

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

GARY R. WALL
Plaintiffs

CASE NO: 3:09CV1066(DJS)

V.

UNITED STATES DEPARTMENT OF JUSTICE
U.S. ATTORNEYS OFFICE OF NEW HAVEN DISTRICT
JUDGE JANET C. HALL
UNKNOWN DISTRICT LAW CLERKS IN THE MEANING
OF BIVENS
CIRCUIT JUDGE SONIA SOTOMAYOR UNKNOWN LAW
CLERKS IN THE MEANING OF BIVENS (3) 42 U.S.C. DEFENDANTS
28 U.S.C. 1361 “ACTION IN THE NATURE OF MANDAMUS

CONGRESSMAN JOHN LARSON (1) “FEDERAL QUESTION”
28 U.S.C. 1331 DEFENDANT
Defendants

**PLAINTIFFS RESPONSE TO DEFENDANTS “OPPOSITION TO MOTION FOR
DEFAULT JUDGEMENT AND REQUEST FOR EXTENSION OF TIME**

Submitted By:

GARY R. WALL, Due Process Plaintiff
60 Carriage Hill Drive
Wethersfield, CT. 06109
(860) 529-2651

DATED: November 23, 2009

RESPONSE

PLAINTIFF’S RESPONSE TO DEFENDANTS POSITION: The substance of defendant’s position can be condensed by quoting the defendants twice.

First Quote “—*the United States move to intervene on behalf of defendants Judge Hall, Judge Sotomayor and the unnamed law clerks, and moved to dismiss the complaint for failure to state a claim*”

Second Quote in italics Page 2:

“The United States requested:”

“If the complaint is not dismissed for lack of subject matter jurisdiction or for failure to state a claim. The United States requests that the named defendants have sixty (60) days from the Ruling on this motion to dismiss to answer or otherwise respond to the complaint.”

Those two quotes by the United States Department of Justice are asking this court to make a Ruling that supersedes an important Rule of Law (F.R.C.P. 12(a)(3)).

Rule 12(a)(3) relevant part in italics:

“—or 60 days if you are the United States or a United States agency, or an officer or employer of the United States described in Fed. R. Civ. P. 12(a)(2) or (3) you must serve on the plaintiff an answer to the attached or a motion under Rule 12 of the Federal Rules of Civil Procedure.” [After filing an appearance]

Please take special notice that the commencing act Rule of Law states “you must serve on the plaintiff an answers” stating also the defendant must do so in 60 days [After filing appearance].

Plaintiffs Concern: Even though the request by the defendants looks minor and trivial at this point, but by reason of document experience every judicial/D.O.J. corrupt conspiracy started by manipulating a Rule and in so doing usurping citizens Rights committing “High Crimes” against the integrity of the United States Judicial System. Because of plaintiffs experience concerning D.O.J. Sub Rosa collusion with the Judicial Branch he believes that the United States Department of Justice is “intervening” doing every aspect

of representation except filing an appearance under Rule 12(a)(3)¹. In addition, if the Court allows the United States Department of Justice the right to intervene without appearance the Court will be allowing a defendant co-conspirator to “intervene” in its own conspiracy [charged on the face and in the complaint]. Legal fair play logic, Statutory Rights, and Due Process Rights are being obstructed by the D.O.J. and usurped by any Judge that allows or participates in the High Crimes. Because of the justified mistrust the plaintiff has (justified by documentation), he believes the United States in trying to continuing do what they do; that is, discredit a pro se citizens complaint by everything from manipulating Rules, to fact fraud and actual Court docket fraud. This plaintiff believe the “intent” of the United States Justice Department in the meaning of F.R.C.P. 9(b) is for this court to side step Rule 12(a)(3) and allow this request for dismiss under a later sub section of Rule 12 and in so doing discrediting a citizen’s complaint; in so doing, hiding D.O.J./Judicial collusion against “the Lawful Function of the United States” [18 U.S.C. 371(a)(b)]. The plaintiff is nothing like he is portrayed by government protected criminals.

ADDITIONAL PRE RULING INFORMATION FOR THE COURT:

In addition the plaintiff read today in the Hartford Courant that Kevin O’Connor is now in private practice thus the plaintiff will not need discovery to answer who in the meaning of Bivens should be the defendant D.O.J. New Haven. This action is for equity relief which can only be given by Nora Dannehy now that Mr. O’Connor is in private

¹ This is also the reason Alan Nevas is not a defendant since he chose retirement (whether forced or voluntary) from his Senior Judge position. He is not capable of Equitable Relief by reason of that fact. Guilt wise, he was the lead judicial criminal who committed flagrant, bold, crimes knowing at all times that the self-policing judicial power of 28 U.S.C. 351; 28 U.S.C. 455 would be manipulated and controlled by his D.O.J./Judicial Branch criminal cabal. Former Senior Judge Nevas was in 1985 when these Title 18 crimes were being committed U. S. Attorney District of Connecticut [relevant after reading the two Google articles at end of this response.]

practice. Therefore, in the meaning of Bivens Chief U. S. Attorney Nora Dannehy is the D.O.J. Defendant.

RELIEF

This plaintiff understands the serious integrity consequence for the Judicial System if these Judicial crimes are exposed. Everyone should be concerned about the consequences to the Lawful functions of the United States if these crimes are hidden and protected from public visibility. This plaintiff even experienced judicial facilitation of Federal trial perjury. This matter goes back a long way. The plaintiff started by protecting his NLRB Rights then his LMRDA Rights and ERISA Rights and now Due Process Rights. For a background look at what Federal Trial perjury overturned. [Google “Gary R. Wall Manchester Journal Inquire”] – see two articles (1) “Laborers-LIUNA Local 230 charged with discrimination against Gary R. Wall” (2) Laborers-LIUNA Local 230 charged with collusion against Gary Wall.” The Judicial/D.O.J. trial perjury scheme also overturned Wall, Cooksey v. Local 230 et al 224 Fed 169 2d Cir (2000) facilitated the extortion of 28 U.S.C. 402(o) Membership’s Rights, crammed down Plaintiff Cooksey pension, and embezzled Wall’s entire pension 18 U.S.C. 664. Therefore, the plaintiff respectfully request the Court to direct defendant Sotomayor and Hall to [start right] and file an appearance then file what every Rule 12 Subsection they want.

Respectfully Submitted:

GARY R. WALL
60 Carriage Hill Drive
Wethersfield, CT. 06109
(860) 529-2651

CERTIFICATION

This is to certify that a copy of Plaintiffs Response to Defendants “Opposition to Motion for Default Judgment and Request for Extension of Time has been mailed postage pre-paid this 23rd day of November 2009 to:

CHAMBERS
Honorable Sonia Sotomayor
UNITED STATES SUPREME COURT
First Street N. E.
Washington, D.C. 20548

CHAMBERS
Honorable Janet C. Hall
UNITED STATES COURT HOUSE
915 Lafayette Boulevard
Bridgeport, Connecticut 06604

United States Attorneys Office
c/o Michelle L. McConaghy A.U.S.A.
157 Church Street
New Haven, CT. 06510

Office of the General Counsel
U. S. House of Representatives
c/o Kerry W. Kircher, Deputy G.C.
219 Cannon House Office Building
Washington, D. C. 20515

Department of Justice Office of the Solicitor General
c/o Acting Solicitor General Edwin Kneedler
950 Pennsylvania Avenue
Washington, D. C. 20530

GARY R. WALL