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MAUREEN G. KELLY  
LAKE CO. CLERK OF COURT

STATE OF OHIO

THE COURT OF COMMON PLEAS OF LAKE COUNTY  
CIVIL DIVISION

**BRYAN ANTHONY REO,**

Plaintiff,

v

**MARTIN LINDSTEDT, ET AL.,**

Defendants.

Case Nos. 15CV001590 and 16CV000825

Hon. Patrick J. Condon

**REO LAW LLC**

Bryan Anthony Reo (#0097470)

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*Pro se Plaintiff*

**MARTIN LINDSTEDT**

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*Pro se Defendant*

**PLAINTIFF'S BRIEF IN OPPOSITION TO DEFENDANT'S  
MOTION TO MODIFY OR VACATE THE JUDGMENT OR FOR A NEW TRIAL**

NOW COMES Bryan Anthony Reo ("Plaintiff"), *pro se*, and hereby propounds upon Martin Lindstedt ("Defendant") and this Honorable Court Plaintiff's Brief in Opposition to Defendant's Motion to Modify or Vacate the Judgment, or for a New Trial

For the reasons that follow Defendant's post-judgment motions are not only wholly lacking in merit but are frivolous, vexatious, abusive, and worthy of sanctions being assessed against Defendant for wasting this Court's time and this Plaintiff's time.

Defendant's post-judgment motions should all be denied in their entirety.

**I. TRIAL OUTCOME**

Plaintiff prevailed against Defendant as the result of a favorable verdict returned by the jury at the conclusion of the jury trial which began on June 24, 2019, and ended on June 26, 2019.

## II. DEFENDANT'S ISSUE WITH JURY SELECTION

During jury selection Defendant Lindstedt attempted to challenge the only black female impaneled in the jury for cause, stating "cause she's black" when asked by Honorable Judge Condon as to the basis of the challenge for cause. Plaintiff Reo objected and stated that such was not a valid basis for a challenge for cause, Judge Condon sustained Reo's objection and held that Defendant Lindstedt would not be allowed to challenge for cause, the only black female on the jury, on the basis of her race, the only reason Lindstedt had given.

Defendant Lindstedt then declared he wanted to use a peremptory challenge and challenge her without explanation by using one of his peremptory challenges. Plaintiff Reo objected to this, stating that a peremptory challenge cannot be used solely on a racial basis and that Lindstedt had already made it clear that his reason for seeking to challenge her and remove her from the jury was, "cause she's black" indeed Lindstedt declared, "the US Supreme Court said in 1850 she don't even count as a human being, she ain't even a person, she's a negro creature from Africa." Plaintiff Reo cited *Batson v. Kentucky*, 476 U.S. 79 (1986) to support his position that a peremptory challenge may not be used for a racial reason. Defendant Lindstedt referenced *Dred Scott v. Sandford*, 60 U.S. (19 How.) 393 (1857) to support his position that black Americans do not count as human beings. Defendant Lindstedt insisted he could use a peremptory challenge for any reason he wanted to. The court recessed and when the proceedings continued Judge Condon confirmed that a peremptory challenge could not be used solely for racial reasons and he asked Defendant Lindstedt "do you have a non-racial reason for why you want to remove her from this jury?" to which Defendant Lindstedt replied, "it is all about race, she's black, she ain't even a person! I don't want a negro on this jury!" Judge Condon then stated he was sustaining Plaintiff Reo's objection to Defendant Lindstedt's attempt to use the peremptory challenge in that manner and disallowing the challenge of the only black woman on the jury.

### **III. DEFENDANT'S POST-JUDGMENT MOTIONS**

Defendant has now filed a motion pursuant to Ohio Civ.R. 59(B) seeking a new trial. The primary basis is that Defendant contends his rights were violated because an "African negress woman" was on the jury. See his recent motion where he complains. "African juror forced upon jury. Judge Condon and Bryan Reo, did not allow a peremptory challenge by Pastor Lindstedt of the one lone African female in the jury pool. Pastor Lindstedt knew that African negroes are worse than American negroes because they come to this country to live off the White Man without the spurious notion of being owed for slavery & racism stuff." [Lindsted's Rule 59(B) motion pg. 7 p 1].

### **IV. DEFENDANT'S EVIDENTIARY COMPLAINTS**

Defendant Lindstedt complains there were evidentiary issues in that he was allegedly not allowed to present any evidence. At the pre-trial status conference held on 8/6/2018, Magistrate Ken Roll warned Defendant Lindstedt, "sir you may very well have no admissible evidence" when Defendant Lindstedt described the hearsay statements, hand written notes/documents of his own opinions of Plaintiff Reo, his own posts from his website describing how he didn't like Plaintiff Reo and purporting to "chronicle Reo's activities" and additional unauthenticated documents. Defendant Lindstedt was also advised to provide Plaintiff Reo all exhibits he intended to attempt to introduce or offer into evidence, ahead of the trial, in accordance with the pre-trial order and the Ohio Rules of Civil Procedure.

At the same status conference, Plaintiff Reo described that he intended to show posts from Defendant's website and elicit testimony from Defendant as to the nature of the content being shown, the ownership of the website, the authorship of the content, and that the Defendant's own testimony would authenticate the posts and content in question. Furthermore, Plaintiff had already provided Defendant all of the posts and exhibits that Plaintiff intended to use at trial, and Defendant had already seen all of the exhibits because they were all posts from his own website. Defendant agreed that it was his website and stated that he had made all of the posts in question. Magistrate Roll advised that Plaintiff Reo's evidence would likely be admissible.

## **V. DEFENDANT'S CONDUCT DURING THE TRIAL**

On 6/24/2019, the opening day of trial, Defendant Lindstedt was approximately 15 minutes late. Plaintiff Reo was early. Several minutes prior to the court adjourning for the day, Defendant Lindstedt insisted on being allowed to present certain evidence that he said he wanted to offer into the record. Judge Condon stated that the parties were to appear on 6/25/2019 at 8:00 am and would spend 30 minutes discussing the admissibility of the evidence Defendant Lindstedt desired to offer. Judge Condon noted that Defendant Lindstedt had been approximately 15 minutes and admonished him, "you will be on time tomorrow" so as to "not delay the proceedings" because the jury would be coming in at 8:30 am.

On 6/25/2019 Plaintiff Reo arrived and was sitting in Judge Condon's Courtroom at approximately 7:45 am. Defendant Lindstedt did not arrive until 8:22 am, 22 minutes late [even later than the previous day] and he then spent 9 minutes unpacking his belongings and setting books and papers up across the desk. Judge Condon came into the courtroom, went on the record, and noted the date, the time, that the Defendant had been explicitly told to arrive by 8:00 am and had instead come in at 8:22 and spent 9 minutes unpacking his belongings and that the time allocated to review the evidence Defendant desired to offer had been squandered by Defendant and the jury was waiting to come in and that the evidence was hereby deemed inadmissible because none of it had been provided to the Court or the Plaintiff at least 14 days prior to trial, or at any point prior to trial, as required by the pre-trial order, and that Plaintiff Reo stated he had never seen the evidence before and had no idea what it would be.

## **VI. DEFENDANT IS NOT ENTITLED TO ANY OF THE RELIEF HE SEEKS**

Unfortunately for Defendant Lindstedt, an "African negro on the jury" is not a sufficient basis by which one may obtain a new trial.

"I insulted the jurors by calling them stupid during closing statements, and I pointed to the black woman and called out three others for 'looking like Jews' I want a new trial because I behaved poorly" is also not a sufficient basis by which one may obtain a new trial.

Unfortunately for Defendant Lindstedt, failing to comply with the standing pre-trial order which was controlling in the case in terms of his failure to timely provide exhibits he intended to offer into evidence, indeed his failure to provide them at all, is also not a sufficient basis by which one may obtain a new trial.

Unfortunately for Defendant Lindstedt, showing up 22 minutes late and spending 9 minutes unpacking his bags when he was ordered to be on time and had been offered the opportunity to discuss the evidence he claimed was important, is also not a sufficient basis by which one may obtain a new trial.

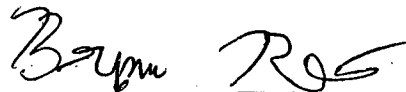
Defendant Lindstedt complains about problems of his own making and his complaints are as frivolous as his pre-trial motions and his present post-judgment motions.

Defendant Lindstedt has completely failed to provide any legally sufficient basis for a modification of the judgment, a vacating of the judgment, or a new trial.

Accordingly, this Court should deny all of Defendant Lindstedt's post-judgment motions, in their entirety. Furthermore, Defendant Lindstedt should be sanctioned an amount this Court determines just and appropriate to deter him from continuing his endless barrage of frivolous post-judgment motions.

Respectfully submitted,

**REO LAW, LLC**



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*Pro se Plaintiff*

## Certificate of Service

I, Bryan Reo, do hereby certify that a true and genuine copy of the foregoing has been dispatched by United States **CERTIFIED MAIL, RETURN RECEIPT REQUESTED** to the Defendants at:

Martin Lindstedt  
338 Rabbit Track Road  
Granby, Missouri 64844

Church of Jesus Christ Christian/Aryan Nations of Missouri  
338 Rabbit Track Road  
Granby, Missouri 64844

On this 7 day of August, 2019

X

Bryan Reo

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