

STATE OF OHIO
IN THE COURT OF COMMON PLEAS OF LAKE COUNTY
CIVIL DIVISION

FILED

BRYAN ANTHONY REO,

Plaintiff,

v.

MARTIN LINDSTEDT,

Defendant.

Case No. 15CV001300 DEC 10 P 1:37

Hon. Richard L. Collins MAUREEN G. KELLY
LAKE CO. CLERK OF COURT

Exhibit #1

Bryan Reo Filed this
motion on Dec. 10, 2015.

BRYAN ANTHONY REO

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Mentor, OH 44060

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(E) roodeplaat1983@gmail.com

Pro se Plaintiff

MARTIN LINDSTEDT

338 Rabbit Track Road

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(P): (417) 472-6901

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Pro se Defendant

**PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S MOTION FOR SUMMARY
JUDGMENT FILED ON 12-7-2015**

NOW COMES Bryan Anthony Reo ("Plaintiff"), pro se, and hereby propounds upon this Honorable Court and Martin Lindstedt ("Defendant") Plaintiff's Motion to Strike Defendant Martin Lindstedt's most recent filing, dated 12-7-2015 ("Defendant's Latest Frivolous Filing") per Civ.R. 12(F) and Civ.R. 11.

Respectfully submitted,

Bryan Reo

Bryan Anthony Reo

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Pro se Plaintiff

**STATE OF OHIO
IN THE COURT OF COMMON PLEAS OF LAKE COUNTY
CIVIL DIVISION**

BRYAN ANTHONY REO,

Plaintiff,

v.

MARTIN LINDSTEDT,

Defendant.

Case No. 15CV001590

Hon. Richard L. Collins

BRYAN ANTHONY REO

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MARTIN LINDSTEDT

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Pro se Defendant

PLAINTIFF'S BRIEF IN SUPPORT OF
PLAINTIFF'S MOTION TO STRIKE DEFENDANT'S MOTION FOR SUMMARY
JUDGMENT FILED ON 12-7-2015

NOW COMES Bryan Anthony Reo ("Plaintiff"), pro se, and hereby propounds upon this Honorable Court and Martin Lindstedt ("Defendant") Plaintiff's Brief in Support of Plaintiff's Motion to Strike Defendant Martin Lindstedt's most recent filing Second Counter Motion... and Motion for Summary Judgment, docketed 12-7-2015, ("Defendant's Latest Frivolous Filing") per Civ.R. 12(F) and Civ.R. 11.

I. STATEMENT OF FACTS

Defendant continues to engage in unacceptable and frankly bizarre conduct with his most recent filing, Defendant's Latest Frivolous Filing.

Defendant has waived any personal jurisdiction issues he might have wanted to legitimately raise by appearing in this instant civil action, filing a full-fledged answer, filing what he purports to be a counter-claim, filing motions, and now moving for summary judgment.

Defendant has waived any personal jurisdiction issues he might have wanted to legitimately raise by appearing in this instant civil action, filing a full-fledged answer, filing what he purports to be a counter-claim, filing motions, and now moving for summary judgment.

Although Defendant's pleading speaks for itself, here are a few choice morsels from it—which are found in between Defendant's weird and psychotic ramblings—:

Defendant falsely declares, by stating “losing” and “failed” that the previous case in United States District Court for the Western District of Missouri was adjudicated on the merits when it was only dismissed without prejudice for lack of subject matter jurisdiction.” (Defendant's Latest Frivolous Filing, pg. 2). See attached Exhibit 1 showing the docket of the United States District Court which clearly shows the case was dismissed without prejudice.

Defendant oddly writes “this court deserves a break from re[o]tardation.” (Defendant's Latest Frivolous Filing, pg. 2).

Defendant bizarrely declares, “Jennifer Lawrence or Taylor Swift can't keep hackers from showing pictures of their tits.” (Defendant's Latest Frivolous Filing, pg. 3).

Defendant declares that Plaintiff “isn't going to be able to hide its dusky pelt, slant eyes, unibrow, or negroid lips.” (Defendant's Latest Frivolous Filing, pg. 3).

Defendant refers to a third party as an “86 year old Greek mongrel whore” and declares, quite oddly, that Plaintiff threatened to shove a spear in her head. (Defendant's Latest Frivolous Filing, pg. 5).

Defendant refers to Plaintiff as an “Ernst Roehmist brown-skinned brown-shirted brown-nosed Rumpf-Ranger of the Waffen Ass-Ass.” (Defendant's Latest Frivolous Filing, pg. 6).

These references to Defendant's Latest Frivolous Filing, are only from the first few pages of it. The Court is free to peruse what remains of Defendant's pleading, but it only becomes more repugnant as Defendant writes about "negros" (Defendant's Latest Frivolous Filing, pg 7.) and "sexual trophies" (Defendant's Latest Frivolous Filing, pg 6).

II. LAW & ARGUMENT

Civ.R. 12(F) provides that

Upon motion made by a party before responding to a pleading or, if no responsive pleading is permitted by these rules, upon motion made by a party within twenty-eight days after the service of the pleading upon him or upon the court's own initiative at any time, the court may order stricken from any pleading any insufficient claim or defense or any redundant, immaterial, impertinent, or scandalous matter.

For the reasons set forth in the Statement of Facts section of this Brief, Defendant's Latest Frivolous Filing contains nothing but redundant, immaterial, impertinent, and/or scandalous material. As such, Defendant's Latest Frivolous Filing should be stricken in its entirety.

Civ.R. 11 provides in pertinent part that

A party who is not represented by an attorney shall sign the pleading, motion, or other document and state the party's address. * * * The signature of * * * [a] *pro se* party constitutes a certificate by the * * * party that the * * * party has read the document; that to the best of the * * * party's knowledge, information, and belief there is good ground to support it; and that it is not interposed for delay. If a document is not signed or is signed with intent to defeat the purpose of this rule, it may be stricken as sham and false and the action may proceed as though the document had not been served. For a willful violation of this rule, * * * [a] *pro se* party, upon motion of a party or upon the court's own motion, may be subjected to appropriate action, including an award to the opposing party of expenses and reasonable attorney fees incurred in bringing any motion under this rule. Similar action may be taken if scandalous or indecent matter is inserted.

III. CONCLUSION

For the reasons set forth herein, this Honorable Court should grant Plaintiff's Motion to Strike Defendant's Latest Frivolous Filing by striking from the record Defendant's Latest Frivolous Filing.

Additionally, Defendant should be sanctioned by being ordered to pay a fine in an amount that the Court deems just and equitable for Defendant having filed an offensive pleading that is an affront to the dignity of our legal system and the rights of Plaintiff.

Lastly, the Court should consider requiring Defendant to henceforth post a contempt bond in the amount of \$500.00 before Defendant files a pleading or motion so that funds are available should a contempt citation be issued against Defendant in the future.

Respectfully submitted,

Bryan Reo

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Pro se Plaintiff

Certificate of Service

I, Bryan Anthony Reo, do hereby certify that a true and genuine copy of this motion/brief/filing has been dispatched by United States regular mail, postage prepaid to the Defendant at:

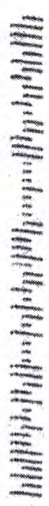
Martin Lindstedt
338 Rabbit Track Road
Granby, Missouri 64844

On this 10 day of December, 2015

X

Bryan Reo

*Exhibit H1
Bryan Reo certifies
that he mailed this
brief - and another one -
on Dec. 10, 2015*



Martin Lindstedt
338 Rabbit Track Rd.
Granby, MO 64844

Exhibit #1

The postage meter says
that this bill-
certified as being mailed
out Dec. 10, 2015
was mailed out on
Dec. 11, 2015
Byron Reed is playing
"mail fraud" so that
Pester Lindstedt cannot
timely reply.



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