

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ANTHONY DOMENIC REO,

Plaintiff,

v.

MARTIN LINDSTEDT.,

Defendant.

Case No. 1:19-cv-02615-JRA

Hon. John R. Adams

Mag. Carmen E. Henderson

**PLAINTIFF'S REPLY BRIEF IN SUPPORT
OF SUMMARY JUDGMENT**

NOW COMES Anthony Domenic Reo, by and through the undersigned counsel, and hereby propounds upon this Honorable Court and Defendant, Plaintiff's Reply Brief in Support of Summary Judgment.

Plaintiff has moved for summary judgment and informed the Court of the basis by which Plaintiff seeks summary judgment and is entitled to same, namely the operation of Fed. R. Civ. P. 36, which provides- "A matter is admitted unless, within 30 days after being served, the party to whom the request is directed serves on the requesting party a written answer or objection addressed to the matter and signed by the party or its attorney." FRCP 36(a)(3)

On April 29, 2020, Plaintiff served upon Defendant via First Class United States Mail and via electronic mail Plaintiff Anthony Domenic Reo's First Set of Requests for Admissions, Interrogatories, and Requests for Production of Documents to Defendant Martin Lindstedt. (*see attachments to Plaintiff's Motion for Summary Judgment ECF 18, Exhibit A – 4/29/2020*)

Plaintiff's Discovery Requests; Exhibit B – 4/29/2020 Plaintiff's Email to Defendant). Defendant did not timely serve upon Plaintiff answers to the requests for admissions contained within said discovery requests. In fact, Defendant did not serve upon Plaintiff at any time answers to said requests for admissions. In fact, Defendant did not respond to any of Plaintiff's discovery.

The April 29, 2020, requests for admissions were required to be answered by Defendant within thirty days of said date. Fed. R. Civ. P. 36(a)(3). Due to Defendant not timely denying the requests for admissions, said requests for admissions are deemed admitted. *Id.* The admissions made by Defendant “conclusively establish[]” factual and legal conclusions which permit the Court to enter a dispositive order at this juncture. Fed. R. Civ. P. 36(b). Defendant cannot rebut the irrebuttable. In light of the Defendant's flippant dismissive refusal and failure to respond to any written discovery in the instant action, Plaintiff is crucially relying upon the admissions for the resolution of claims and counter-claims.

Defendant's “reply brief and counter-motion” is frankly offensive sovereign citizen garbage that Plaintiff cannot really begin to make sense of, let alone meaningfully respond to. Excepting to state that Defendant's contention that his alleged “responses” in a 2014 action Bryan Reo v Martin Lindstedt are somehow relevant and binding in the action presently pending before this Court, in the case of Anthony Domenic Reo v Martin Lindstedt, is absurd. Defendant's legal theory seems to be, “I responded to some discovery six years ago in a case involving somebody else so I don't have to respond to discovery in this case now involving the present plaintiff.” The Defendant tellingly cites no legal authority in support for his perspective on how discovery operates or should operate.

Fed. R. Civ. P. 36, provides – “*Scope*. A party may serve on any other party a written request to admit, **for purposes of the pending action only**, the truth of any matters within the scope of Rule 26(b)(1) relating to....” FRCP 36(a)(1)

Requests for Admission propounded in any particular action are for the purposes of the relevant pending action only and may not be used between different actions, later actions, or any other action regardless of the parties in those later actions.

Defendant has failed to inform the Court of the basis by which he seeks judgment under Fed. R. Civ. P. 56., he has failed to attach any admissible evidence [a magistrate’s recommendation and judge’s order denying a Civil Protection Stalking Order that was sought by Bryan Reo against Martin Lindstedt is neither admissible nor relevant for the purposes of this litigation] and Defendant has failed to demonstrate the absence of a genuine dispute of material fact along with his being entitled to judgment as a matter of law.

Defendant is not entitled to summary judgment on any claims or counterclaims.

Plaintiff is entitled to summary judgment on all claims and counterclaims.

Summary judgment should be granted in favor of Plaintiff as to all claims and counterclaims and the action completely disposed of on the merits.

RESPECTFULLY SUBMITTED,

/S/ BRYAN ANTHONY REO

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Dated: July 14, 2020

CERTIFICATE OF SERVICE

I, Bryan A. Reo, affirm that I am Counsel of Record for the Plaintiff in the above-captioned civil action, and on July 14, 2020, I electronically filed this document with the Clerk of the Court by using the Court's Electronic Filing System, which should send notification of said filing to all attorneys of record who are registered to receive such electronic service for the instant civil action.

Additionally an electronic copy has been dispatched to pastorlindstedt@gmail.com which is the defendant's email address.

RESPECTFULLY SUBMITTED,

/S/ BRYAN ANTHONY REO

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Dated: July 14, 2020