

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

GARY R. WALL,

CASE NO: 3:09CV1066(SRU)

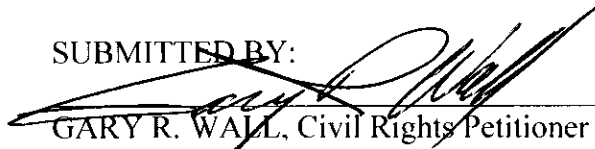
V.

DEPARTMENT OF JUSTICE
ET AL

DATED: JULY 22, 2009

**PLAINTIFF'S F.R.C.P. 59(e) MOTION/MEMORANDUM FOR
RECONSIDERATION OF THE HONORABLE JUDGE UNDERHILL'S (JULY
14, 2009) 28 U.S.C. 1404(a) TRANSFER ORDER**

SUBMITTED BY:



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

59(e) MOTION/MEMORANDUM

This 59(e) Motion is being written to Your Honor for reconsideration of Your Honor's July 14, 2009 Transfer Order.

F.R.C.P. 59(e) Motion: "A motion to alter or amend the judgment is designed to permit the Court to reconsider matters decided by the Judgment"

Transfer of Case Rule 18, relevant part:

"Where a timely motion for reconsideration has been filed the clerk shall delay mailing the file until the Court has Ruled on the motion for reconsideration and will thereafter take such action as is consistent with ruling on the Motion for Reconsideration."

Your Honor's quick Transfer Order dated (July 14, 2009) five (5) days after Chief Chatigny's July 9, 2009 transfer to Your Honor and the Bridgeport Division is procedurally out of order. In accordance with Rule 18, this is a timely 59(e) Motion and the Court, in accordance with Rule 18, shall delay mailing the file until the 59(e) Motion is answered. The Hartford Division Honorable Judge Chatigny has not ruled on the 59(e) Motion as of this filing; meaning, Your Honor does not have jurisdiction to transfer at this time making Your Honor's Transfer Order procedurally out of order and causing confusion. In addition and most importantly, the 59(e) Motion filed in the Hartford Division requested the reconsideration of the Transfer to the Bridgeport Division. It was not filed specifically against Your Honor. I assume as I do with almost all Federal Judges that Your Honor is both Honorable and a person of integrity who does not want to be involved in such a degrading use of a Federal Division (Bridgeport). Therefore, I respectfully request Your Honor transfer the case "In the Interest of Justice" back to Chief Chatigny's Division where it was filed. The conflict of interest is not with Your

Honor; specifically, it is with the Bridgeport Division where Your Honor sits. The conflict is clearly about the Bridgeport Division and former Judge Nevas corrupt law clerk control of the division.

**IN RESPONSE TO THE TRANSFER TO JUDGE EGINTON/BRIDGEPORT DIV.
RELEVANT BRIDGEPORT DIVISION CORRUPTION BACKGROUND:**

On or about July 26, 2005, this plaintiff filed 28 U.S.C. 351(a) Complaint against Judge Eginton 05-8541 and the Bridgeport Division exposing Senior Judge Nevas corrupt use of Judge Eginton's signature on documents. Said 351 Complaint was obstructed by indisputable acts of fact fraud in the Second Circuit committed by defendant Judge Sotomayor (inter olios). Said 351 Complaint was one of three 351 complaints filed that same day the other (2) complaints also having to do with the corrupt Bridgeport Division, defendants being Judge Nevas 05-8539 and Judge Hall 05-8540.

The Eginton case 3:04cv91(WWE) also involved a Transfer Order for a quick look at the conflict of interest to Judge Eginton, the plaintiff will quote a motion filed September 29, 2004 to Hon. Judge Burns, after Bridgeport Transfer to Judge Burns motion titled:

***"PLAINTIFFS MEMORANDUM IN SUPPORT OF PLAINTIFFS DISTR.
CT. RULE 18, F.R.C.P.(59(e)) MOTION FOR RECONSIDERATION OF THE
COURTS 28 U.S.C. 1404(a) TRANSFER ORDER"***

EXCERPTS: PAGE ONE (1) AND TWO (2) OF THE 3:04CV91(EBB)

"RELEVANT TRANSFER BACKGROUND

On January 20, 2004, the plaintiffs filed in the District of Hartford the six page Civil RICO Complaint (18 U.S.C. 1964(c)) and its accompanying 104 page Civil RICO Standing Order Wall, Cooksey, Manos v. Laborers' International Union of North America et al 3:04-CV91(WWE). This instant case was filed in Hartford, Connecticut but assigned to the Honorable Warren W. Eginton, District of Bridgeport, CT. on page 104 of the Standing Order the plaintiffs stated: (Quoted in italics)

"For these reasons also the plaintiffs respectfully request the place of assignment of this case not be in the Bridgeport District where wrongdoer Judge Hall sits. The plaintiffs would prefer Hartford in order to minimize the expense of litigating against embezzled membership money. Another fact that Judge Hall willfully avoids causing great harm to the plaintiffs and the membership"

As stated the case was assigned to Judge Eginton district of Bridgeport.

On June 4, 2004, plaintiff/petitioner Wall filed Dkt. No. 48 Titled:

"Rule 11 Plaintiff/Petitioner's Filing submission For Cessation Judicial Misconduct Acts District of Bridgeport Requesting Law Clerk and Judge Disclosures (const. Amend. 5)"

Six (6) days later (June 10, 2004) the Honorable Judge Eginton filed Sua Sponti Bridgeport's "Order of Transfer". "In the interest of justice" 28 U.S.C. 1404(a)"

See attached Exhibit A.

One hundred and eleven (111) days later September 23, 2004, Your Honor files Sua Sponti New Haven's "Order of Transfer" in the interest of justice" 28 U.S.C. 1404(a) see attached Exhibit B. [FOOTNOTE 1 see below]

This is an unprecedented situation under the Congressional intentions of 28 U.S.C. 1404(a). Both Your Honor and Hon. Judge Eginton can't be right construing were "The interest of Justice" should be brought. For the following reasons the plaintiffs respectfully request Your Honor to reconsider your transfer order as to where "the interest of Justice" can be best served in accordance with the Congressional intentions of 28 U.S.C. 1404(a).

To Start: The substance of Dkt. #48 (the motion filed prior to the Bridgeport Transfer Order). Quoted in italics for the Court's convenience.

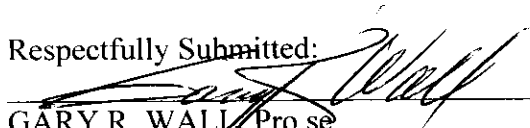
The sole purpose of this submission filing is to stop unrestrained, intolerable multiple documented abuses of the pro se plaintiffs Constitutional Due Process Rights, found to exist over a full 6-year period in the District of Bridgeport. The pro se plaintiff/petitioner and plaintiffs have an absolute constitutional right for the answers to this abuse"

[FOOTNOTE 1]: "Please forgive my direct questioning it is a necessity because of the district of Bridgeport's multiple criminal (Article II Sec. 4) acts of obstruction of the pleadings. Please see on your transfer order the word "rent" before United States District Court. By reason of the double transfer Sua Sponti Bridgeport to New Haven. Sua Sponti New Haven back to Bridgeport – the petitioners respectfully request the Court explain the word "rent" because the petitioner is concerned it might mean "to grant temporary occupancy" (American Heritage Dictionary). The plaintiffs hope that is not the meaning of "rent". That would mean another docket scheme by the district of Bridgeport. Because of the harm to our Civil Rights, Civil Liberties and Statutory Rights, the plaintiffs are suspicious of everything." [END OF FOOTNOTE 1]

After reading this 59(e) Motion, Your Honor should come to the conclusion that to keep this case in Bridgeport would be an act not "In the Interest of Justice", therefore, this Civil Rights Complaint respectfully request Your Honor transfer this case back to Chief Chatigny . See attached letter submission to Chief Chatigny. See also in order to

read the 28 U.S.C. 351 Complaints Judge Nevas 05-8539, Judge Hall 05-8540 and Judge Eginton 05-8541 www.unitedstatesproselaw.com said web site was put up by this citizen in order to try and overcome the Judge Nevas (inter olivos)/D.O.J. U. S. Attorneys PRESS SHIELD.

Respectfully Submitted:


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

CERTIFICATION

This is to certify that a copy of Plaintiff's 59(e) Motion against Judge Underhill's

28 U.S.C. 1404(a) has been sent first class postage pre-paid to:

Department of Justice
New Haven U. S. Attorneys Office
District of Connecticut
157 Church Street
New Haven, CT. 06510

Hon. Judge Janet C. Hall
United States Courthouse
915 Lafayette Boulevard
Bridgeport, CT. 06604

Hon. Sonia Sotomayor
United States Courthouse
40 Foley Square
New York, New York 10007

Congressman John Larson
221 Main Street, Second Floor
East Hartford, CT. 06108

Department of Justice Office of the Solicitor General
c/o of Acting Solicitor General Mr. Edwin Kneedler
Robert F. Kennedy Department of Justice Building
950 Pennsylvania Avenue N.W.
Washington, D. C. 20530-0001

SUBMITTED BY:


GARY R. WALL.

ATTACHMENTS

Honorable Chief Judge Chatigny's
Transfer Order to Judge Underhill

Honorable Judge Underhill's
Transfer Order to Judge Eginton

Chambers Submission Letter to
Honorable Chief Judge Chatigny

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

GARY R. WALL,	:	
	:	
Plaintiff,	:	
	:	
V.	:	CASE NO. 3:09CV1066(RNC)
	:	
UNITED STATES DEPARTMENT	:	
OF JUSTICE, ET AL.,	:	
	:	
Defendants.	:	

ORDER

In the interest of justice, the above identified case is hereby transferred to the Honorable Stefan R. Underhill. All further pleadings or documents in this matter should be filed with the Clerk's Office in Bridgewater, CT and bear the docket number 3:09CV1066(SRU). Dated at Hartford, Connecticut this 9th day of July 2009.

~~Robert N. Chatigny, USDC~~
 Robert N. Chatigny
 United States District Judge

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

FILED

2009 JUL 14 P 12:17

GARY R. WALL

v.

3:09CV1066 (SRU)

UNITED STATES DEPARTMENT
OF JUSTICE, ET AL.

U.S. DISTRICT COURT
BRIDGEPORT, CONN

TRANSFER ORDER

The above-identified case is hereby transferred to the docket of Hon. Warren W. Eginton U.S.D.J., for all purposes.

All future pleadings or documents in this matter should be filed with the Clerk's Office in Bridgeport and bear the docket number 3:09CV1066 (WWE). Pleadings or documents filed at any other seat of court will be refused at the Clerk's Office and returned to you unfiled. [See Local Rule 3(a) (formerly Local Rule 7(a))].

IT IS SO ORDERED.

Dated at Bridgeport, Connecticut, this 14th day of July, 2009.

/s/ Stefan R. Underhill, USDJ

Stefan R. Underhill
United States District Judge

July 22, 2009

CHAMBERS

The Honorable Chief Judge Robert Chatigny
UNITED STATES COURT HOUSE
450 Main Street
Hartford, CT. 06103

RE: HONORABLE UNDERHILL 1404(a) TRANSFER ORDER OUT OF ORDER

Dear Chief Chatigny:

This letter submission is being written to Your Honor's Chamber rather than to the Clerk's Office in order to stay within the Rules and clear the confusion caused by Honorable Judge Underhill's premature transfer to Judge Eginton in the same Bridgeport Division. According to the Second Circuit's Red Book, Judge Eginton is 86 years old. Two (2) years of litigation, Judge Eginton who was presumably the residing Judge (signature was corruptly used). The plaintiff in the 18 U.S.C. 1964(c) Complaint case no. 3:04cv91 never once saw Judge Eginton.

A six year 11(b)(3) investigation has exposed that Judge Nevas was Sub Rosa presiding over the case through his corrupt insidious use of law clerks. Judge Nevas has committed flagrant violation of his oath and has degraded the Bridgeport Division and beyond. Any person that would commit such degrading judicial criminal acts is not going to stop because he is now a citizen. If Your Honor keeps the Due Process Complaint in Bridgeport, Judge Eginton will not be seen again and a fact fraud opinion will be written by corrupt law clerks at the direction of Alan Nevas knowing a D.O.J. Set Up Panel in the Second Circuit will abet the judicial criminal actions of the Bridgeport Division as did defendant Circuit Judge Sotomayor (inter alios).

It is in Nevas corrupt interest, the law clerks in Bridgeport corrupt interest, and Judge Eginton and Hall's corrupt interest to obstruct this Civil Right Complaint to cover up their documented, past fact frauds and docket frauds. Every case has been transferred to the Bridgeport Division even when there were 28 U.S.C. 351 Complaint and 28 U.S.C. 455 Application to Disqualify were filed. In pleadings and in oral argument, this petitioner has charged (on the record) the D.O.J.'s corrupt influence on this case by Judge Nevas insidious corrupt influence on the U. S. Attorneys' Office. This petitioner knows first hand the dangers of a Press Shield. The dangers are the judicial corruption becomes more frequent, flagrant and bold effecting the entire judicial system.

Defendant Judge Sotomayor is one example of the contamination; that being, a Circuit Judge who abetted fact frauds in 28 U.S.C. 351 Complaints and in 28 U.S.C. 455 Application and who also abetted the intentional criminal post dating of a Civil Rights Act Complaint involving the D.O.J. is now one step away from the Supreme Court. The criminal contamination that started in the Bridgeport Division would never have reached

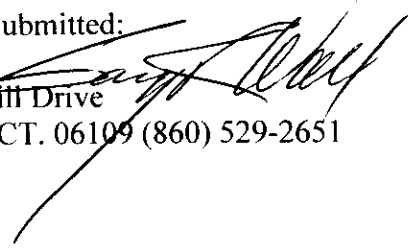
the stage it did without a press shield. Please Rule as soon as possible on the 59(e) Motion and please do not keep it in the Bridgeport Division. In addition "In the Interest of Justice" please transfer back the 5 USC 552 Fee Waiver Complaint against the Northern District of Illinois United States Attorneys Office assigned to defendant Judge Hall (Alan Nevas Sub Rosa). Also in ending, Judge Underhill did not take into consideration, in his premature Transfer Order, this plaintiff's poor health as was explained in Your Honor's Transfer Order to Judge Underhill. It has become ridiculous and criminal that a citizen of the United States Civil Rights and Liberties have been obstructed and usurped in such a flagrant and bold manner for 12 years being protected and hidden from public visibility by a Nevas/D.O.J. Press Shield.

Respectfully Submitted:

Gary R. Wall

60 Carriage Hill Drive

Wethersfield, CT. 06109 (860) 529-2651

A handwritten signature in black ink, appearing to read "Gary R. Wall", is written over the typed name and address. The signature is fluid and cursive, with a long horizontal stroke extending to the right.