

December 27, 2019

MARK VON NIDA
IN THE CIRCUIT COURT OF MADISON COUNTY, ILLINOIS
Clerk of the Circuit Court Edwardsville, IL 62025
(618) 296-4370
madisoncountycircuitclerkIL.org

GRANITE CITY, CITY OF
vs.
KEVIN G. LINK

CASE # 2019 OV 400178:

TO: KEVIN G. LINK

The above case is set in courtroom 103

Madison County Courthouse, 155 N. Main Street, Edwardsville, IL 62025

On January 16, 2020 at 01:00PM for Jury Trials

NO OTHER NOTICE WILL BE GIVEN. PLEASE BRING THIS NOTICE WITH YOU.

The Madison County Court makes every effort to comply with accessibility laws and provides reasonable accommodations to persons with disabilities. Hearing, visual, and other assistance may be arranged by contacting Court Disability Coordinator, Teri Picchioldi at 618-296-4884

IN THE CIRCUIT COURT
FOR THE THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

CITY OF GRANITE CITY,

Plaintiffs,

vs.

KEVIN LINK.,

Defendants.

)
)
)
)
)
)
)
)
)
)

Case No. 19-OV-400177

**PLAINTIFFS' MOTION FOR SUMMARY
JUDGMENT**

Now come the plaintiffs, by and through their undersigned attorney, and for their Motion for Summary Judgment.

1. The Defendant in this matter was charged with Operating without a Business License in violation to the city of Granite City's ordinance.

2. That Defendant operated a business in Granite City Illinois on or about April 19, 2019.

3. That Defendant failed to obtain and maintain a business license in violation of Municipal Code 15.142.020.

4. That on or about November 4, 2019 the Defendant filed his **MOTION TO LINK ALL CASE FILINGS FROM CASES #2016OV400378, #2019SC001895, #19-ME0000357, 19-OV400064 AND ENTERS EXHIBITS 1, 2, AND 3 INTO EVIDENCE.** a pleading under oath in the Third Judicial Circuit Court of Madison County (Exhibit A)

5. That the defendant admitted in his **MOTION TO LINK ALL CASE FILINGS FROM CASES #2016OV400378, #2019SC001895, #19-ME0000357, 19-OV400064 AND ENTERS EXHIBITS 1, 2, AND 3 INTO EVIDENCE.** to operating

a business without a business license violating the City of Granite Ordinance (Exhibit A paragraph 1.)

6. That the Defendant has provided no legal justification recognized by law for his failure to obtain and possess a business license.

7. Summary Judgement is appropriate as there is no genuine issue of material fact for a jury to determine. *Morgan v. Richardson*, 343 Ill.App.3d 733, 798 N.E.2d 1233 (5th Dist. 2003)

WHEREFORE, based upon the foregoing, The City of Granite City humbly requests this Court to grant Summary Judgment on this matter and to take into consideration the statements made in the defendants pleading filed under oath in the Third Judicial Circuit Court of Madison County and for such other and further relief as deemed just.

Respectfully Submitted,
BURFORD LAW OFFICE

By /s/ Ellen R. Burford
Ellen R. Burford #06307693
2005 Johnson Rd.
Granite City, IL 62040
Ph: (618) 709-7727
ellenburfordlaw@gmail.com
Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent via electronic mail this 14th day of January, 2020 to:

Kevin Link
currly521@yahoo.com
P.O. Box 22
Granite City, IL 62040
Defendant, Pro-se

/s/ Sidney Ballhausen



IN THE CIRCUIT COURT
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, IL

FILED

NOV 04 2019

CLERK OF CIRCUIT COURT #13
THIRD JUDICIAL CIRCUIT
MADISON COUNTY, ILLINOIS

CITY OF GRANITE CITY,

Plaintiff,

vs.

KEVIN LINK,

Defendant,

)
)
)
)
)
)
)
)
)
)

Circuit Court No.: 2019OV400178

MOTION TO LINK ALL CASE FILINGS FROM CASES #2016OV400378,
#2019SC001895, #19-MR-000357, #19-OV-400064 AND
ENTER EXHIBITS 1, 2, AND 3 INTO EVIDENCE

After 30 years of operating my business in compliance with Granite city ordinance I have refused to purchase my 2019 business licenses. This refusal was prompted by Granite city's unequal, targeted enforcement of city ordinance and the ongoing malicious prosecution of my Granite city business. Furthermore, Granite city business licenses require the licensee to be in full compliance with the "Crime-free" law; I intend to show that this law has been misapplied and is deeply unconstitutional in it's current form.

The filings for the cases listed in this motion will be critical to my argument and defense in this case as well as the other "no business license" tickets against me:

Case # 2016OV400378: I was the Defendant, Granite city ignored my initial request for dismissal of the ticket which Granite City knew, or should have known, to be flawed. I was arrested, and subsequently attended three *additional* court hearings only to have the case abruptly dropped, without any explanation by city officials as to what prompted the seemingly random dismissal or why it had not been dropped after my initial request for dismissal.

Case # 2019SC001895: I am the Plaintiff in this small claims case seeking the full return of the \$600

paid for my cash bail after being inappropriately arrested during case #2016OV400378.

Case # **19-MR-000357**: I was the Plaintiff in this administrative review, which was prompted by Granite city once again ignoring my initial pre-filed, and hand delivered request for dismissal of a ticket which they knew, or should have known, was flawed and unjust.; and again, Granite city chose to drop all charges only *after* the time, stress, and effort I expended filing for an administrative review *and* attending three separate court appearances.

Case #**19-OV-400064**: I was defendant due to my refusal to purchase a Granite City business license for 2474 Iowa. The basis of my refusal was that through such a license, Granite city would require me to violate my customer's civil rights through a compulsory eviction of my customers, a working husband and his wife, who themselves were not charged with a crime. Furthermore even in the hypothetical event that my customers had been accused of or charged with a crime, I would contend that the duty of punishing them for that crime (in this case through a compulsory eviction) should not fall to me, a private citizen/business owner; and regardless, a forced eviction is neither an appropriate nor just punishment for a misdemeanor violation.

Respectfully submitted,

Kevin Link, Pro-se
P.O Box 22
Granite city, IL, 62040

Defendant: LINK KEVIN G

Case # 19OV400178

D.O.B. 19630926 IL

GRANITE CITY, CITY OF

Offense: NO BUSINESS LIC 2542 E 24TH ST

DL #

CDL: N

9109000

Attorney

ORDER

Accident:

Balance \$0.00

Bond Bal \$ 0.00

Schedule 13.0

☐ Defendant fails to appear for 2nd appearance.

☐ Ex Parte conviction entered. Total fine & costs: \$

☐ Reset on appearance docket.

☐ Issue warrant Bond

☐ QUASH WARRANT

☐ Defendant appears and is advised of the charges, penalties, rights and trial in absentia.

☐ Defendant pleads not guilty and ☐ Request Jury Trial ☐ Waives Right To Jury Trial ☐ Set for Trial

Defendant's Signature

CASE STATUS : CSO

DISPOSITION

☐ Defendant pleads GUILTY and waives rights and trial ☐ Open plea ☐ Neg. plea ☐ 4 hr Traffic Safety School

Defendant's Signature

☐ **CONVICTION**

☐ **SUPERVISION** _____ days _____ months _____ years

FINES AND COSTS \$

FINES AND COSTS \$

TOTAL FINES AND COSTS \$

TOTAL FINES AND COSTS \$

THE OFFENDER SHALL PAY RESTITUTION IN THE AMOUNT OF \$

TO

☐ Pay Today ☐ From Bond ☐ POA

☐ DEF to perform _____ hours of public service. Copy to Probation Department.

☐ Transfer remaining bond to

☐ DEF FOUND **NOT** GUILTY ☐ DEF FOUND GUILTY ☐ Jury Trial ☐ Bench Trial ☐ In Absentia

☐ NOLLE PROS motion of ☐ CASE DISMISSED motion of ☐ State ☐ Municipality

Per: ☐ PLEA ☐ INSUFFICIENT EVIDENCE ☐ COMPLIANCE ☐ PROOF OF INS.

☐ ANY OUTSTANDING FINES AND COSTS ARE FOUND TO BE UNCOLLECTIBLE. CLOSE FILE.

☐ TAKE BOND (BAL FORFEITED FOR FTA) **CLOSE FILE**

☐ FINE & COSTS HAVE BEEN SATISFIED BY PSW. **CLOSE FILE**

CONTINUANCES

CONT motion of ☐ Pros ☐ Deft ☐ Agreement ☐ Court ☐ Reset NAD

DEFENDANT FAILS TO APPEAR / PAY PER ORDER:

☐ Reset NAD ☐ ISSUE WARRANT bond

☐ Revoke Supervision: Conviction Entered; Judgment Unsatisfied; Clerk to Notify SOS.

☐ Prior order vacated; fee paid/waived.

Parties appear. A link given 30 days in which to respond to Prosecution's Motion for Summary Judgment. Motion Reset Next available Pretrial date after 60 days. Motion to be argued at that time.

ASSISTANT STATE'S ATTY EB

DEFT / DEFENDANT'S ATTY K-2

Court Date 1/16/2020

JUDGE DR

DATE: _____