

STATE OF ILLINOIS)
) SS:
COUNTY OF LAKE) JUDICIAL CIRCUIT OF LAKE COUNTY, ILLINOIS

BENJAMIN A. WINDERWEEDLE,)
 Petitioner and Counter-Defendant,)
)
 vs.)
)
 JULIA M. WINDERWEEDLE,)
 Respondent and Counter-Plaintiff.)

CAUSE NO.: 14-D-1411

Notice of Removal to the United States District Court

Comes now the undersigned federal removal Petitioner, Benjamin A. Winderweedle, and as required by federal law to give such Notice, and in direct support of his same Notice to this Court, to the Clerk, to all counsel, and to all parties, hereby states and provides the following:

1. By the filing of this Notice with the Clerk of this state Court, together with the attached and corresponding petition and warrant for removal that was filed in the United States District Court, these state proceedings are now removed, by automatic operation of federal law, and this Respondent now formally notifies the Court and all parties herein of the same judicial event.

2. Pursuant to the express and specific language of 28 U.S.C. § 1446(d), immediately upon the filing of this Notice with the Clerk of this Court, this case has been already removed; The removal of jurisdiction from this Court is automatic by operation of federal law, and does not require any additional written order from the District Judge to cause this removal to become "effective" – because the removal of these proceedings is an automatic judicial event, and immediate by strict operation of federal law; 28 U.S.C. § 1446(d) is provided here in its entirety:

Promptly after the filing of such notice of removal of a civil action the [litigant(s)] shall give written notice thereof to all adverse parties and shall file a copy of the notice with the clerk of

such State court, which *shall* effect the removal and the State court *shall proceed no further* unless and until the case is remanded. (emphases added)

3. Put another way, the United States Supreme Court clarified and established, clear back in 1966: "The petition is now filed in the first instance in the federal court. After notice is given to all adverse parties and a copy of the petition is filed with the state court, removal is effected and state court proceedings cease unless the case is remanded. 28 U. S. C. § 1446 (1964 ed.). See generally, American Law Institute, Study of the Division of Jurisdiction Between State and Federal Courts, Tentative Draft No. 4, p. 153 et seq. (April 25, 1966)." Georgia v. Rachel, 384 U.S. 780, 809 n27, 86 S. Ct. 1783, 16 L. Ed. 2d 925 (1966).

4. Because this cause is removed, this Court has no jurisdiction for any further effects in these proceedings (28 U.S.C. § 1446(c)(3)), and any such acts attempted shall be wholly void.

5. The petition for warrant of removal to the United States District Court is attached hereto as required by the express language of federal law; There are also *several* other federal filings.

WHEREFORE, the undersigned Father now notifies this Court, the Clerk, and all counsel and parties that this cause is removed, that this Court has now lost all jurisdiction for any further effects within this cause, bar none, including attempts to hold any hearings or issue any orders, any and all of which shall be void *ab initio* by well established federal law, and that likewise therefore, any attempt to circumvent federal law shall be further willful violations of due process rights, which same may be fully addressed within the above federal proceedings already begun.

Respectfully submitted,


Benjamin A. Winderweedle March 01, 2018

AE03 STQ

STATUS QUERY

03/16/2018

CASE# 14D 00001411 FILED 07/30/2014 STATUS SP STATUS DATE 03/15/2018 PC
TITLE WINDERWEEDLE VS WINDERWEEDLE ARREST AGENCY BRANCH CE

/	DATE	STATUS/REASON	JC ACTIVE/CLOSED	SC	REPORT DATE
_	03/15/2018	SUPPLEMENTAL PROCEEDINGS POST JUDGMENT MOTION	A	C	03/15/2018
_	03/08/2018	CLOSED	C	C	03/15/2018
_	03/14/2016	SUPPLEMENTAL PROCEEDINGS POST JUDGMENT MOTION	A	C	03/14/2016
_	01/26/2016	CLOSED	C	C	01/26/2016

1 TO 4 OF 9

====>

F1-HELP F2-PRT F3-EXIT F4-PROMPT F5-REFRESH F8-FWD
F9-GOTO F12-CANCEL