

BEFORE THE HEARING BOARD OF THE
ILLINOIS ATTORNEY REGISTRATION AND
DISCIPLINARY COMMISSION

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| In the Matter of: |) | |
| GEORGE JACKSON III, Attorney-Respondent, |) | |
| |) | No. 6189680 |
| |) | |
| Commission No. 2021PR00102 |) | |

SECOND AMENDED ANSWER TO COMPLAINT

GEORGE JACKSON III, Respondent (“Attorney Jackson”) submits his Answer to the ARDC Complaint pending against him, and states the following in support.

1. During the events alleged in this complaint, Respondent represented Anthony Jackson (“Jackson”), his biological brother, in relation to a criminal charge of two counts of first-degree murder in Cook County, Illinois. The case was docketed in the Circuit Court of Cook County, Criminal Division, as People v. Anthony Jackson, case number 2013CR7738.

Answer: Admits.

2. On January 12, 2015, Respondent filed his appearance as co-counsel on behalf of Jackson in case 2013CR7738. On January 15, 2015, Jackson was convicted of first-degree murder. Respondent represented Jackson in seeking post-trial relief.

Answer: Attorney Jackson admits paragraph 2.

3. On November 22, 2016, the Honorable Judge James Linn granted Jackson a new trial. On May 5, 2017, Respondent filed a Motion for Substitution of Judge for Cause in case number 2013CR7738. Respondent alleged Judge Linn was biased against Respondent and Jackson. The matter was transferred to the Honorable Judge Dennis Porter for consideration of Respondent’s motion.

ANSWER: Admits.

4. On May 10, 2017, Respondent filed a motion titled “Defendant’s Emergency Motion To [sic] For Investigator” (“May 10th Motion”). In the May 10th Motion, Respondent alleged that Judge Linn had engaged in an improper ex parte communication with then Cook County First Assistant State’s Attorney Eric Sussman (“Sussman”).

ANSWER: Admits.

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ARDC Clerk

5. In the May 10th Motion Respondent made the following allegations against Judge Linn regarding the alleged conversation between Judge Linn and Sussman:

One cannot expect Associate Judge Linn to honestly reveal details of the discussion. *** Having shamelessly and secretively—in a literal backroom meeting—availed himself of the State's institutional stance with DNA evidentiary issues, the Associate Judge has forever foreclosed his ability to be a fair judge in matters involving the office of the Cook County State's Attorney, and certainly he cannot continue to preside over this case because it was defense counsel who caught him in the act. In other words, having bitten from the State's apple of knowledge, the judge in simple fairness to the putative men and women who would stand before him, must be cast out of the garden. At least in theory, he cannot continue as a judge presiding over any case being prosecuted by the office of the Cook County State's Attorney. Because of his conduct, he should not be a judge period. *** Linn, who for years has convicted defendants and sentenced them to jail for skirting the rules, has himself skirted the rules, ensnared a First Assistant new to the state system, now Linn must go. *** The miscreant behaviors of Linn and Sussman were, in a word, stupid. *** Linn's childish and blistering personal attacks on defense counsel's mental stability and legal acumen, which are vile and gutless attacks on his competency demand that counsel defend himself. *** Associate Judge James B. Linn mirrors in clone-like fashion the Jack Nicholson character Colonel Nathan Jessup in *A Few Good Men*, a narcissist with unchecked hubris freely and knowingly violating rules he considers being nothing more than inconvenient nuisances. That arrogance which encapsulates Associate Judge Linn portends that he will be met with the same fate as the Colonel as well he should.

ANSWER: Admits.

6. Also in the May 10th Motion, Respondent stated the following:

Linn was spurred on by a truth, namely, the truth in knowing that in the George Leighton Criminal Courthouse as a judge he was without any meaningful supervision, from his immediate boss all the way up to the farcical Timothy C. Evans, the Chief Judge.

ANSWER: Admits.

7. Respondent's statements that Judge Linn engaged in "miscreant behavior," that "[o]ne cannot expect Associate Judge Linn to honestly reveal details of the discussion," and that he "skirted the rules," were false or made with reckless disregard of the truth, Respondent had no objectively reasonable factual basis for the statements that Judge Linn was dishonest or engaged in "miscreant behavior."

ANSWER: Admits.

8. At the time Respondent made the statements in his pleading, described in paragraphs 4, 5, and 6 above, he knew his statements were false or made with reckless disregard to the truth, because Respondent had no objectively reasonable factual basis for the statements that Judge Linn was dishonest or engaged in "miscreant behavior."

ANSWER: Denies.

9. On May 15, 2017, Judge Porter denied Respondent's May 10th Motion. On the same day, Respondent filed a motion titled "Motion to Reconsider Defendant's Emergency Motion To [sic] For Investigator" ("May 15th Motion"). The May 15th Motion contained the following statements regarding Judge Linn:

Linn is broken and, we suspect, he has been for some time. *** Associate Judge James B. Linn's judicial career balloon has burst. He very well may have been [sic] good judge in times past, but he is not a good judge now. He has run amuck in his actions as a judge, as recounted in greater detail in the SOJ motion.

ANSWER: Admits.

10. Respondent again alleged a conspiracy between Judge Linn and Sussman. In alleging a conspiracy, Respondent, amongst other things, stated the following:

Let us change the details but keep the fact of the judicial ex parte. Instead of Mixon we have Jewish females as the affected people, and we have them from opposite ends on the scales of sympathy and culpability. *** Watching with a beastly focus was Guy Black, aka "Meatman," a moniker bestowed on Guy because of his physical endowment. *** Guy viciously, brutally and with the aid of enhancements, raped the daughter and to the point of limp exhaustion. *** The Mother was forced to listen to Guy's inhuman panting and inhumane pounding. *** Let'em Go realized the Mr. Black, who was a despicable man deserving of the strictest punishment for the crimes for which he was responsible, would get railroaded because he defiled and debased a 16 year old Jewish princess. *** What better way to emasculate a cadre of African-American and Hispanic male defendants than to have them prosecuted by white women at the direction of a pseudo black woman guided by a Jewish man, and under the presiding control of a white judge, who in turn meets in private with the Jewish man in promoting the goals of the pseudo black woman?

ANSWER: Admits.

11. In the May 10th motion Respondent alleged:

The practice of ex parte talks was intensely widespread, the outside world was oblivious to the practice, the Defense Bar begrudgingly accepted the practice as the unavoidable "culture" Cook County criminal judges, and through his cowardly silence, the Chief Judge approved of and even encouraged the illegal practice.

ANSWER: Admits.

12. Respondent's statement that Judge Linn "has run amuck in his actions as a judge" was false or made with reckless disregard for the truth, because Respondent had no objectively reasonable factual basis for the statement that Judge Linn "has run amuck in his actions as a judge."

ANSWER: Denies.

13. At the time Respondent made the statement in his pleading, described in paragraph 10 above, he knew his representation was false or made with reckless disregard to the truth.

ANSWER: Denies.

14. Respondent's statements in his pleading, described in paragraphs 10 and 11 above, were intended to embarrass, delay, or burden Sussman, the prosecutors assigned to prosecute Jackson's case, and other court personnel.

ANSWER: Denies.

15. On May 24, 2017, Judge Porter held Respondent in direct criminal contempt of court based on his statements in the May 10th and May 15th Motions. On the same day, Judge Porter denied Respondent's substitution motion. The case was returned to Judge Linn instantler. Later the same day, Judge Linn disqualified Respondent from representing Jackson. Judge Linn stated Respondent was not capable of restraining himself and practicing law competently.

ANSWER: Admits.

16. On May 28, 2019, the Illinois Appellate Court reversed Judge Linn's order disqualifying Respondent from Jackson's case. On July 18, 2019, the case was reassigned to the Honorable Judge Ursula Walowski.

ANSWER: Admits.

17. On April 26, 2021, Respondent filed a motion with the Illinois Supreme Court titled "Anthony Jackson's Motion to Find Unconstitutional Burden Shifting Rule Requiring Defendants to Demand Trial and Clarify Sole Jurisdiction Before This Court" ("April 26th Motion"). The April 26th Motion made the following statements about the Cook County Judiciary:
There exists in Cook County extremely diabolical prejudice against Mr. Jackson in this case against his lawyer of choice, former decorated Department of Justice Attorney George Jackson III, by Cook County Judges (primarily Criminal Court Judges Porter, Linn, Walowski and Walowski's various replacements, along with the woefully intellectually challenged Honorable Judge Levander Smith of domestic violence court). *** There is no way that Cook County Circuit Court Judges would dare sit a jew or an anglo in jail for 6.5 years awaiting trial. *** Without exception, every single Judge that Mr. Jackson and his Attorney have appeared before at the Criminal Courthouse and before the exceptionally low intellect Judge Levander Smith and other domestic violence court judges, has engaged in conduct to inappropriately prolong Mr. Jackson's stay in jail, in violation of his Speedy Trial rights.

ANSWER: Admits.

18. The April 26th Motion also made the following statements about the Illinois Supreme Court:

Setting aside the complete power-grabbing absurdity of this Honorable Court's interpretation of Illinois Constitution, Article VI, Section 16, that section (Section 16) expressly states that it is an "Administration" provision.

The painfully obvious plain meaning of Section 16 of Article VI is that this Court has administrative authority to supervise inferior courts, nothing more. A counter contention really is absurd, obviously so.

Perhaps most disturbing is that by its self-serving interpretation, this Court would be the only court in the entire United States, including the United States Supreme Court, that can will-nilly—literally—grant itself jurisdiction.

ANSWER: Admits.

19. Respondent's statements that "[t]here exists in Cook County extremely diabolical prejudice against Mr. Jackson"; that "every single Judge that Mr. Jackson and his Attorney have appeared before ... has engaged in conduct to inappropriately prolong Mr. Jackson's stay in jail"; that the Supreme Court engaged in "power-grabbing" and "self-serving interpretation"; and that "[t]here is no way that Cook County Circuit Court Judges would dare sit a Jew or an Anglo in jail for 6.5 years awaiting trial" were false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statements that Cook County Judges or other court personnel were prejudiced against Jackson or engaged in a conspiracy.

ANSWER: Denies.

20. At the time Respondent made the statements in his pleading, described in paragraph 17 above, he knew his representations were false or made with reckless disregard of the truth.

ANSWER: Denies.

21. On the same day, Respondent appeared via videoconference before Judge Walowski in relation to case 13CR07738 for a status hearing. During the hearing, the Court repeatedly admonished Respondent concerning his improper behavior, involving interrupting, arguing, and speaking over the Court.

ANSWER: Cannot admit or deny does not have enough information.

22. On the same day, while attempting to schedule the matter for trial, Judge Walowski and Respondent had the following exchange:

COURT: Okay, So do you want me to set it for jury on May 11th since you want a trial? Do you want me... that's... We have a priority date where we can be the priority case on May 11th for jury.

RESPONDENT: Judge, you've done what you've wanted to do all along in this case.

You... When I have done... What I am entitled to do as an advocate, as a lawyer, as an officer of the court just like you, as an officer of the court, you have shut me down, you have been so incredibly disrespectful. Now you're coming to me like okay, okay, all that stuff is over. No it's not.

Judge I have fear in talking to you. I don't think you're an honest person. I think my personal view is that you cheat as a judge, that you don't follow the law. That's my personal view. And I fear you.

ANSWER: Admits.

ANSWER: Attorney Jackson denies paragraph 23.

24. At the time Respondent made the statements in court, described in paragraph 22 above, he knew his representations were false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statements that Judge Walowski was dishonest, cheated, or did not follow the law.

ANSWER: Denies.

25. At the April 26, 2021 hearing, after Judge Walowski scheduled the matter for trial on May 11, 2021, Judge Walowski and Respondent had the following exchange:

RESPONDENT: I'm now doing an oral motion for bond.

COURT: Okay. That's denied.

RESPONDENT: He has been locked up. Ain't convicted of a darn thing. He happens to be a black man locked up for six and a half years not convicted of anything so I'm making a motion right now, oral motion, in which I will follow it up with motions in the multiple to release this man on bond.

If he were a Jew, ain't no way you'd do this. If he were a white boy, ain't no way you would have him locked up in court as you do now. You would have at least entertained a motion by now, Judge. This is utterly pathetic. It's pathetic what you're doing.

ANSWER: Admits.

26. Respondent's statements in court, described in paragraph 25 above, were false or made with reckless disregard of the truth, because Respondent had had no objectively reasonable factual basis for the statement that Judge Walowski discriminated against Jackson based on his race or religion.

ANSWER: Denies.

27. At the time Respondent made the statements in court, described in paragraph 25 above, he knew his representations were false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statement that Judge Walowski discriminated against Jackson based on his race or religion.

ANSWER: Denies.

28. While Respondent was arguing his oral motion for Jackson's bond, Respondent made the following statement:

RESPONDENT: Mr. Jackson's innocent. Now, let's go back, Judge, a little bit to what has brought us here, the evidence against him. We have right now, these white folks, you included, we had these pathetic white folks who hid information, hid exculpatory evidence. Hid exculpatory evidence. Hid exculpatory evidence. And because I am excellent at what I do, Judge – my IQ is higher than my weight, I am excellent at what I do – I uncovered it, despite the efforts of Judge Linn to keep it hidden by not granting me a HIPAA order but granting one to the State to be used unilaterally. Nevertheless, Judge; I'm smarter than them. I don't have to be because they're not that smart to begin with, *** Now, there's more to that that I'll unload at the trial. I don't say it now because I don't think all of this matters with you. You got your mind made up. As I said, I don't trust you to be honest at all Judge. I think you're dishonest. My personal view is that you're dishonest and you should not be on the bench that's my personal view.

ANSWER: Admits.

29. Respondent's statements in court, described in paragraph 28 above, were false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statements Cook County Judges or other court personnel hid exculpatory evidence or were "dishonest."

ANSWER: Denies.

30. At the time Respondent made the statements in court, described in paragraph 28 above, he knew his representations were false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statements that Cook County Judges or other court personnel hid exculpatory evidence or were "dishonest."

ANSWER: Denies.

31. On May 6, 2021, Respondent filed a motion titled "Motion and Supporting Memorandum of Factual Events for Change of Place of Trial Out of Cook County" ("May 6th Motion"). The May 6th Motion reiterated Respondent's belief of a conspiracy between the State's Attorney's Office and various Cook County Court Judges. Additionally, it contained the following allegations against the Honorable Judge Walowski:

THis [sic] Court, especially the Honorable Judge Walowski as [sic] acted in concert with the State.

The recalcitrance of Judge Walowski to Illinois and Constitutional law is unbridled, completely.

ANSWER: Admits.

32. The May 6th Motion also contained a section entitled "Modern-Day Emmett Till." In this section, Respondent made the following statements directed toward a female prosecutor assigned to Jackson's case:

The reality is shameful and an insult to Attorney Jackson's Mandingo stud status. The white woman is entirely unattractive in general and her white woman traditional features sorely

unattractive to Attorney George Jackson III in particular, though thankfully she lacks the feminine hygiene slight body odor of her former co- prosecutor, which we mention because that ever present odor, though slight, turned off Attorney Jackson to the specter of servicing any of the white women in that courtroom.

ANSWER: Admits.

33. The May 6th Motion also contains the following description of the Cook County Sheriff's Office attempt to enforce an Order of Protection issued by Judge Smith against Respondent: Attorney Jackson was barred from entering 2650 California Courthouse, unless he submitted to the custody of the Cook County Sheriff. This would never happen to a Jew or White Man. We posit that ordering a Black Man in Cook County to voluntarily submit to being placed in custody is akin to ordering a Jewish man to, "Take this train to mandatory summer camp."

ANSWER: Admits.

ANSWER: Attorney Jackson denies paragraph 34.

35. Respondent made the statements in paragraph 31, above, knowing they were false, or with reckless disregard for the truth because Respondent had no objectively reasonable factual basis for the statement that Judge Walowski engaged in a conspiracy with the state.

ANSWER: Denies.

36. Respondent's statements in his pleading, described in paragraph 32 above, were intended to embarrass, delay, or burden the female prosecutors assigned to prosecute Jackson's case and the female court personnel assigned to the courtroom.

ANSWER: Denies.

37. On May 10, 2021, Respondent filed two additional motions titled "Plaintiff's Amended Motion and Supporting Memorandum of Factual Events for Change of Place of Trial Out of Cook County" ("Amended May 6th Motion") and "Plaintiff's Second Amended Motion and Supporting Memorandum of Factual Events for Change of Place of Trial Out of Cook County" ("Second Amended May 6th Motion") Both motions contained similar statements as the May 6th Motion.

ANSWER: Admits.

38. In Respondent's Amended May 6th Motion, Respondent also stated:
Judge Walowski, Judge Linn, Judge Levander Smith, and an unknown Black woman Judge who was sitting for Judge Smith, all have threatened to have Attorney Jackson arrested for advocating in court.

No judge took any action... there is not a scintilla of a chance that Anthony will get a fair, impartial, and unbiased trial before a fair, impartial, and unbiased Cook County Criminal Court Judge.

ANSWER: Admits

39. Respondent's statements, described in paragraph 38 above, were false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statement that Judge Walowski and other Cook County Court Judges were biased against Jackson.

ANSWER: Denies.

40. At the time Respondent made the statements in court, described in paragraph 38 above, he knew his representations were false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statement that Judge Walowski and other Cook County Court Judges were biased against Jackson.

ANSWER: Denies.

41. In Respondent's Second Amended May 6th Motion, he made the following statement against the Honorable Judge Leroy Martin:

Judge Martin apparently was whispering into Judge Walowski's ear, directing her to do his bidding. After having eased into the conspiracy, Judge Walowski gradually became its biggest advocate. We believe this is because Judge Martin egged Judge Walowski to stand up to Attorney Jackson.

Unbelievably, Judge Martin said he was just hearing about the OP. That is a coward, one who openly lies as opposed to confronting an issue.

ANSWER: Admits.

42. Respondent's statement that Judge Martin "openly lies as opposed to confronting an issue" was false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statement that Judge Martin lied.

ANSWER: Denies.

43. Respondent made the statements in paragraph 41, above, knowing they were false, or with reckless disregard for the truth, because Respondent had no objectively reasonable factual basis for the statement that Judge Martin lied.

ANSWER: Denies.

44. On May 24, 2021, Judge Walowski held Respondent in direct criminal contempt of court based on the statements Respondent made in the May 6th, Amended May 6th, and Second Amended May 6th Motions. On the same day, Judge Walowski held Respondent in direct criminal contempt of court based on his statements in court on April 26, 2021. On the same date, Judge Walowski continued Jackson's case to June 7, 2021 in courtroom 306 at 9:30 a.m. for jury trial.

ANSWER: Admits.

45. Also, on May 24, 2021, Respondent filed a motion titled "Change of Venue Motion" ("May 24th Motion"). Respondent stated in the May 24th Motion:

Indeed, Cook County Criminal Court Judges before who Attorney Jackson has appeared, without exception, have concertedly manifested a street-gang psychosis of protecting its imagined turf and fellow members instead of following the law. Criminal Judges have engaged in never ending retaliation against Attorney Jackson for his fidelity to our laws and for his valiance in demanding that Cook County Criminal Judges adhere to our laws as well.

The State and the Cook County Circuit Court appears to have conspired to block Anthony from uncovering the medical report by refusing to grant Anthony a HIPAA Order.

Here we present our invited retort to this Sweet Polly Purebread Plaintiff Whitegirl/Hungry Mandingo Black Stud Utter Nonsense. ***

Judge Smith snarly and defiantly responded, "That is not gonna happen." When Jackson began to advocate his position, Judge Smith threatened to have Jackson arrested and called for security. While the Honorable Judge Levander Smith, Jr. is yet another Cook County Judge who attacked and threatened Jackson with arrest, his situation demands patience because Judge Smith truly is intellectually limited-at least as a Judge-as revealed by the tree [sic] times in separate cases that he issued incorrect Orders only to correct himself afterwards. From Jackson's personal lens, Judge Levander Smith, despite his considerable intellectual shorts, still had sufficient wit to join, and did join, the conspiracy.

ANSWER: Admits.

46. Respondent's statements in his pleading, described in paragraph 45 above, were false or made with reckless disregard of the truth, because Respondent had no objectively reasonable factual basis for the statement that Cook County Judges or other court personnel were engaged in a conspiracy or retaliation.

ANSWER: Denies.

47. Respondent made the statements in paragraph 45, above, knowing they were false, or with reckless disregard for the truth because respondent had no objectively reasonable factual basis

for the statement that Cook County Judges or other court personnel were engaged in a conspiracy or retaliation.

ANSWER: Denies.

48. On June 7, 2021, Respondent did not appear in courtroom 306 at 9:30 a.m. On the same day, Judge Walowski held Respondent in direct criminal contempt of court for failing to appear in courtroom 306 at 9:30 a.m.

ANSWER: Denies.

49. By reason of the conduct described above, Respondent has engaged in the following misconduct:

- a. Engaging in conduct intended to disrupt a tribunal including but not limited to statements made by Respondent in pleadings and statements made in open court outlined in paragraphs 4, 5, 6, 9, 10, 11, 17, 18, 21, 22, 28, 31, 37, 38, 41 and 45 above, in violation of Rule 3.5(d) of the Illinois Rules of Professional Conduct (2010);
- b. using means that have no substantial purpose other than to embarrass, delay, or burden a third person, by engaging in conduct to embarrass, hinder, or obstruct the court, Cook County State's Attorney's Office and courtroom personnel, by conduct including the statements made by Respondent in pleadings and in open court outlined in paragraphs 4 through 45 above, in violation of Rule 4.4(a) of the Illinois Rules of Professional Conduct (2010);
- c. making a statement that the lawyer knows to be false or with reckless disregard as to its truth or falsity concerning the qualifications or integrity of a judge, adjudicatory officer or public officer, by conduct including the statements made by Respondent in pleadings and statements made in open court outlined in paragraphs 4, 5, 6, 9, 10, 11, 17, 18, 21, 22, 28, 31, 37, 38, 41 and 45 above, in violation of Rule 8.2(a) of the Illinois Rules of Professional Conduct (2010);
- d. engaging in criminal acts that reflect adversely on the lawyer's honesty, trustworthiness, of a fitness as a lawyer by conduct including four times committing the criminal act of direct criminal contempt of court, in violation of Rule 8.4(b) of the Illinois Rules of Professional Conduct (2010);
- e. conduct involving dishonesty, fraud, deceit, or misrepresentation, by conduct including making false statements in pleadings and open court outlined in paragraphs 4 through 45 above, in violation of Rule 8.4(c) of the Illinois Rules of Professional Conduct (2010); and
- f. engaging in conduct that is prejudicial to the administration of justice, by conduct including, but not limited to, filing the May 10th Motion described in paragraphs 4, 5, and 6 above; filing the May 15th Motion described in paragraphs 9, 10, and 11 above; filing the April 26th Motion described in paragraph 17 and 18 above; his statements in open court on April 26, 2021 described in paragraphs 21, 22, 25, and 28 above; filing the May 6th Motion described in paragraphs 31, 32, and 33 above; filing the Amended May 6th Motion described in paragraphs 37 and 38 above; filing the Second Amended May 6th Motion described in paragraphs 37 and 41 above; and filing the May 24th Motion

described in paragraph 45 above, in violation of Rule 8.4(d) of the Illinois Rules of Professional Conduct (2010).

ANSWER: Attorney Jackson denies paragraph 49 a-f.

Affirmative Defense

Respondent hereby places the Administrator on notice that respondent may provide medical evidence concerning his alleged actions in this case.

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