

STATE OF SOUTH DAKOTA)
)SS
COUNTY OF STANLEY)

IN CIRCUIT COURT
SIXTH JUDICIAL CIRCUIT

BRYAN ANTHONY REO,)
)
 Plaintiff,)
)
 VS.)
)
 MARTIN LINDSTEDT and)
 SUSAN APRIL BESSMAN, as)
 Trustee of the Susan April Bessman)
 Revocable Living Trust,)
)
 Defendants.)

CIV20-0000 07

VERIFIED
COMPLAINT

COMES NOW, the Plaintiff Bryan Anthony Reo, hereinafter referred to a "Reo", by and through his attorney of record, Robert Konrad, of Konrad Law, Prof. LLC, Pierre, South Dakota, and for his cause of action against Defendants, states and alleges as follows:

1. Plaintiff Reo is a resident of Lake County, Ohio.
2. At all times material hereto it is believed that Defendant, Martin Lindstedt, is and has been a resident of Granby, Missouri, residing at 338 Rabbit Track Road, Granby, Missouri 64844.
3. At all times material hereto it is believed that Defendant, Susan April Bessman, in her capacity as Trustee for the Susan April Bessman Revocable Living Trust, has either resided at 26097 Poppy Drive, Stella, Missouri 64867; or 1140 Bayforest Rd, Saint Augustine, Florida, 32084-8200.
4. This matter involves a fraudulent transfer of real property to Susan April Bessman, as Trustee for the Susan April Bessman Revocable Living Trust.

5. The legal description of the real property is as follows:

**Township 7 North, Range 26 East of the Black Hills Meridian,
Stanley County, South Dakota:**

Section 34:

That portion of the NE1/4NE1/4 lying in the South
and West of the Highway Right of Way;
SE 1/4NE1/4, NE1/4SE1/4.

Section 35:

That portion of the NW1/4, SW1/4, SE1/4, lying
South and West of the Highway Right-of-way; and

**Township 6 North, Range 26 East of the Black Hills Meridian,
Stanley County, South Dakota:**

Section 2:

Lots 1,2,3,4, S1/2N1/2, S1/2 (all);

Section 11:

NW1/4, NE1/4, SE1/4;

Section 14:

NW1/4, N1/2SE1/4

6. The property was conveyed to Susan April Bessman as Trustee for the Susan April Bessman Revocable Living Trust by Warranty Deed from Martin Lindstedt on or about October 25, 2019.
7. Martin Lindstedt previously obtained the real property in 1999 by Personal Representative's Deed.
8. In 1999, Susan April Bessman, then serving a Personal Representative for the Estate of Jennie L. Samuelson, conveyed by Personal Representative's Deed the real property described above in fee simple, subject to any reservations of record to "Martin Lindstedt, a single person, grantee of 338 Rabbit Track Rd., Granby, MO 64844."

9. Based upon the knowledge and belief of Plaintiff, there were no intermediate deeds or transfers of the subject property between the time of the 1999 conveyance as set forth in paragraph 9 herein and the conveyance set forth in paragraph 7 herein.
10. The subject matter of this civil complaint is the above-described real property located in Stanley County.
11. Venue is proper in this court pursuant to SDCL 15-5-1.
12. Reo is the holder of a docketed Stanley County judgment against Martin Lindstedt, as recorded and docketed with the Stanley County clerk of Court on or about August 19, 2019 at 3:13PM Central Standard Time.
13. Plaintiff Reo is an interested party in the real property described herein as a docketed judgment holder against Defendant Lindstedt, therefore Reo is under the jurisdiction of this Court pursuant to SDCL 15-7-2.
14. Alternatively, should the court determine that Reo is not subject to the jurisdiction of this Court, Reo hereby voluntarily submits to the jurisdiction of this Court.
15. This Court has personal jurisdiction over defendants Martin Lindstedt and Susan April Bessman, as Trustee for the Susan April Bessman Revocable Living Trust, as they are property property owners of real property in Stanley County, South Dakota.
16. This Court has appropriate subject matter jurisdiction as the real property is in Stanley County, South Dakota.
17. This Court has personal jurisdiction over all parties based upon SDCL 15-7-2 and voluntary submission.

**Cause of Action - Fraudulent Transfer in Violation of the Uniform Fraudulent
Transfer Act**

18. Plaintiff Reo restates and incorporates the previous paragraphs 1-17 as if fully set forth herein.
19. Martin Lindstedt is pastor in the Church of Jesus Christ of the Christian/Aryan Nations of Missouri.
20. Susan April Bessman is Martin Lindstedt's biological sister.
21. In 2015 and 2016, Reo commenced civil actions against Defendant Martin Lindstedt in the Court of Common Pleas, in Lake County, Ohio.
22. The file numbers for these actions are "15 CV 001590" and "16 CV 000825" respectively.
23. Per order of the Court, the two civil matters were consolidated for jury trial, and the matters were tried to a jury in June of 2019.
24. The jury hearing the consolidated civil matters returned a verdict against Defendant Martin Lindstedt and the Church of Jesus Christ, Christian/Aryan Nations of Missouri in the amounts of \$105,000 and \$400.00.
25. The date of the jury verdict was June 26, 2019.
26. On July 2, 2019, the Honorable Judge Patrick J. Condon issued a written judgment memorializing the verdict reached by the jury, and awarded Reo judgments in the amount of \$105,000.00 and \$400.00.
27. Plaintiff was aware that Defendant Martin Lindstedt was the owner of the real property described in paragraph 5, hereafter referred to as the "real property."

28. Based on the information and belief of Plaintiff, the real property was and is unencumbered by mortgage, judgement or other.
29. Based upon the information and belief of Plaintiff, Martin Lindstedt did and does not reside on the real property.
30. On August 10, 2019, Reo made application in the Stanley County Circuit Court, Sixth Circuit, to register and docket his \$105,000.00 and \$400.00 judgments as a foreign judgments in Stanley County.
31. Reo filed an affidavit stating that the judgments are in fact valid, enforceable, and unsatisfied as of the date of application.
32. In fact, the two judgments remain unsatisfied as of the date of filing this document.
33. Based upon the affidavit and application made by Reo, Kelli Sitzman as Clerk of Court for Stanley County registered the Ohio judgment as a foreign judgment on August 19, 2019 at 3:13 PM, Central Standard time.
34. The next day, August 20, 2019, the Clerk of Courts sent a "Notice of Filing Foreign Judgment" to Martin Lindstedt by United States Mail to his address at "338 Rabbit Track Rd., Granby, MO 64844."
35. The Ohio judgments were docketed by the Clerk of Courts in Stanley County in file # 58CIV19-000035-01; 2.
36. In registering the foreign judgment, Reo paid the appropriate registration fee and complied with the foreign judgment registration statutes under applicable South Dakota law.

37. At the time of registration of the foreign judgment in Stanley County, Martin Lindstedt was the owner in fee simple of the real property as set forth in paragraph 5 herein.
38. Despite losing at jury trial, Martin Lindstedt continued in his pattern of libel, slander, intentional infliction of emotional distress against Reo, Reo's wife Stefani Rossi Reo, and Reo's father Anthony Domenic Reo.
39. On or about August 12, 2019, Reo filed a civil action against Martin Lindstedt in the Lake County Court of Common Pleas, Lake County, Ohio, (file # 19CIV001304) alleging libel per se, libel, invasion of privacy, intentional infliction of emotional distress, and other relief; and Reo has demanded monetary damages in the aggregate of one million dollars (\$1,000,000.00), or in the alternative an amount awarded by jury.
40. Martin Lindstedt was served with summons and complaint on or about August 21, 2019.
41. The matter described in paragraph 39 was removed to the United States District Court for the Northern District of Ohio on September 12, 2019, case # 1:19 - CV-02103-SO.
42. In file 1:19-CV-02103-SO, Plaintiff has a pending motion for summary judgment, and the motion has not been ruled on as of the date of filing of this summons and complaint.
43. On or about September 18, 2019, Reo filed a civil action against Martin Lindstedt in the Lake County Court of Common Pleas, Lake County, Ohio, (file # 19CIV001530) alleging libel per se and other relief, and Reo has demanded monetary damages in the aggregate of \$500,000.00 dollars (\$500,000.00), or in the alternative an amount awarded by jury.
44. Martin Lindstedt repeatedly refused service in September and October 2019, until ultimately he filed an "acknowledgment of service" dated October 21, 2019.

45. The matter described in paragraph 43 was removed to the United States District Court for the Northern District of Ohio on November 5, 2019, case # 1:19 - CV-02589-CAB.
46. In file 1:19-CV-02589-CAB, Martin Lindstedt's Answer to Reo's Civil Complaint was stricken from the record, and Lindstedt was warned by the judge that he faces a default sanction for persistent and continual non-compliance with the Court's prior order that he file conforming answers and refrain from being abusive, harassing, and scandalous.
47. On or about September 9, 2019, Stefani Rossi Reo filed a civil action against Martin Lindstedt in the Lake County Court of Common Pleas, Lake County, Ohio, (file # 19CIV001530) alleging libel per se and other relief, and Stefani Reo has demanded monetary damages in the aggregate of five hundred thousand dollars (\$500,000.00), or in the alternative an amount awarded by jury.
48. Martin Lindstedt repeatedly refused service in September and October 2019, until ultimately he accepted service on November 7, 2019.
49. The matter described in paragraph 47 was removed to the United States District Court for the Northern District of Ohio on November 26, 2019, case # 1:19 - CV-02786-CAB.
50. In file 1:19-CV-02786-CAB, Martin Lindstedt's Answer to Stefani Reo's Civil Complaint was stricken from the record, and Lindstedt was warned by the judge that he faces a default sanction for persistent and continual non-compliance with the Court's prior order that he file conforming answers and refrain from being abusive, harassing, and scandalous.
51. On or about September 18, 2019, Anthony Domenic Reo filed a civil action against Martin Lindstedt in the Lake County Court of Common Pleas, Lake County, Ohio, (file #

19CIV001531) alleging libel per se and other relief, and Anthony Domenic Reo has demanded monetary damages in the aggregate of five hundred thousand dollars dollars (\$500,000.00), or in the alternative an amount awarded by jury.

52. Martin Lindstedt repeatedly refused service in September and October 2019, until ultimately he accepted service on October 21, 2019.

53. The matter described in paragraph 51 was removed to the United States District Court for the Northern District of Ohio on November 7, 2019, case # 1:19 - CV-02615-JRA.

54. In file 1:19-CV-02615-JRA, Anthony Domenic Reo has filed a motion to strike Martin Lindstedt's Answer, and that motion remains pending before the court. A status hearing has been set.

55. Approximately 66 days after the mailing of the Notice of Filing Foreign Judgment as described in paragraph 32 herein, and just days after being served or admitting service on three lawsuits with total aggregate claims of two million dollars (\$2,000,000.00), Defendant Martin Lindstedt conveyed his entire interest in the real property to Susan April Bessman, as Trustee for the Susan April Bessman Revocable Living Trust by signed and delivered warranty deed.

56. The Deed conveying the real property was drafted by Kimberly A. Mortensen, Attorney at law, and a copy of the deed is attached hereto as "Exhibit A" and by this reference incorporated herein.

57. Exhibit A states that the consideration for the transfer is "one dollar and other good and valuable consideration."

58. The deed indicates that the transfer is exempt from transfer pursuant to SDCL 43-4-22(16).
59. SDCL 43-4-22(16) exempts transfer fees for land conveyances where there is “an absolute gift without consideration of any kind in return for the conveyance.”
60. The deed was signed on October 25, 2019 and filed with the Stanley County Register of Deeds on October 29, 2019.
61. At the time Defendant Martin Lindstedt conveyed the property to Susan April Bessman as Trustee for the Susan April Bessman Revocable Living Trust, he had personal knowledge, written notice, and constructive notice that Reo had obtained a significant monetary judgment against him, and at a minimum he had reviewed service of three additional pending lawsuits with aggregate claims against him in the amount of \$2,000,000.
62. The real property set forth in Exhibit A represents the only significant asset that Martin Lindstedt owned that is capable of satisfying Reo’s judgment.
63. The transfer of the real property to Susan April Bessman as Trustee rendered Martin Lindstedt immediately insolvent and therefor unable to satisfy Reo’s properly filed foreign judgment and pending civil claims.
64. Because the Grantor and Grantee are biological siblings, this transfer is an inside transfer within the definition as set forth in SDCL 54-8A-1(7).
65. Martin Lindstedt intentionally transferred the real property located in Stanley County to avoid collection of the foreign judgment and defraud Reo, Reo’s wife, and Reo’s father.

66. In fact, Mr. Lindstedt in his January 10, 2020 filing in the State of Ohio Common Pleas Court stated as an exact quote:

Bryan Reo's maliciousness is shown by wanting Pastor Lindstedt's bank accounts (the last of which Pastor Lindstedt closed the day of this Court's ORDER on Nov. 19, 2019) and listing of Pastor Lindstedt's firearms and their serial numbers even though such information is not germane to any issue. Pastor Lindstedt no longer owns property in South Dakota and thus has no renters of property that Pastor Lindstedt no longer owns.

67. In the same legal filing, Martin Lindstedt describes in detail that the remainder of all his properties are not subject to execution and certainly worth less than the judgment amount and the pending litigation against him.

68. In the same legal filing dated January 10, 2020, Martin Lindstedt acknowledges that he has received notice of the foreign judgment filed in Stanley County South Dakota.

69. Defendant Susan April Bessman knew of the judgments against her brother and the pending civil litigation in at least three out of four files at the time of the transfer.

70. Defendant knew or should have known of the fraudulent nature of the real property transfer and individuals in financial distress and significant civil litigation do not "gift" land away without consideration of any kind.

71. Defendant Susan April Bessman, aided, abetted, and conspired with Defendant Martin Lindstedt to convey all of the Stanley County real property in a manner purposefully intended to defraud Reo as set forth above.

72. The transfer by Defendants is fraudulent in nature and void pursuant to SDCL Ch. 54-8A et seq. and other applicable South Dakota Law.

WHEREFORE, Plaintiff Reo prays for judgment as follows:

1. For judgment against the Defendants and that the Plaintiffs be awarded an amount of money damages that will adequately compensate Plaintiff for injuries, harm, losses, and expenses, both past, present and future, and for pre-judgment and post judgment interest thereon;
2. For punitive damages;
3. For the transfer of property by Martin Lindstedt to Susan April Bessman as Trustee of Susan April Bessman Revocable Living Trust to be declared null and void and vest title with Martin Lindstedt in fee simple with no encumbrances, as if the transfer in Exhibit A had never occurred;
4. For attorney fees, costs and disbursements to the extent allowed by law; and
5. For such other and further relief as the Court deems just and equitable in the premises.

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**TO THE EXTENT THE MATTERS PLED ARE TRIABLE BY JURY,
DEMAND FOR JURY TRIAL IS HEREBY MADE.**

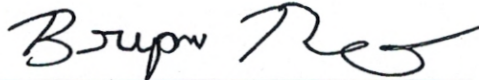
Dated this 4th day of February, 2020.

Konrad Law Prof. LLC



Robert Konrad
Attorney for Plaintiff
1110 East Sioux Avenue
Pierre, SD 57501
605-494-3004
rob@xtremejustice.com

I, Bryan Anthony Reo, the Plaintiff in the above caption matter, being first duly sworn under oath do hereby state that the allegations and facts contained herein are true and correct to the best of my information and belief.



Bryan Anthony Reo
Plaintiff

Sworn and subscribed to before me this 10 day of February, 2020.



Notary Public, State of Ohio



Katelyn Sandacz
Notary Public, State of Ohio
My Commission Expires
November 26, 2024

My Commission Expires Nov 26, 2024