

**UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT**

DOCKET No: 12-13892

RANDALL C. TOWNSEND, FIRST BAPTIST CHURCH CITRUS PARK,
CITRUS PARK CHRISTIAN SCHOOL, RELIGIOUS SOCIETY
MEMBERS, J.D.T., J.G.T., MEMBERS OF CITIZENS ET AL

Appellants

Vs.

HEATHER M. GRAY, THE FLORIDA SUPREME COURT AND
NAMED JUDGES AND OFFICERS, THE FLORIDA BAR, THE STATE
OF FLORIDA, GOVERNOR SCOTT, ATTORNEY GENERAL PAM
BONDI, STATE ATTORNEY MARK OBER ET AL, SHERIFF DAVID
GEE ET AL, FDLE, JOHN GRANT ET AL, PATRICIA McCARTHY ET
AL, DAVID H. POPPER ET AL, BRUCE E. CHAPIN ET AL, LINDA
CHAPIN, MEL MARTINEZ ET AL, CHARLES SCRUGGS, III, DAVID
GIBBS III, CLA, CHARLES E. LANE, Jr. CHARLES E. WILLIAMS;
CHARLES E. DENNY IV; DICKINSON & GIBBONS ET AL; JEB
BUSH; GEORGE W. BUSH; RON BECK ET AL; TIM JEFFERS; JOE
HOWLETT; MIKE SMOAK; PAULA POWELL; ELBERT
NASWORTHY; NAMED JUDGES: 9th, 13th, CIRCUITS; 1st 2nd 5th DCA;
FEDERAL JUDGES TAMPA MIDDLE DISTRICT; STEVEN HARROD;
KAREN HARROD TOWNSEND; AND VARIOUS OTHERS STATED
HEREIN AND “OTHERS DOE” PER THE FILED FRAP 26.1 IN THIS
CASE;

Appellee's

AN APPEAL FROM THE
UNITED STATES DISTRICT COURT MIDDLE DISTRICT
OF FLORIDA, TAMPA DIVISION

L.T. CASE NO: 8:12-CV-1198-T-17EAS
JUDGE Elizabeth Kovachevich

APPELLANTS OBJECTION TO ASSISTANT
STATE ATTORNEY'S ACTION TO DISMISS

**COMES NOW, TOWNSEND FOR ALL APPELLANTS AND
STATES:**

1. Since about 1988, when Townsend's former attorney Patricia McCarthy abruptly and negligently abandoned her clients, Townsend and his family and his new company Future Marketing and she joined in collusion with Orlando Attorney David H. Popper and the law firm of Austin, Lawrence and Landis and then she joined the States Attorney's Office as an Assistant State Attorney those inside the

States Attorney's Office and these named defendants and "Others Doe" have been knowingly and intentionally negligent in conspiracy to not do their duty and "Honest Services" and since 1987, not even obeying the law or even the Order of this Court and Other Courts as they intentionally and knowingly and recklessly acted in collusion and "ineffective services" under Mark Ober and his predecessors and co-participants including now his agent (Bondi) formerly of the State Attorney's office and now Attorney's General Pam Bondi who herself continues to refuse Due Process after being lawfully informed since about 2001 or before and at various times lawfully served personally, as the Attorney General and as the Superior Officer of the States Attorneys.

2. These Appellee's are per the law are estopped from any defense or of

their claim now and or as their agents have even admitted negligence and torts of their prior lawful duties of services to have been provided since 1987.

3. A major question at law as the “Mistake of Law” in this Appeal is that the “alias” “law enforcers” who per this court in the 2008 ruling “ineffective services” have acted in collusion to conceal the malfeasance of the “ineffective counsels” in that it was the scheme of David H. Popper to join with the Bruce Chapin law firm with then their scheme to protect the firm to transfer the case from Seminole County to Orange County thereby gaining the leverage and Quid Pro Quo Political powers of Linda Chapin protecting the law firm of her husband when it was revealed their new associate, David Popper had the “alias” “law enforcers” who per this court in 2008 ruling “ineffective services” have acted in collusion to conceal the

malfeasance of the “ineffective counsels” in that it was the scheme of Attorney David H. with Patricia McCarthy done “ineffective services” to Townsend since 1987, telling him to “Do not do business” that may conflict with lines or accounts or agents or contacts that Lane/Sabal had or alleged to have prior to August 7, 1987. When it was later in or about 1989 learned Townsend never had to abandon or lose any business the losses of business was extreme as stated by Bruce Chapin in the written “Plaintiff’s Response to Motion to Compel Settlement” dated July 24, 1991, Exhibit “A” attached. All statements by Attorney Chapin are incorporated herein as to the amount of damages and deprivations Townsend and those for whom he speaks still suffer by the attempt of Appellees to continue to at all costs defame Townsend and use extrinsic fraud to conceal the original frauds of

Lane and Williams and negligence and then torts of these now as Appellees and “others DOE”. Facts reveal after filing this, and obtaining additional limited production that Bruce Chapin enlisted “Others DOE” to the scheme to scam Townsend all the more even including that Judge Rom Powell expanded the alleged non-compete against Townsend that when after 1993 the production showed that Lane had done fraud to induce Townsend into the contract as Lane claimed to all he had contracts he never owned or that these contracts had expired and were not renewed until these Companies as Bonneau Sunglasses knew of Townsend’s abilities with the clients that Lane had been kicked out of talking too,.

This is the issue the 5th DCA in their ROBINSON v, Weiland, ET AL 5D05-2380 RULING in 2006, realized as the intentional, knowingly reckless act of fraud was not just a “Mistake at Law” of the Powell Court and the previous 5th DCA ruling as a P.C.A. and then confirmed as the ruling of the Florida Supreme Court continuing in collusion all as an Extrinsic Fraud and Fraud on the Court just as Townsend had pled since about 1991 to Chapin and his co-conspirators. This then is the confirmation and proof that judges are in collusion with “Others” as the “Government Veil” as Townsend alleged in the arguments made in his previous briefs presented since 1993 and before.

4. This action as a Motion to Dismiss by the State Attorney is another attempt at Fraud to conceal their prior Frauds and defiance to or on this 11th Circuit Court of Appeals even ruling En Banc and the proper Rule

of Law and a Fraud “Under Color of Law” violating “Due Process” and
as Extrinsic Fraud on Appellants that somehow these in this case since
1987 in the State Attorney’s Office now under the care and supervision
of Mark Ober and now his Superior Officer Pam Bondi are not in
collusion to not do their Government Persons Duty and also to conceal by
fraud their own intentional acts since about 1994 to conceal the
embezzlement, unjust enrichment, extortion, and multiple other felonies
done to innocent Religious Society members in violations of our By-
Laws as a conspired tort action. Additionally this act amounts to
Extrinsic Fraud, Intrinsic Fraud and Fraud At LAW attempting to keep
these victims from their day in our court or in our own By-LAWS
religious assembly to show their deprivations and emotional distress
caused by these torts of these Mens Rea acting co-participants acting in
collusion since 1987 as they continue to conceal the illegal scheme and

money trail of kickbacks and illegal Quid Pro Quo payoff todo fraud and defraud and do the RICO Acts of Lane ET AL. This includes even concealing acts by Lane's father and his Publix Supermarket business associates to use the assets of Publix to support the political enterprises of several political candidates campaigns and "Others Doe" as named herein and as exposed by these years of discovery albeit "impeded" illegally by these lower courts and others.

5. At multiple times since, these in the State Attorney's office, Attorney's Generals Office and Public Defenders Office and other multiple State, County and Federal Officers have been dutifully advised as a victim is to do by calling "911" or by other written papers, verbal personal and telephonic visits or court filings or even in the FBCCP Business Meetings which reprimanded and then even lead to the votes of termination of the "alias" clergy and other

employees of FBCCP and CPCS as members advised and advise our

Government employee's of how to serve victims of criminal acts.

Victims are not by then our own Government persons to become more

victimized and taken and detained from our children, property and

Civil Rights.

6. Defendant Joe Howlett since 1994, "deceptively" acting as a

Hillsborough County Sheriff Deputy and "alias" Trustee of the First

Baptist Church of Citrus Park per the employees of the State

Attorney's office is the Sheriff Deputy in 2001, acting in collusion

with HCSO Detective Smoak, Pinellas Deputy Jeffers, Pasco

Detective Corbin, who with "Others DOE" as "alias law enforcers"

specifically as the State Attorney's office persons and agents admitted

since 2001, filed false reports to them which cause the charges with

even Federal law violation implications and defamation against Townsend just to continue their State Attorney's and "Others DOE" false claims. Also Joe Howlett has for his intentionally not providing "Honest Services" has been unlawfully rewarded by Quid Pro Quo actions of this same State Attorney's office and agents and "Others DOE" now all as Appellee's.

7. Other Townsend ET AL, attorneys as Charles Scruggs and Heather Gray and possibly "Others Doe" have also received "visits from fellow Government alias law enforcers", information, service, Summons, Notices to Appear and rulings from Courts in this ongoing matter since 1987.
8. Exhibits already filed with this Appeal in this Court as the e-mails from Former Senator John Grant as also the Registered Agent of the

FBCCP admitting he was legally served and even Grant gave notifications to the State Attorney Mark Ober and his agents asking Mark Ober himself and his agents to investigate Townsend and prosecute Townsend resulting from and including all matters of the ongoing lawsuits in this action since 1987. By the actions of multiple “Visits” by the HCSO Deputies, Threats from Attorneys working for the State Attorneys Office, Threats and false accusations made by other in the State Attorneys office as their “Acting Agents” and rulings by Judges including this EN BANC Appeals Court and the Florida Supreme Court Chief Judge Charles Canady. The Florida Supreme Court Chief Judge being fully involved and informed since about 2004 has knowingly “impeded” the legal rights of Townsend and those for whom he speaks and the Florida Supreme Court has continued their “Veil of Corruption” by failing to expose, prosecute

and litigate per the law themselves and “others” under their supervision now exposed as Townsend alleged since about 1988, these defendants collusion to conceal the criminal acts of Lane ET AL as it was the agreed duty of Heather Gray ET AL to expose in the services she agreed to perform in appealing and litigation of all issues. The Florida Supreme Court and “Others” being fully informed in Townsend’s Amicus Briefs and other papers to the Courts and the Florida Supreme Court and their co-participants failures to allow the Gray torts against Townsend ET AL and to not prosecute Gray and those whom she concealed is proof of additional RICO Acts by defendants.

9. Due Process Rules show that as a Pro Se acting *informa pauperis* in the lower cases it is the duty of the Court Clerks to notify all parties

and since about 2001 and or before these State Attorneys Officers
were even present in the court of Judge Palomino on November 15,
2001, and heard reprimands by Judge Palomino of and for the
criminal acts done by the State Attorney's Agents and their client
Karen Harrod Townsend and Ron Beck and Joe Howlett and Others
DOE who were knowing in the court with the intentional criminal
negligence torts being aided and abetted by collusion with retained
and fully paid attorney Charles Scruggs acting without full disclosure
of his work for the State Attorney's Office and the court, in collusion
with the State Attorney's Agents and Office and Judge Palomino and
"Others DOE" to extort, threaten and keep Townsend unlawfully
detained from his children, his Civil Rights, his Duties as the Superior
Officer of the FBCCP investigating criminal acts of Government
Persons and Ron Beck and "Others DOE" and protecting Townsend

from the loss of his business incomes since 1987.

10. Additionally, in this since 1987 ongoing case an issue now again

before this court in this Appeal is that as lawfully alleged and now

proved as stated in the underlying connected case as **TOWNSEND**

ET AL V. BECK ET AL Case 08-10721, Federal Judges Merryday,

Wilson, Kocachevich and Others, ruling in this case are also in

collusion and fraud and knowingly, willfully and intentionally have

dismissed this case prior to discovery as required even as the state

guidelines required with even the original **Townsend v. Lane** 659

So2d 720 (Fla. 5th DCA 1995) Case being the standard as stated in

Robinson v. Weiland, ET AL 5D05-2380, to connect the facts of the

illegal acts even done by Mark Ober and other Government Persons as

specifically named and connected in this case and with “Others DOE”

intentionally acting in collusion and frauds with these other Defendants doing their collusions for “Fraud, Collusion and Arbitrariness” to protect themselves, co-participants and their superior officers since 1987 by various Bad Faith and Unjust Enrichment and Quid Pro Quo acts.

11. On October 24, 2012, Townsend for all Appellants based on the illegal “visit” of HCSO Deputies to Townsend on October 10, 2012, outside their jurisdiction of Hillsborough County and their “threats” to stop contacting or filing legal papers to John Grant and his co-participants this Appeals Court was sent Townsend ET AL’s Motion to Supplement Brief and Motion for Habeas Corpus not knowing of the Motion to Dismiss of Assistant State Attorneys fully informing these HCSO Deputies as their actions were directed and approved by

the State Attorney Mark Ober and “Others” it appears per FRAP 27
Subdivision (c) under 28 U.S.C. 2253: “A single judge may issue a
certificate of probable cause” but in this case our EN BANC Court
has already ruled “ineffective counsel” and thus shows as should have
these in the State Attorneys office knowledgeable of criminal acts by
these ineffective counsels this State Attorneys Office also used as
“agents” and co-participants in their “ineffective services” even those
of attorney Heather Gray who herein this case is named as these
victims attorney and by whom the Florida Bar, 2nd DCA, 5th DCA,
and Florida Supreme Court brought charges and had disbarred as it
shows her pattern of abandoning and doing frauds to her clients aided
and abetted these of the States Attorneys Office and “others” allegedly
as our “Law Enforcers” continuing to ignore the criminal acts of their
co-participants and those violations of laws and Black Law Rules and

Due Process even by themselves as admitted by the 5th DCA finally in 2006, Judge James Moody Jr. March 15, 2007, Judge Crenshaw in 2006, Judge Charles Canady in 2011, and even this Honorable Appeals Court in 2008 and confirmed EN BANC showing these in the States Attorney's being negligent and now again trying to ignore the Opinion of this Court that "ineffective services" aided and abetted criminal acts against these still victimized Appellants.

12. Additionally, As a Respondent in cases 01-15813 and 01-15814 brought by Ron Beck and Karen Harrod Townsend intentionally and knowingly and recklessly assisting themselves and "Others DOE" including these persons in the State Attorneys Office guilty of negligence and torts at that and up to that time, Randall Townsend fully advised members of the States Attorneys Office within days of

Curtis Baughman, Agent in the Victims Assistance Program of Mark Ober State Attorney and then fully informed others as Chuck Holland and Bob Petchen (SP) and Nancy Lopez at relevant times of those inside the State Attorney's office who continuing the aiding and abetting of criminal acts.

13. Additionally, in the 2007, meeting with HCSO Major Gary Terry and HCSO Corp. Renato Martinez, they admitted mistakes had been made and their collusion with the State Attorney and Judges to not let Townsend investigate or present his case. Curtis Baughman even admitted assisting Karen Harrod Townsend at the demand of Sheriff Deputy Joe Howlett in the writing of her affidavits filed with the Palomino court in cases 01-15813 and 01-15814 and was immediately informed that the testimony, affidavits and actions by Attorney Charles Scruggs was a FRAUD ON THE COURT. As now it is

known and proved even by the admissions of Judge Palimino on
January 4, 2002, admitting Scruggs did malpractice and now we know
intentionally giving frauds to Townsend intentionally ignoring his
clients rights and demands of November 12, 2001, to Subpoena Beck
to produce the FBCCP and CPCS Business Records that until 2006, in
collusion to conceal their intentional McKay, McCarthy MacKay
schemes the FBCCP and CPCS records were only partyly produced
showing By-Laws illegal acts and criminal acts confirming as
Townsend is proved the Honorable Supreme Court still active
member as alleged since 1994 and estops all Appellees due to their
frauds and other crimes proved over and over...

14. The State Attorney's Agents cannot at any time since 1987 claim

ignorance of this case and their negligence and torts to do Exparte and

Extrinsic Frauds in this case..

WHEREFORE:

1. This action as a Motion to Dismiss by the Assistant State Attorney must be denied.
2. Appellants make a claim for costs and fees for the costs of defending this action of frauds by Appellee's since 1987,
3. Appellants make a claim for compensatory and Punitive Damages as this Motion to Dismiss shows the intentional Mens Rea to do "ineffective services" to victims these Government Persons are to serve and protect.

CERTIFICATE OF SERVICE

I hereby certify that a copy of this Appellants' Objection to the Action for Dismissal by the Assistant State Attorney letter has been furnished to: Assistant State Attorney Mark Dunn Tallahassee Florida; Heather Gray at 10011 Cannon Drive, Riverview, Florida 33569; Judge Kovachevich, Tampa Federal Court at 801 N. Florida Ave. Tampa, Florida 33602; John Grant at 10025 Orange Grove Drive, Tampa, Florida 33618; Sheriff David Gee at HCSO 2008 E. 8th Ave Tampa, Florida 33605; State Attorney Mark Ober at 419 N. Pierce Street, Tampa Florida; U.S. Attorney Robert O'Neill at 400 N. Tampa, St. Suite 3200 Tampa, Florida 33602; as Prejudiced, Biased, lower court representatives "A.K.A" Government Agents" for all Defendants still "Under Color of Law" "Frauds" ignoring contracts and "DUE PROCESS" "Impeding" and "Detaining" Plaintiffs, this ___ Day of January 2013, by regular first class USPS mail.

**Respectfully submitted by
Randall C. Townsend, PRO SE
P.O. BOX 21, Odessa, Florida 33556
(941) 3502677**

Jfyrt59@hotmail.com

www.Judgeoneyourself.com

**F.S. 617.0834 Representative for all
Appellants.**