

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 Henderson

**REO LAW, LLC**

Bryan Anthony Reo (#0097470)

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*Attorney for Anthony Domenic Reo*

**MARTIN LINDSTEDT**

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*Pro se Defendant*

**PLAINTIFF'S MOTION FOR ORDER COMPELLING DEFENDANT MARTIN  
LINDSTEDT TO SHOW CAUSE AS TO WHY HE SHOULD NOT BE HELD IN  
INDIRECT CIVIL CONTEMPT OF COURT**

NOW COMES Anthony Domenic Reo ("Plaintiff"), *by and through the undersigned counsel*, and hereby propounds upon Martin Lindstedt ("Defendant") and this Honorable Court Plaintiff Anthony Domenic Reo's Motion For Order Compelling Defendant Martin Lindstedt To Show Cause As To Why He Should Not Be Held In Indirect Civil Contempt Of Court:

For the reasons that follow Defendant should be made to appear and show cause why this Honorable Court should not hold Defendant in indirect civil contempt for his flagrant disregard of the orders of this Court regarding the use of offensive language. In the alternative the Court should

consider simply placing Defendant in default and rendering a judgment by default against him as a sanction for his persistent and willful non-compliance.

The background and overview is as follows-

1. On March 5, 2020 this Court held a Case Management Conference at which Defendant was told to behave himself and refrain from using offensive language or else in person hearings would be required and he risked default if he failed to attend or continued his unacceptable behavior and as a result of the Conference the case was referred to the Magistrate Judge for pretrial supervision (ECF No. 13).

2. On December 30, 2020 this Court entered an Order (ECF NO 30) which among other things stated-

**“Plaintiff’s second motion to strike is also GRANTED. Document 7 is hereby STRICKEN. Defendant is placed on notice that continuing to include references to either Plaintiff or his counsel as “delusional self-loathing predatory homosexual non-white antifa agent provocateur[s]” or “delusional Satanic homosexual mongrel abomination[s]” places him at risk of sanctions from this Court. Defendant shall cease utilizing any all language similar to these statements and shall act in a professional manner in all future filings.”**

3. Defendant obviously received that order because Defendant, by “emergency email filing” to the address [emergencyfiling@ohnd.uscourts.gov](mailto:emergencyfiling@ohnd.uscourts.gov) sent a filing for the instant action at approximately 9:30 pm EST on 1/29/2021 asking for reconsideration on his pleadings being

stricken. The document was then filed on the docket as ECF No. 32 and contains such choice quotes as-

“Homosexual mongrel lover” [Page ID 365] in reference to Plaintiff.

“Homosexual mongrel” [Page ID 365] in reference to Plaintiff.

“Homosexual non-white agent provocateur” [Page ID 365] in reference to Plaintiff’s Counsel.

“Stupid whiggers” [Page ID 365] in reference to individuals at a protest.

“Fake antifa pretend white supremacist” [Page ID 366] in reference to Plaintiff.

“Non-white, non-heterosexual, long-time antifa agent provocateur” [Page ID 366] in reference to Plaintiff’s Counsel.

“Long-time homosexual mongrel agent provocateur.” [Page ID 372] in reference to Plaintiff’s Counsel.

“Ol’ Niggerlips Alleged Spawner” [Page ID 372] in reference to Plaintiff.

4. Defendant was explicitly ordered to stop using terms such as “homosexual agent provocateur” and to exclude racial slurs from his pleadings. Defendant has responded by acknowledging that he received and read order [by virtue of his seeking reconsideration on that order] and then proceeding to use the term “homosexual agent provocateur” at least a half-dozen times while also escalating his racial slurs to the point he is now openly referring to Plaintiff and Plaintiff’s Counsel as “nigger.” This outrageous conduct should not be tolerated and must not be tolerated.
5. Although courts possess an inherent power to enforce obedience to their orders so that they may properly perform their functions, *Myers v. United States*, 264 U.S. 95, 103 (1924), the

federal courts' contempt power is limited by 18 U.S.C. § 401 and by Fed. R. Crim. P. 42. See *United States v. Wilson*, 421 U.S. 309, 315 n. 6 (1975); *Nye v. United States*, 313 U.S. 33, 45 (1941). Accordingly, all forms of contempt, whether they be criminal, civil, indirect or direct, must fall within one of the three categories of misbehavior described in 18 U.S.C. § 401. Indirect contempts come within 18 U.S.C. § 401(2) or (3), and the “so near thereto clause” of 18 U.S.C. § 401(1).

6. Defendant can and should be held in indirect civil contempt of court and punished accordingly.
7. This Motion is made pursuant to 18 U.S.C. § 401(1) and (3).
8. The Court should consider sanctioning Defendant by entering a judgment of default and then rendering judgment for Plaintiff in the amount requested in the Complaint and admitted via the Requests for Admissions.
9. Similarly, the Court could elect to render judgment for Plaintiff in the amount requested in the Complaint and admitted via the Requests for Admission via granting Plaintiff’s pending motion for summary judgment. Defendant’s behavior to date demonstrates he is unable or unwilling to abide by the orders of this Court, his non-participation in discovery has delayed the proceedings, and his abusive filings have further delayed the proceedings. Defendant does not deserve to be allowed to withdraw admissions and he should not be allowed to escape or avoid the consequences of Fed. R. Civ. P 36, especially in light of his history throughout other cases where it is clear he is aware of discovery, his obligations per the rules that govern

discovery, and he knows what admissions are, how they operate, and what the consequences can be. Defendant attaches pleadings and docket sheets from other cases in federal court and makes numerous references to discovery in other cases. Defendant knows how to participate in discovery, he simply chooses not to participate as a means to abuse Plaintiff and Plaintiff's Counsel.

WHEREFORE, Plaintiff prays that this Honorable Court will issue an order to compel Defendant to show cause as to why Defendant should not be held in indirect civil contempt of court and punished accordingly. Plaintiff proposes that Defendant be held in contempt and jailed for such a time as this Court determines will be appropriate in light of his behavior and for a time that would be sufficient to punish and deter any such non-compliance and disobedience in the future.

Also, Plaintiff proposes that the Court exercise its inherent powers by putting Defendant in default as a sanction and entering judgment in favor of Plaintiff for the amount prayed for in the complaint and based on the Requests for Admissions—which would be permitted by Fed. R. Civ. P. 55(b)(2)(C) via the evidence obtained via Fed. R. Civ. P 36(a)(1)(A)—so as to allow the case to expeditiously be resolved.

In the alternative to a judgment by default as a sanction the Court could grant, in full, the pending motion for summary judgment, enter judgment for Plaintiff as to liability and damages, and resolve this matter completely and permanently and put this dispute to rest. The Court has the

power to fully resolve and end this entire matter on the merits via the procedural mechanism of Fed. R. Civ. P. 56.

Respectfully submitted,

**REO LAW, LLC**

/s/ Bryan Anthony Reo  
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*Attorney for Plaintiff Anthony Domenic Reo*

Dated: February 2, 2021

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*Pro se Defendant*

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**CERTIFICATE OF SERVICE**

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I, Bryan Anthony Reo, affirm that I am Counsel of Record for a party to the above-captioned civil action, and on February 2, 2021, I served a true and accurate copy of the foregoing document and this Certificate of Service upon Martin Lindstedt, 338 Rabbit Track Road, Granby, MO 64844, by placing the same in a First Class postage-prepaid, properly addressed, and sealed envelope and in the United States Mail located in City of Mentor, Lake County, State of Ohio.

/s/ Bryan Anthony Reo

Bryan Anthony Reo (#0097470)

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*Attorney for Plaintiff Anthony Domenic Reo*

Dated: February 2, 2021