

**BC**

**FILED**  
9/28/2025

JKS

UNITED STATES DISTRICT COURT FOR THE <sup>THOMAS G. BRUTON</sup>  
Northern District of Illinois – CM/ECF NextGen 1.7.1.1 <sup>CLERK, U.S. DISTRICT COURT</sup>  
Eastern Division

In re President, Christopher Cannon: Bey  
On Behalf of Himself and Similarly Situated persons  
Petitioner,

v.

) Case No.:  
) **1:22-cv-06098**  
) Honorable  
) Edmond E Chang  
)

The United States District Court for the  
Northern District Court of Illinois Et al.

U.S. Marshal

)

Respondant.

)

**PLAINTIFF'S RULE 56(e) MOTION TO DEEM FACTS ADMITTED AND ENTER  
JUDGMENT WITH AFFIDAVIT IN SUPPORT**

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**INDEX OF FILINGS**

1. Plaintiff's Rule 56(e) Motion to Deem Facts Admitted and Enter Judgment  
(filed September 28, 2025)
2. Exhibit A – Affidavit of Christopher-Cannon: Bey in Support of Plaintiff's Rule 56(e) Motion  
executed September 28, 2025,

Respectfully submitted,

/s/ Christopher-Cannon: Bey  
President, United States of America Republic  
Plaintiff Ex Rel., Pro Se

c/o P.O. Box 436885  
Province, IL 60643-6885  
(202) 569-0506  
[presidentusar@gmail.com](mailto:presidentusar@gmail.com)

## **PLAINTIFF'S RULE 56(e) MOTION TO DEEM FACTS ADMITTED AND ENTER JUDGMENT**

### **I. Background**

1. On August 22, 2025, Plaintiff filed a Motion for Summary Judgment and Writ of Mandamus supported by sworn affidavit and exhibits.
2. Defendants did not file a response within the time required under Local Rule 56.1 and the Federal Rules of Civil Procedure.
3. On September 27, 2025, the Court dismissed the case with prejudice without addressing Plaintiff's unrebuted summary judgment motion.

### **II. Argument**

Under Rule 56(e):

"If a party fails to properly support an assertion of fact or fails to properly address another party's assertion of fact as required by Rule 56(c), the court may: (1) give an opportunity to properly support or address the fact; (2) consider the fact undisputed; (3) grant summary judgment if the motion and supporting materials—including the facts considered undisputed—show that the movant is entitled to it; or (4) issue any other appropriate order."

Defendants' complete failure to respond to Plaintiff's summary judgment motion requires the Court to deem Plaintiff's facts admitted and enter judgment. See *Waldrige v. American Hoechst Corp.*, 24 F.3d 918, 922 (7th Cir. 1994); *Anderson v. Liberty Lobby, Inc.*, 477 U.S. 242, 248 (1986).

The Court's dismissal order did not consider the unrebuted facts or apply Rule 56(e). Failure to apply the Rule constitutes manifest error. Plaintiff is entitled to judgment as a matter of law on the undisputed record.

### **III. Relief Requested**

Plaintiff respectfully requests that this Court:

1. Vacate the September 27, 2025 dismissal;
2. Deem Plaintiff's factual assertions admitted under Rule 56(e); and
3. Enter judgment in favor of Plaintiff on the Motion for Summary Judgment filed August 22, 2025.

Respectfully submitted,

/s/ Christopher-Cannon: Bey

President, United States of America Republic  
Plaintiff Ex Rel., Pro Se

c/o P.O. Box 436885  
Province, IL 60643-6885  
(202) 569-0506  
presidentusar@gmail.com

Dated: September 28, 2025

**EXHIBIT A – AFFIDAVIT OF CHRISTOPHER-CANNON: BEY**

I, Christopher-Cannon: Bey, being duly sworn, hereby state and affirm as follows:

1. I am the President of the United States of America Republic (U.S.A.R.) and Plaintiff in this matter.
2. On August 22, 2025, I filed a Motion for Summary Judgment and Writ of Mandamus in this Court, supported by sworn affidavit and exhibits.
3. The Defendants did not file any response, opposition, or rebuttal to my Motion for Summary Judgment within the time required by the Federal Rules of Civil Procedure or Local Rules.
4. The facts and legal arguments set forth in my Motion for Summary Judgment remain unrebutted and undisputed.
5. On September 27, 2025, this Court entered an order dismissing the case with prejudice, without addressing my pending Motion for Summary Judgment and without applying Rule 56(e).
6. Rule 56(e) requires that undisputed facts be deemed admitted and judgment entered accordingly.
7. I submit this affidavit in support of my Rule 56(e) Motion to Deem Facts Admitted and Enter Judgment, attesting that all material facts set forth in my Motion for Summary Judgment remain unchallenged by Defendants.
8. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge, information, and belief.

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Christopher-Cannon: Bey  
President, United States of America Republic  
Plaintiff Ex Rel., Pro Se

Subscribed and sworn before me this \_\_ day of October, 2025.

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Notary Public