

**IN THE CIRCUIT COURT OF
THE TWENTIETH JUDICIAL CIRCUIT
ST. CLAIR COUNTY, ILLINOIS**

PEOPLE OF THE STATE OF ILLINOIS,)
Plaintiff,)
) NO(S). 09TR0009129, 09TR0009130,
v.) 09TR0009131, 09TR0009132, 09CM0000942
)
Mark McCoy)
Accused.)

MOTION TO RECONSIDER

NOW COMES the Accused, Mark McCoy, a free and independent man in full possession of his unalienable natural rights having surrendered nothing to the State in exchange for any privilege, Sui Juris and in Propria Persona, by limited and special appearance, maintaining his challenge to the jurisdiction of the State for crimes, offenses, and misdemeanors not cognizable to the Common Law, and moves this Court to reconsider its denial of his DEMURRER TO FAIRVIEW HEIGHTS POLICE CITATION(S) AND COMPLAINT(S) # 1159154, 1159155, 1159156, 1159157, AND 1115419.

1. The Accused did file with the Clerk fo the Circuit Court of the Twentieth Judicial Circuit for St. Clair County, Illinois a pleading captioned, "DEMURRER TO FAIRVIEW HEIGHTS POLICE CITATION(S) AND COMPLAINT(S) # 1159154, 1159155, 1159156, 1159157, AND 1115419" which bears the file stamp of July 13, 2009.
2. That on July 24, 2009, the Court, presided over by Judge Randall Kelley, did hear arguments regarding said pleading.
3. Accused asserted by way of said pleading that he is entitled by law to demand, and receive, a verified compliant pursuant to 725 ILCS 5/111-3(b), which states in-part, "...the copy of such Uniform Ticket which is filed with the circuit court constitutes a complaint to which the defendant may plead, unless he specifically requests that a verified complaint be filed." **(Respective excerpt from that statute is attached to this motion)**
4. The State, as represented by two individuals from the Illinois State's Attorney office, argued that the Uniform Ticket satisfied the requirements of a verified complaint since they are signed and dated by the officer who filed the Complaint with the Clerk.
5. The Accused disagreed that the signature of the officer constituted a verified complaint, in that by virtue of the law providing, by way of 725 ILCS 5/111-3(b), a method for a defendant to request a verified complaint is explicit and apart from any other requirement in statutory section.
6. The Accused believes that either his Demurer was not given due concern, or the Court based its ruling solely upon the oral arguments presented.

7. The Accused believes that the written word of his Demurer is detailed and thorough, and substantially supports his request for the State to provide him with a verified complaint, aside from and not on par with the Illinois Citation and Complaint filed by the arresting officer.
8. The Accused believes that he may have not sufficiently articulated his position in oral argument, wherein he was under the belief that his oral argument supplanted, and not supplanted, his written Demurrer.
9. The Accused believes the State did not overcome any of the substantive points made in his Demurrer, but instead proffered superficial and cursory observations about what the law provides by way of providing for a verified complaint.

WHEREFORE, the Accused respectfully requests that this Honorable Court reconsider the denial of the Accused's Demurrer and his request for a verified complaint, notwithstanding the prima facie complaint presently at issue, and re-read said Demurrer and allow for further oral argument and/or discussion to clarify any questions at the earliest reasonable time possible.

Respectfully submitted,

Mark McCoy, in Propria Persona
41 Grandview Drive
Collinsville, Illinois 62234

CERTIFICATE OF SERVICE

I hereby certify that on Tuesday, September 9, 2009, a true and correct copy of the foregoing document or pleading entitled:

MOTION TO RECONSIDER

Was mailed via U.S. Post, First Class, by leaving same with counter personnel at the U.S. Postal Office in Collinsville, Illinois and addressed to the:

Circuit Court of the Twentieth Judicial District, St. Clair County, Illinois

#10 Public Square

Belleville, Illinois 62220

Mark McCoy

Collinsville, Illinois USA