

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

BRYAN ANTHONY REO,

Plaintiff,

v.

MARTIN LINDSTEDT.,

Defendant.

Case No. 1:19-cv-02589-CAB

Hon. Christopher A. Boyko

Mag. Thomas M. Parker

REO LAW, LLC

Bryan Anthony Reo (#0097470)

P.O. Box 5100

Mentor, OH 44061

(T): (440) 313-5893

(E): reo@reolaw.org

Pro se Plaintiff

MARTIN LINDSTEDT

338 Rabbit Track Road

Granby, MO 64844

(T): (417) 472-6901

(E): pastorlindstedt@gmail.com

Pro se Defendant

**PLAINTIFF BRYAN ANTHONY REO’S MOTION TO DISMISS ALL PARTIES UPON
WHOM SERVICE HAS NOT BEEN COMPLETED**

NOW COMES Bryan Anthony Reo (“Plaintiff”), *pro se*, and hereby propounds upon Martin Lindstedt (“Defendant”) and this Honorable Court Plaintiff Bryan Anthony Reo’s Motion to Dismiss All Parties Upon Whom Service Has Not Been Completed.

Defendant’s pleadings to date have all been frivolous and abusive. Defendant has attempted to join upwards of a dozen disparate and unrelated parties into the instant action. In some instances Defendant has obtained service of process upon some of those unrelated parties and some of those parties have appeared in the action and dispositive motions have been filed by every third party upon whom service was obtained, and those motions are now pending. While stressing that Plaintiff does not represent “US Federal Government,” Brett Klimkowsky, Stefani Rossi Reo [in

the instant action], or Anthony Domenic Reo [in the instant action], Plaintiff wishes to move that the Court dismiss parties who were not served in accordance with the rules or in accordance with the deadline set by the scheduling order [which controls this case], solely for the purpose of cleaning up the pleadings and streamlining the proceedings of the instant action. It is offensive to Plaintiff's rights of due process that the proceedings be bogged down by the Defendant's attempt to join dozens of third parties and then fail to use procedurally proper means to even attempt to serve them.

F.R.C.P 4(m) provides that service must be accomplished within 90 days after a complaint is filed, unless the complainant demonstrates good cause for the failure, in which instance the court must extend the time for an appropriate period. Lindstedt's first Answer and Counter-claim was filed on 11/14/2020 [ECF- Doc. No. 6] and was ordered stricken on 1/17/2020 [ECF- Doc. No 16] with an Amended Answer and Counter-Claim filed on 2/3/2020 [ECF- Doc. No. 17]. It has been more than 180 days since Lindstedt filed his Amended Answer & Counter-Claim.

On 5/15/2020 the Court issued a Scheduling Order/Plan [ECF- Doc. No. 37] which stated that the "deadline for completing service is June 15, 2020." As of the date of the filing of this motion, August 10, 2020, there is no evidence that Defendant Lindstedt ever obtained proper service on "US Federal Government," Brett Klimkowsky, Stefani Rossi Reo, or Anthony Domenic Reo.

Lindstedt's 90 days per F.R.C.P. 4(m) expired in May but the Court entered an order granting him until June 15, 2020, and he has still failed to obtain service on the four named counter-

defendants, “US Federal Government,” Brett Klimkowsky, Stefani Rossi Reo, or Anthony Domenic Reo.

Accordingly, those counter-defendants should be dismissed from the instant action for Lindstedt’s failure to properly serve them in accordance with the Federal Rules of Civil Procedure in the timeframe provided by the order issued by this Court that controls the movement of the proceedings of this case.

If nothing else, Lindstedt should be ordered to appear and show cause as to why any and all pending counter-claims against “US Federal Government,” Brett Klimkowsky, Stefani Rossi Reo, or Anthony Domenic Reo should not be dismissed [without prejudice] for his failure to properly serve those parties in accordance with the Federal Rules of Civil Procedure in the timeframe provided by the order issued by this Court. Indeed those parties should be dismissed from the action and the case should proceed in a streamlined manner without Defendant Lindstedt being allowed to attempt to bog down the proceedings with frivolous joinder against parties whom he never even attempts to serve.

Respectfully submitted,

REO LAW, LLC

/s/ Bryan Anthony Reo
Bryan Anthony Reo (#0097470)
P.O. Box 5100
Mentor, OH 44061
(T): (440) 313-5893
(E): reo@reolaw.org
Pro se Plaintiff

Dated: August 10, 2020

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

BRYAN ANTHONY REO,

Plaintiff,

v.

MARTIN LINDSTEDT.,

Defendant.

Case No. 1:19-cv-02589-CAB

Hon. Christopher A. Boyko

Mag. Thomas M. Parker

REO LAW, LLC

Bryan Anthony Reo (#0097470)
P.O. Box 5100
Mentor, OH 44061
(T): (440) 313-5893
(E): reo@reolaw.org
Pro se Plaintiff

MARTIN LINDSTEDT

338 Rabbit Track Road
Granby, MO 64844
(T): (417) 472-6901
(E): pastorlindstedt@gmail.com
Pro se Defendant

CERTIFICATE OF SERVICE

I, Bryan Anthony Reo, affirm that I am a party to the above-captioned civil action, and on August 10, 2020, I served a true and accurate copy the foregoing document 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.

I have also electronically filed the foregoing document which should serve notice of the filing of the same upon each party who has appeared through counsel, via the court's electronic filing notification system.

/s/ Bryan Anthony Reo
Bryan Anthony Reo (#0097470)
P.O. Box 5100

Mentor, OH 44061
(T): (440) 313-5893
(E): reo@reolaw.org
Pro se Plaintiff

Dated: August 10, 2020