

## IN THE MATTER BEFORE THE ILLINOIS POLLUTION CONTROL BOARD OCT 0 7 2008

STATE OF ILLINOIS
Pollution Control Board

KYLE NASH,	)	oomor Boar
Complainant,	)	
v.	) PCB 07-97 (Citizens Enforcement – Noise)	
LOUIS JIMENEZ,	) (Citizens Emorcement – Noise)	!
Respondent.	)	
	)	

#### NOTICE

To: Clerk

Illinois Pollution Control Board 100 West Randolph Street

Suite 11-500

Chicago, Illinois 60601

Bradley P. Halloran Hearing Officer

James R. Thompson Center,

Suite 11-500

100 West Randolph Street Chicago, Illinois 60601

Attorney for Respondent James M. Knox 121 W. Chestnut, #3104 Chicago, Illinois 60610

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a Motion to Amend and Affidavit of Service a copy of which is herewith served upon the assigned Hearing Officer, the Respondent, and the Respondent 's Attorney.

Respectfully submitted by

Kyle Nash. Pro Se

**Dated:** October 7, 2008 **1630 W. 33rd Place** 

Chicago, Illinois 60608-6202

773.744.1954

# OCT 0 7 2008

#### COMPLAINANT'S MOTION TO AMEND

STATE OF ILLINOIS
Complainant, Kyle Nash, pro se requests that this Board rule, based upon a minor unintentional control Board which would correct the spelling of the Respondent's first name.

#### STATEMENT OF FACTS RELEVANT TO THIS MOTION

The original Complaint, the original Motion for Summary Judgment, the Amended Complaint, and the Amended Summary Judgment all list the spelling of the Respondent's first name as "Louis." The Respondent's Motion to Dismiss (Opening Paragraph) identifies the spelling as erroneous and states that the correct legal spelling of the Respondent's first name is "Luis."

#### LEGAL DISCUSSION

Respondents' legal first names should be used in all pleadings.

I am seeking an order to amend the incorrect spelling of spelling of the Respondent's first name (LUIS).  (Complainant's signature)	the Respondent's name (LOUIS) to the correct and legal
CERTIFICATION (optional but encouraged)  I, CASH or affirmation, state that I have read the foregoing and the knowledge.  (Complainant signature)	, on oath nat it is accurate to the best of my
Subscribed to and sworn before me this 1th day of Ottober, 2008  Circling Rayson Notary Public  My commission expires: 1 31-201	OFFICIAL SEAL* Cristina Barraza Notary Public, State of Illinois My Commission Expires January 31, 2011

### CERTIFICATE OF SERVICE

I, the undersigned, on oath or affirmation, state that cooling October 7, 2008 I served the atta	n (month, day, year) sched notice and Motion to Amend
to the respondent by:	
certified mail (attach copy of receipt i	f available, otherwise you must
registered mail (attach copy of recorpt you must file receipt later with Clerk)	tif available, otherwise
messenger service (attach copy of rec must file receipt later with Clerk)	eipt if available, otherwise you
personal service (attach affidavit if av must file affidavit later with Clerk)	ailable, otherwise you
to the address below	
RESPONDENT'S ADDRESS:	
Name Luis Imenez	uu tokka too ka
Street 1628 W. 33rd Place	and the state of t
City, state, zip code Chicago, Illinois 60608-6202 (list each respondent's name and address if multiple recomplainant's signature Street 1630 W. 33rd P	espondents)
City, state, zip code – Ç	Chicago, Illinois 60608-6202
Subscribed to and swom before me this The day of October 208 Livena Baugo Notary Public	*OFFICIAL SEAL* Cristina Barraza Notary Public, State of Illinois My Commission Expires January 31, 2011
My commission expires: Sean SI 201	

#### CERTIFICATE OF SERVICE

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Kespe	mse to Motion to	Dismiss to Respondent's atto	orney
	certified the file receipt later	mail (attach copy of receipt if a with Clerk)	vailable, otherwise you must
		d mail (attach copy of receipt if ceipt later with Clerk)	available, otherwise
		er service (attach copy of receipt (later with Clerk)	r if available, otherwise you
		service (attach affidavit if availa it later with Clerk)	able, otherwise you
to the a	address below.		
		Complainant agnature	ondents)
		Complainant anguature	» / ·
		Complainant denature	£
Subscrithis of Convolary	thed to and sworn by the day	Complianant eignature  Street 1630 W. 33rd Place  City, state, zip code Chic	°OFFICIAL SEAL* Cristina Barraza Notary Public, State of Illinols My Commission Expires January 31,