

Attorney I.D. 26329

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DISTRICT

MICHAEL BURNS,)
)
Petitioner,)
)
and)
)
GRACE GOCON, ET AL.,)
)
Respondent.)

Case No. 04 C 5486

FILED
JAN 11 2005
MICHAEL W. DIERBERG
CLERK, U.S. DISTRICT COURT

MOTION TO FILE APPEARANCE ON BEHALF OF DEFENDANT, GRACE GOCON, TO VACATE ANY DEFAULTS AND MOTION TO DISMISS

Now Comes the Defendant, GRACE GOCON, (hereinafter referred to as "Grace") by and through her attorney, A. MARCY NEWMAN, and pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, moves this Honorable Court to Dismiss the Complaint. In further support thereof, Defendant states as follows:

1. Grace is a resident of the State of Connecticut and the mother of the Plaintiff's child.
2. Grace has limited funds and had difficulty obtaining counsel to represent her in this Federal action.
3. Grace's failure to obtain counsel was not contemptuous but necessitated by her location and lack of funds.
4. Plaintiff has filed this Federal action in an effort to invalidate the Orders of the Circuit Court on Cook County that established child support to be paid by Plaintiff and allowed residency of the child in Connecticut.
5. The Complaint should be dismissed because Plaintiff's Complaint is barred based on

the Rooker-Feldman Doctrine.

6. A Memorandum of Law is submitted in support of this Motion.

RESPECTFULLY SUBMITTED,

GRACE GOCON

BY: A. MARCY NEWMAN