails. There is no constitutional right to be free from prosecution without probable cause, only a right not to be held in custody without probable cause. *Manuel v. City of Joliet*, 903 F.3d 667, 670 (7th Cir. 2018). And Williams was never held in custody, either pretrial or as part of a sentence. Further, to prevail on a Fourth Amendment claim under § 1983 for malicious prosecution, Williams would eventually need to show that his prosecution ended without a conviction, *Thompson v.*

¹ The district court filed its order in March 2024 and therefore did not have the benefit of *Gilbank*, which we decided in August 2024. But appellate courts generally must “apply changes in the law,” and the defendants offer no reason for us not to apply *Gilbank* on appeal. See *Ortiz-Santiago v. Barr*, 924 F.3d 956, 964 (7th Cir. 2019).

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Clark, 596 U.S. 36, 39 (2022), but the state court ultimately found him guilty of the turn-signal violation.²

Finally, Williams argues that several state judges in Kane County showed bias in his case and that he is therefore entitled to damages and injunctive relief. Williams asserts that the judges had conflicts of interest based on their backgrounds (including some former state's attorneys), political affiliations (most being members of the Democratic party), and rulings against him. Due process protects litigants from situations in which "the probability of actual bias on the part of the judge or decisionmaker is too high to be constitutionally tolerable." *Withrow v. Larkin*, 421 U.S. 35, 47 (1975); see also *Del Vecchio v. Illinois Dep't of Corr.*, 31 F.3d 1363, 1372 (7th Cir. 1994). We presume that judges serve with honesty and integrity, *Withrow*, 421 U.S. at 47; *Del Vecchio*, 31 F.3d at 1372, and past employment, political affiliation, and adverse rulings do not, by themselves, overcome that presumption.

AFFIRMED

² Failing to signal is a petty offense under Illinois law, see 625 ILCS 5/11-202, 804(b), meaning a sentence of imprisonment is not authorized, see 730 ILCS 5/5-1-17. But police can still arrest individuals for such offenses. See *Atwater v. City of Lago Vista*, 532 U.S. 318, 354 (2001); *United States v. Norville*, 43 F.4th 680, 682 (7th Cir. 2022) (noting that a traffic violation is an arrestable offense).