

No. 1-16-1873

**NOTICE:** This order was filed under Supreme Court Rule 23 and may not be cited as precedent by any party except in the limited circumstances allowed under Rule 23(e)(1).

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IN THE  
APPELLATE COURT OF ILLINOIS  
FIRST JUDICIAL DISTRICT

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|---------------------------------------|---|------------------|
| TONY CHANEY,                          | ) | Appeal from the  |
|                                       | ) | Circuit Court of |
| Plaintiff-Appellant,                  | ) | Cook County.     |
|                                       | ) |                  |
| v.                                    | ) | No. 15 L 12527   |
|                                       | ) |                  |
| DEPARTMENT OF HOMELAND SECURITY;      | ) |                  |
| LOUISIANA WORKFORCE COMMISSION, f/k/a | ) |                  |
| LOUISIANA DEPARTMENT OF LABOR;        | ) |                  |
| and LOUISIANA ATTORNEY GENERAL        | ) |                  |
| JAMES "BUDDY" CALDWELL,               | ) | Honorable        |
|                                       | ) | Eileen Brewer,   |
| Defendants-Appellees.                 | ) | Judge Presiding. |

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JUSTICE ROCHFORD delivered the judgment of the court.  
Presiding Justice Hoffman and Justice Delort concurred in the judgment.

**ORDER**

¶ 1 *Held:* We affirmed the dismissal of the *pro se* complaint of plaintiff-appellant against defendants-appellees for lack of jurisdiction and for failure to comply with Supreme Court Rule 341(h)(7).

¶ 1 Plaintiff-appellant, Tony Chaney, filed a complaint in the circuit court of Cook County against defendants-appellees, the Department of Homeland Security (the Department); the Louisiana Workforce Commission; and the Louisiana Attorney General, James Caldwell. Plaintiff alleged that the Louisiana Workforce Commission conspired with Mr. Caldwell to submit false documents to the Department to perform illegal searches of his domicile and to

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conduct 24-hour surveillance of his person. Plaintiff further alleged that the Department: (1) placed a satellite above him that uses photo-electric light, gamma rays, and “proton-magnetic” light to transmit his location to law enforcement on the ground and to various aircraft flying over his head; (2) placed “fake celestial objects” (sun, moon, and stars) in the atmosphere, using helicopters and airplanes to project photo-electric light, gamma rays, and “proton-magnetic” light “upon his person on a daily basis;” (3) intercepted his mail and intimidated a witness; (4) used photo-electric light, gamma rays, and “proton-magnetic” light to follow plaintiff to Hawthorne Racecourse and to illegally change the racing conditions there; (5) used photo-electric light, gamma rays, and “proton-magnetic” light to compromise all games played at Soldier Field, Wrigley Field, and Toyota Park; and (6) spent in excess of \$8 trillion following him for more than three years. Plaintiff requested that the court order the arrest of two members of the Department, 13 members of the Louisiana Workforce Commission, and the Louisiana Attorney General. The circuit court dismissed plaintiff’s complaint for lack of jurisdiction. Plaintiff appeals *pro se*. We affirm.

¶ 2 On March 29, 2016, the United States Attorney removed plaintiff’s state court case against defendants to federal court in the Northern District of Illinois under 28 U.S.C. § 1442 (eff. Jan. 2, 2013). The federal district court dismissed plaintiff’s complaint against the Department and remanded the case to the circuit court of Cook County only as to the remaining defendants. The case was not remanded as to the Department. Plaintiff appealed the dismissal of his complaint against the Department to the Seventh Circuit Court of Appeals, which summarily affirmed. See *Chaney v. United States Department of Homeland Security et al*, No. 1:16-cv-03795 (N.D. Ill. March 29, 2016).

¶ 3 The removal statute provides that filing the notice of removal with the state court and providing written notice to the other parties and to the court clerk “shall effect the removal and the State court shall proceed no further unless and until the case is remanded.” 28 U.S.C. § 1442 (eff. Jan. 2, 2013). After removal, “the jurisdiction of the state court absolutely ceases and the state court has a duty not to proceed any further in the case [and] [a]ny subsequent proceedings in state court on the case are void *ab initio*.” *Maseda v. Honda Motor Co., Ltd.*, 861 F. 2d 1248, 1254-55 (11th Cir. 1988). Our supreme court has recognized that when the procedures for filing a removal petition are met, “the State court loses jurisdiction to proceed further until the case is remanded.” *Hartlein v. Illinois Power Co.*, 151 Ill. 2d 142, 154 (1992).

¶ 4 As the case against the Department was removed to federal court and dismissed, and was never remanded to the circuit court of Cook County, the jurisdiction of the state court over plaintiff’s case against the Department ceased. Therefore, we affirm the dismissal of plaintiff’s case against the Department for lack of jurisdiction.

¶ 5 We also affirm the dismissal of plaintiff’s case against the remaining defendants from Louisiana for lack of jurisdiction. Plaintiff argues that the circuit court had jurisdiction over the Louisiana defendants under the Illinois long-arm statute due to their commission of tortious acts against him. Illinois’ long-arm statute provides several bases for jurisdiction over a nonresident defendant and provides, in relevant part, as follows:

“(a) Any person, whether or not a citizen or resident of this State, who in person or through an agent does any of the acts hereinafter enumerated, thereby submits such person, and, if an individual, his or her personal representative, to the jurisdiction of the courts of this State as to any cause of action arising from the doing of any of such acts:

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(2) The commission of a tortious act within this State.” 735 ILCS 5/2-209 (West 2016).

¶ 6 Plaintiff has failed to show how the circuit court of Cook County had jurisdiction over the Louisiana defendants where their alleged tortious acts (*i.e.*, submitting fraudulent documents to the Department to conduct surveillance on plaintiff) occurred outside of Illinois.

¶ 7 Further, we affirm the dismissal of plaintiff’s case against all defendants for violation of Ill. S. Ct. R. 341(h)(7) (eff. Jan. 1, 2016). Rule 341(h)(7) requires the appellant’s brief to include “[a]rgument, which shall contain the contentions of the appellant and the reasons therefor, with citation of the authorities and the pages of the record relied on.” *Id.* “A reviewing court is entitled to have issues clearly defined with pertinent authority cited and coherent arguments presented; arguments inadequately presented on appeal are waived.” *Holmstrum v. Kunis*, 221 Ill. App. 3d 317, 325 (1991). Plaintiff’s *pro se* status does not relieve him of the burden of complying with Rule 341(h)(7). *Twardowski v. Holiday Hospitality Franchising, Inc.*, 321 Ill. App. 3d 509, 511 (2001).

¶ 8 Plaintiff’s *pro se* appellant’s brief fails to clearly define the relevant issues with pertinent authority cited and coherent arguments presented; accordingly, plaintiff has forfeited any challenge to the order dismissing his cause of action and consequently we affirm the order entered.

¶ 9 Affirmed.