

Steven Alan Magritz,  
Petitioner

v.

JON E. LITSCHER,  
Respondent

2018 JUL 20 A 9:21

STEPHEN C. DRIES  
Case No. 18-C-0455

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## PETITIONER'S NOTICE OF MOTION, and, MOTION FOR SUMMARY JUDGMENT

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I, Steven Alan Magritz, Petitioner in the above captioned matter, give Notice of motion, and herewith move the Court for summary judgment on the claims of judicial bias and denial of assistance of counsel pursuant to Fed. R. Civ. P. 56 and Civil L. R. 56 in favor of Petitioner and against Respondent as set forth in my "Request For Relief", Dkt. 1:28, and iterated herein. There is no genuine issue of material fact; and, thus, summary judgment is proper as a matter of law.

### Rule 56. Summary Judgment

- (a) Motion for Summary Judgment or Partial Summary Judgment. A party may move for summary judgment, identifying each claim or defense--or the part of each claim or defense--on which summary judgment is sought. The court shall grant summary judgment if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law. The court should state on the record the reasons for granting or denying the motion.
- (b) "... a party may file a motion for summary judgment *at any time* until 30 days after the close of all discovery. (emphasis added).

This motion is based on my petition and the documents incorporated therein filed March 22, 2018, Dkt. 1, Dkt. 1-1, Dkt. 1-2, Dkt. 1-3, Dkt. 1-4; and, my "Brief In

Opposition To Respondent's Motion To Dismiss", Dkt. 8; and, my "Affidavit of Bias" and exhibits in support of brief in opposition, Dkt. 9 through Dkt. 9-7; and, my "Mandatory Judicial Notice - FRE 201(c)(2) With Exhibits A through J (22 pages)", Dkt. 10 through Dkt. 10-10, filed July 12, 2018, all incorporated by reference as if fully set forth herein. This motion is supported by a memorandum of law, Civil L. R. 56(b)(1)(A) and a statement of material facts, Rule 56(c)(1) in the form of an affidavit / declaration, Rule 56(c)(4) and Civil L. R. 56(b)(1)(C) and (D) executed pursuant to Title 28 United States Code § 1746(1). Both the memorandum and the statement of facts are incorporated by reference as if fully set forth herein.

I, Steven Alan Magritz, based upon my own personal first-hand knowledge, am willing, able and competent to testify to the facts set forth in my accompanying memorandum and affidavit of Statement of Facts in support of my Rule 56 motion.

**I MOVE THE COURT** for remedy, to wit:

1. I, Steven Alan Magritz, by whatever "name" restrained, immediately be set at liberty;
2. Any and all restraints on my liberty by State of Wisconsin and/or Department of Corrections and/or any other department or agency of the public corporation named State of Wisconsin be declared null and void and of no force and effect;
3. Ozaukee County Circuit Court had no personal jurisdiction over me in case no. 2011CF236;
4. Ozaukee County Circuit Court had no subject matter jurisdiction in case no. 2011CF236;
5. Sandy A. Williams infringed upon or violated my constitutionally secured rights;
6. Adam Yale Gerol infringed upon or violated my constitutionally secured rights;

7. Ozaukee County case no. 2011CF236 is VOID ab initio;
8. The record of conviction be expunged;
9. I be awarded compensation for 12,936 hours of false imprisonment;
10. Sandy A. Williams and Adam Yale Gerol are tortfeasors vis-à-vis me;
11. Any and all other additional and lawful or equitable remedy the court has authority to provide.

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Steven Alan Magritz

Executed this July 20, 2018 AD.

United States District Court  
Eastern District of Wisconsin

**Certificate of Service**

Re: Steven Alan Magritz v. JON E. LITSCHER  
Case No. 18-cv-455-LA

I certify the following is being served by United States mail, postage prepaid, on Daniel J. O'Brien, State of Wisconsin, Department of Justice, P.O. Box 7857, Madison, WI 53707:

**"PETITIONER'S NOTICE OF MOTION, and, MOTION FOR SUMMARY JUDGMENT TO DISMISS"**, (3 pages), and,

**"MEMORANDUM IN SUPPORT OF PETITIONER'S MOTION FOR SUMMARY JUDGMENT"**, (13 pages), and,

**"STATEMENT OF FACTS IN SUPPORT OF PETITIONER'S MOTION FOR SUMMARY JUDGMENT"**, (22 pages)

Dated this July 20, 2018 A.D.

  
Steven Alan Magritz