

**IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA
CIRCUIT CIVIL DIVISION**

**RANDALL TOWNSEND, individually,
And RANDALL TOWNSEND, as
F.S.617 REPRESENTATIVE for the
FIRST BAPTIST CHURCH OF
CITRUS PARK/CITRUS PARK
CHRISTIAN SCHOOL
Plaintiffs,**

Case No.2015-CA-001928

vs.

**JOHN GRANT, individually, JOHN GRANT,
As Registered Agent of First Baptist Church
Of Citrus Park/Citrus Park Christian School,
JOHN GRANT, P.A., et. Al.,
Defendants**

**PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT AND MEMORANDUM OF
LAW IN SUPPORT THEREOF ON DEFENDANT MARK OBER, INDIVIDUAL**

COMES NOW, PLAINTIFF'S RANDALL TOWNSEND, PRO SE ELECTED FOR ALL PLAINTIFFS AND UPON OUR OPINION AND BELIEFS BRINGS THIS MOTION FOR SUMMARY JUDGMENT UNDER FLORIDA RULE OF CIVIL PROCEDURE 1.510(b). Plaintiff's memorandum of points, facts and authorities of law supporting this Motion is set forth below.

The pleadings and other materials filed in the court records since 1988, and within the knowledge of these Defendants and "others Unknown" since 11/1987, participating in this Malicious Enterprise demonstrate this Complaint is a "Short and Plain Statement" and that there is no genuine issue as to any material fact or Matter of Law and these in the Malicious Enterprise are still conspiring to:

- A. act to conceal their illegal conspiracy to hid documents connected to Contracts with Townsend and unlawfully collect and control all Plaintiff's Proceeds and Rights;
- B. Continue to defame Plaintiff's Good Name in a False Public Light;
- C. Continuing: "illegal implants of Sect Agents even in a Religious Society in violation of a Religious Society Sovereign Contract"; Frauds; Malicious Prosecution; and Frauds at Law to conceal their alleged Under Color Of Law claim of legally being able to violate: Contract Rights and Duties; Due Process; Civil Rights; Oaths; and Conspired Unlawful F.S.817.02, Obtaining Property by even abducting our Children and Religious Society Benefits AS PROTECTED IN OUR CONTRACTS AS CONSTITUTIONS AND BYLAWS.

The Florida and United States Constitutions specifically state "No Law shall impede the obligation of a contract." Yet Government Defendant(s) specifically conspire even as the U.S. Supreme Court in *Keller v. State Bar of California* said they cannot make or use their own created self-serving laws of alleged immunities and approved Malfeasance of Fiduciary Duties to continue, THEFT, RICO, SLAPP and "Hate Crimes" acts of themselves and their co-participants herein and "Others Unknown" and ignore Rights and Fiduciary duties per our Constitutions and or as Contracts and their Oaths and even admissions of their crimes and failure to perform "Honest Services" per our Contract rules as ruled by the 11th Circuit Court of Appeals, FSCt. Chief Judge Charles Canady, Judge Marva Crenshaw, The 5th DCA, Federal Judges and Plaintiff's own lawyers including Charles Denny IV and others.

Until the discovery that Townsend has been unlawfully “impeded” since 1987, is complete all illegal actions and damages cannot be known nor can all illegal co-participants be known. Exhibit Plaintiff’s #25, is a letter Patricia McCarthy, March 8, 1988, to Attorney David H. Popper detailing acts of the lawyers they then still in 2015, continue through themselves and their co-participants continue their Malicious Enterprise to conceal their Malfeasance which now causes damages to all Plaintiffs.

Exhibit Plaintiff’s # 26 is a letter from Bruce E. Chapin, dated January 5, 1993, that confirms the facts that Townsend’s initial causes of retention and payment of lawyer Patricia McCarthy and Popper were not done and still never intentionally done as of 2015 and show the Malicious Enterprise of Defendants to conspire to suppress criminal evidence, delay exposure of their Malfeasance and attempt to discredit Townsend as a “Liar” at Matters of facts and Matters of Law. This letter shows that the Production of the “JVA” documents and other necessary documents were never done from Lane ET AL even after over 4 years at that time and thus Townsend could not know his Legal Rights or to do business or collect his proceeds, based on the treats of Williams and these attorneys as these in the Malicious Enterprise told Townsend he must not do any business that might compete with Lane so that Defendants could use Townsend’s proceeds and also receive proceeds and Quid Pro Quo benefits from Lane/Publix ET AL as still continues now. Defendants then required Townsend to produce his documents even well after the contract required dates which then by Torts as even Chapin(s) Et Al, used extortion to require

Townsend's Companies to switch to Lane ET AL. which then proceeded to support Chairpersons Linda Chapin and Mel Martinez and later, Others benefits. After multiple years of attorney's alleging they were providing "Honest Services" doing all they could do, the partial production showed all positions by Lane and Williams since 1987, were frauds and even the Bonneau contract had expired and the new contract shown in the exhibits below warned Lane of his bad behaviors to the point prohibiting Lane and yet they wanted and allowed full representation through Townsend, lawyers withheld and denied rights for years.

These three points cannot be defended as a Matter of Fact or Law:

1. The failure to subpoena the records immediately in 1987 and since continues damages to all Plaintiffs and exposes the ongoing plot of concealing documents that Townsend by Contracts (The JVA or the FBCCP/CPCS Bylaws) is to freely without litigation to view at all times and even per the Rules of Civil or Criminal Procedure have for a defense of his knowledge and reputation defendants continue to defame since 1987 and "impede" production of facts;

2. Even Townsend's witnesses needed to clear himself from Defendant's defamations in a "false public light" as his sources of income/customers since 1987, Church/School Members since 9/8/1999 and even his children since 10/21/1999, have been kept from assembly with Townsend by torts and "Hate Crimes" even for obtaining depositions to determine facts to clear his good name.

3. Defendant Crenshaw, in 2006, with and for her co-participants knowingly admitted with defendants Attorney at the time, Charles Denny IV, all Townsend's claims from 1987, and attempted concealment of the Malicious

Enterprise by telling Townsend to be quiet and take a personal settlement which still causes damages to Plaintiff's, that Townsend for Honor cannot abandon.

As a chosen willful participant in the Malicious Enterprise, Defendant MARK OBER, INDIVIDUAL, is not able to have a Defense as a Matter of Law.

MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF PLAINTIFFS CAUSES OF: COUNT I. COUNT FOR MALICIOUS PROSECUTION; COUNT II. COUNT FOR AN ACCOUNTING AGAINST ALL DEFENDANTS; COUNT III. COUNT FOR UNJUST ENRICHMENT GAINED BY FRAUD; COUNT IV. COUNT FOR TORT INTERFERENCE WITH CHILD CUSTODY AND ASSEMBLY AND MOTION FOR SUMMARY JUDGMENT

I. INTRODUCTION

Plaintiffs bring this MOTION FOR SUMMARY JUDGMENT against Defendant Mark Ober, individual, for his individual willful and intentional participation in the Malicious Enterprise and for failing to file any response to the summons as prescribed by law within 20 days of being served. The Judge, Nash August 7, 2015, Order done Exparte, that let stand the Motion to Dismiss, filed July 29, 2015, (15 Days late) by Defendant, does not constitute a Defense at Law for Mark Ober, Individual. And nor can Defendant Mark Ober, individual, have a Defense at Law to Plaintiff's Claims he had unlawfully attained Plaintiffs proceeds, intentionally aided and abetted in the Malicious Enterprise and "Hate Crimes" and violated his Oath and Contract with Citizens these Plaintiffs as victims causing our damages.

II. STATEMENT OF FACTS

1. Since the 11/1987, the first meeting, between Randall Townsend,(Townsend) a.k.a. Future Marketing and Attorney Patricia McCarthy,(McCarthy) who left private practice in early 1988 and joined the State Attorney's Office with the

same co-agents as named in the FRAP 26.1 in the record and under the Supervision now as Defendant Mark Ober's co-agent, Plaintiff Townsend demanded immediately to:

A. know his legal rights per the August 7, 1987, Joint Venture Business Agreement (JVA), (Notarized at Publix by a secretary), with Charles E. Lane, Jr. a.k.a. Sabal Marketing/now SeaLane Marketing who then introduced Townsend as his partner to Charles E. Lane Sr. and protégé Ed Crenshaw;

B. seek arrests of Charles E. Lane Jr. and Lane ET AL for their crimes;

C. Secure by Subpoena any and all Contract Business and Bank Records related to the "JVA" between Townsend and Lane ET AL and our clients;

to prove: Townsend's Contract Rights to collect money owed per the "JVA" and

to continue uninterrupted in his business with "new" clients ; and to prevent any loss of Townsend's business; And Protect Townsend's reputation and his

associates; and Townsend's Whistle Blower claims to expose Lane ET AL's criminal acts of illegal drug use, bribery, extortion, fraud(s) and illegal kickbacks

and then to defend Townsend from the 7/1988, COUNTER CLAIM as a Sham FRAUDULENT Malicious Prosecution filed by Lane ET AL and used by

Defendants herein and "Others unknown" to delay discovery and exposure of the Government Persons Malfeasance and Lanes ET AL's Criminal practices and

kickbacks and the Malicious Enterprise as admitted by: McCarthy, Popper; Bruce Chapin; Gregory Presnell, now a Federal Judge who refused to take the case

because of how Politically connected the Chapin's were with Governor Chiles and others; FSCt. Chief Judge Charles Canady in 2012 admitting facts since

1987 or before; Judge Marva Crenshaw; Charles Denny IV; John Grant; Jeb Bush; Ken Connor; David Gibbs; the 5TH DCA in Robinson; The Florida Bar Investigator John Root Jr.; David Gee's Agents, Mark Ober's Agents and other Named Defendants and Others;

but the illegal acts of the Malicious Enterprise by Government persons acting illegally with others are still continuing as of this writing in 2015.

2. Each Defendant at various times since 1987, as an "Individual" and or as the "Masked" "Honorable" "Under Color Of Law" Government Agent of the State of Florida and of the Florida Courts have illegally taken and controlled and used Townsend's proceeds and caused lost Constitutional and Contract Rights, and proceeds and caused damages and have intentionally acted to defame in a "False Public Light" Townsend and defamed anything Townsend says is true as Matters of Fact(s) or Matters of Law(s) and "impeded" Townsend to expose the Malicious Enterprise and criminal acts and True Evidence.

Per Florida Constitution Article II. Section 8. Ethics in Government:

"The people shall have the right to secure and sustain that trust against abuse. To assure this right any public officer or employee who breaches the public trust for private gain and any person or entity inducing such breach shall be liable to the state for all financial benefits obtained by such actions. The manner of recovery and additional damages may be provided by law."

Further, "Quoting even from this 11th Courts cases own rulings even herein citing *Salinas v. United States* 522 U.S. 52 (1997) quoting on accepting RICO VIOLATIONS per (1962 (c) bribes and (1962 (d)) conspiracy and

Pinkerton v. United States, 328 U.S. 640, 646 (1946) ("And so long as the partnership in crime continues, the partners act for each other in carrying it forward.") If conspirators to perpetrate the crime and others to provide support, the supporters are as guilty as the perpetrators. As Justice Holmes observed:

“[Plainly a person may conspire for the commission of a crime by a third person.”
United States v. Holte, 236 140, 144 (1915).

Defendants own records show their U.S.C. §1961, §1962, 18 USC 1346 (Honest Services) and other U.S. Codes illegal actions and willful admissions to conspire.

FSCt Chief Judge Charles Canady even argued:

“A President who has committed perjury and obstruction of justice is hardly fit to oversee the enforcement of the laws of the United States.” Also saying, “His calculated and stubbornly persistent misconduct while serving as President of the United States has set a pernicious example of lawlessness, an example which by its very nature subverts respect for the law.”

By the 2012, admissions of FSCt. Chief Judge Canady to recuse himself and the entire Florida Supreme Court and the 2DCA for past actions not future prejudice as Canady should know firsthand the facts Townsend proves as his father was for Governor Chiles a Senior Advisor at relevant times here and Canady a democrat also switched to be General Counsel for Jeb Bush who then appointed him to the 2DCA and then appointed to the FSCt by Charlie Crist who per Keiser v. Kolb, supervised the Malicious Enterprise with other Defendants yet they still plot their Lawlessness, Obstruction of justice, misconduct and “Hate Crimes”.

3. On June 30, 1994, Townsend participated in a Televised Tampa Town Hall Meeting with John Wilson, TV-13, as the moderator and Townsend after a brief summary of the facts now proved true, then asked the panel of Florida Republican Candidates a question as, What do you do when you find out the Florida Bar is lying to you? The Republican Leadership as, Senate President Ander Crenshaw, Attorney General Jim Smith, Attorney Ken Conner and Jeb Bush responded with answers to the question basically that justice to the democrats will be done under their watch. At the end of the live broadcast,

Townsend then spent additional time with Jeb Bush, Ken Connor and others and provided additional details in multiple follow up meetings and political rally's (Ken Connor 8/12/1994, and even in his Tallahassee Office who after reading Townsends v. Lane ET AL, Briefs and Appeals even provided legal comments about Townsends now proved legal positions and with Ken Connors legal Partner Mel Martinez and legal counsel with David Gibbs (CLA) on 8/25/1994 and at multiple other times and with John Grant) about the Democrats Malicious Enterprise to conceal Lane's illegal acts. Additionally, in the November 1, 1994, Televised Debate between Jeb Bush and Lawton Chiles, co-sponsored by Paul Tash of "Voices of Florida", a newspaper/media collation, supported by the ST. Petersburg Times, Bush detailed his goals and ideas regarding private/charter schools and these ambitions as Townsend said, then supported only the "Sect" and "Sect Agents" and interfered with the Bylaws Rules and Due process of the "Free Will" of the Members and CPCS parents. Plaintiff's affirm and believe that Paul Tash and his co-participants so not to lose the Publix Supermarkets support and advertising dollars or support of a Governor and his co-participants refuse to report Plaintiffs causes and therefore aid and abet the in criminal "Hate Crimes" in continuing the Malicious Enterprise still in 2015.

4. Each Defendant to continue to defame Townsend in everything he says as Truthful Facts or Truthful Matters of Law then through the Malicious Enterprise, then must continue their Malicious Enterprise and defaming Townsend ET AL Truthful for whom he speaks as those for the F.S.617, "Corporation Not For Profit" as a Religious Society as the First Baptist Church of Citrus Park (FBCCP)

and Citrus Park Christian School (CPCS) for whom Townsend since 1993, was properly Nominated and Elected by the Membership on the Nominations and Long Range Planning Committee's and Property Acquisition and Mediation Committees, and various other committees or positions at necessary times to investigate, advise, govern and speak lawfully as or for Plaintiffs FBCCP/CPCS and non-sect Owner/Operator Members operating and enforcing our Bylaws. Plaintiffs operate per "Meier V. Johnston 110 Fla. 374, For it is conceivable that in a proper case even a single party as Representative of the whole membership may sue or defend for the whole" and a F.S. 617.022(2)(a) as Derivative Actor and the F.S.120.69(1)(b),(c), Administrative Procedures Act and F.S.617 as the "Non-Sect" True Owner/Operators to act per our Sovereign Bylaws Process superseding and supporting the U.S. Supreme Court's unanimous ruling in:

"Keller v. State Bar of California 496 U.S. 1 (1990) that a State Bar shall not immune itself by selective applications of its rules and acts/omissions to promote its own: agenda; political purposes; and or criminal enterprise";

and therefore Defendants cannot implant or promote the "Sect" participants [specifically illegally Government Agents implanted Tim Jeffers, Karen Jeffers, Michael Smoak and Joe Howlett, never nominated by Townsend per the Nominations Committee Process and legally voted into their positions then by the Members and recover losses from the "Sect and Sect Agents" unlawful Bylaws and criminal acts] or by illegal detainment of Townsend and the Non Sect Members since 1994, not being able to operate per our Sovereign Governing Rules and hold responsible the Sect members even 10/1994 admitting their frauds held in Breach of our Bylaws and or investigate and prosecute them for

frauds and crimes still being revealed as their counsels and themselves continue frauds trying to answer their Summons, Plaintiffs now per F.S. 617.022, Act as these "Sect" and "Sect Agents" operated recklessly and in "Hate Crimes" per F.S.617.0285 and per F.S. 617.10 "that before his membership shall cease against his consent he shall be given an opportunity to be heard" these unlawful defendants through "implanted" Sheriff Deputies Jeffers, Howlett, Corbin and Smoak have "impeded" the Bylaws, Production of OUR Truthful Records and "detained" Plaintiffs from their "Free Will" by Conspiracy; Breach of Contract(s); Breach of Fiduciary Duties; negligence, gross negligence, aiding and abetting the breach of a fiduciary duty, and aiding and abetting Frauds and aiding and abetting torts; and aiding and abetting "Hate Crimes", and Thefts; and knowingly and recklessly participated in the Malicious Enterprise and aiding and abetting in Child Abduction; since 10/1994 or at various through current times as proofs as co-participants of their "actual malice" as an Element of Malicious Prosecution as follows:

A. In October 1994, at a FBCCP/CPCS Regularly held Quarterly Business Meeting, Administrative Pastor Elbert Nasworthy with new Senior Pastor Ron Beck and the Finance Committee admitted on the record to unethical acts, possible criminal acts and violations of the Bylaws Actions and the members determined and required Townsend on the Nominations Committee to investigate the conduct and business records and report his findings back to the full Owner/Operator Membership for a vote. These Sect and Sect Agents required by law to be subjected to the Sovereign Bylaws have illegally "impeded"

this “Free Will” Right of the Membership still through now in 2015. The “Sect” and Sect Agents have violated “Bylaws, Article IV. Sec.2, Specific duties (Job Description) of all paid staff members shall be kept on file in the Church Office and available to all Church members upon request.” To further prevent this inspection of records, the “Sect ET AL” in the week of 9/8/1999, changed the locks, took Townsends key ring and even not returning his personal keys, and illegally banned Townsend from the property and despite 100’s of legal demands even had Judge Crenshaw 2003-2006, tortfully “impede” production of these records 1994-current, charge \$924, pay legal fees and costs out of his own pocket since 2001, to operate to protect the Plaintiff from the “Sect and Sect Agents” and still unlawfully to conceal illegal uses of Plaintiff’s proceeds being used by Defendants and others unknown. Further per

“Article V. Section 4. (e), All members of the Church shall be entitled to vote in the Church Business Meeting—each member being entitled to one vote. Any member may make motions, or discuss motions, upon recognition of the Moderator. All motions from the floor, unless deemed necessary by the Moderator, must be referred to the proper committee for consideration and presented for action at the next business meeting.”

“Church Policies—Section II. C. Organizational Heads, 1. These positions will be selected by the Nominating Committee and approved by the Church...III. A. Selection and Reporting. 1. All Church Committee members will be recommended by the Nominating Committee. Committee Chairman will also be presented by the Nominating Committee. 2. Committee Chairman will give a report to the Church in writing at the quarterly business meeting.”

These positions included, All Staff Ministers, including the Pastors, School Principal’s and Chairman of the Trustee’s, Deacon’s, Business Administrators and Others. By “alias” lawful deputies et al, preventing Townsend as a member and an Superior Supervising Officer (Nominations Committee) of multiple

Committee's their "impeding", Omissions of Truthful Disclosure and Frauds continue to violate Plaintiffs.

B. The FBCCP/CPCS was served an Eminent Domain Taking of property along 7705 Gunn Highway for the widening of Gunn Highway as part of the Sickles high-school building project and Townsend as Chairman of the Long Range Building Committee was assigned as a promise in an Official Business Meeting to the members to organize and lead the membership to maintain our "Mission Quest" expansion goals to be in concert with the Eminent Domain Lawsuit and to receive just compensation per the law. Until the Eminent Domain Case was decided, the FBCCP Expansion Plans of the FBCCP/CPCS Corporation and non-sect membership, were frozen, "impeded", delayed in years of litigation because the State Legislature and County could not agree property needed for a road plan. This delay was even caused in part by John Grant ET AL with the State Legislature and Pat Bean ET AL with the County Commissioners and "Others" who then in collusion with themselves and the "Sect" and "Sect Agents worked to limit Plaintiffs Long Range Planning Committee's Bylaws authority, due process and recovery. Because of the motives and conflict of interest of Grant ET AL, Bean ET AL and Plaintiffs owning fully unusable property at 7705 Gunn Highway and then the frauds of the "Sect and Sect Agents" in purchasing, (as Townsend said not to buy until we had permit issues resolved and gave over 10 logical reasons as confirmed by the Zoning Master, County Commissioners and Judges), the 18005 Gunn Highway as part of the "Fraudulent Building Sham", Plaintiffs have been damaged and

never fully compensated by frauds, omissions of truthful disclosure and collusion of the "Sect and Sect Agents" as Grant ET AL, Defendants, now herein.

C. In 1994, Townsend as the elected Long Range Planning Committee Chairman, was assigned to develop and lead the Membership in their Mission Growth Plan, basically to build a much larger Auditorium, expand the school and campus needs of and through the 12th Grade and build a retirement/housing center either on the current site or by the proper purchase of a new useable property, but due to the "impeding" by the "Sect and Sect Agents" the "Free Will" and proceeds of the membership is being controlled and damaged still by the "implanted Sect Jeffers and Howlett" and their "Sect Agents" through the trespass and threats of Gee, Ober, McDarby and their lawyers and judges , still in collusion "impeding" Townsend from his duties to or with Plaintiffs since 1994;

D. Through now even in this litigation to per our Sovereign Rights per our Constitutions and per our Bylaws to discipline and or remove "Sect Members" and "implanted" "Sect Agents" and seek recovery from them and others for our damages to our Honorable reputation prior to their Frauds, and seek restitution for our loss of our Children, property and financial losses for their "Hate Crimes".

7. Each Defendant has unlawfully as a member of the "sect" or "sect agent" has "Impeded" our Religious Society Operation and use of our property and proceeds per our "Free Will" per: our Contracts; "Impeded" discovery of True Facts, Contract Rights, Due Process Rights and Civil Rights; in collusion for Defendants and "others Unknown" Malicious Enterprise to Defame Townsend in a "False Public Light" and "impede" Townsend's discovery and production of his

witnesses (even his children and Religious Society Members), Contract Business Records and Business Contract Rights and Civil Rights and obstruct justice and proofs of the violations of law Townsend as a Whistle Blower is still attempting to expose and the Malicious Enterprise Actions have Defamed FBCCP/CPCS and the “Non-Sect” Honorable Members.

8. All Defendants and “Others unknown” then as “Reckless” members of the “Sect” [Ron and April Beck, Elbert Nasworthy, Tim and Karen Jeffers, Joe Howlett, Herman Meister, Gary Leatherman, Paula Powell, Karen Harrod Townsend, Dr. Lonn and Gayle Lynn, Deacons and “Others”,] or as “Sect Agents” [Deputies Jeffers, Howlett, Smoak, Corbin, David Gibbs, John Grant ET AL, Charles Denny IV ET AL, Scruggs, Gray, Turmel, Governors ET AL, Florida Supreme Court Judges and Agents, The FDLE, HCSO and State Attorneys and Others] have unlawfully acted with actual malice and reckless disregard for the Contract Rights and Truth and to extort this Whistle Blower Townsend and others to be quiet, abducted Plaintiff’s Proceeds, Rights, and “impeded” Townsend and Townsend ET AL from receiving “Honest Services” by their Malicious Prosecution and “Hate Crimes”.

9. On 9/8/1999, when Townsend per the demand of the Membership asked the “Sect”: A. Show me the money; B. Stop the Building Scheme Frauds; C. Stop lying to my family and friends; D. Stop stealing our money; the “Sect” and “Sect Agents” illegally without a vote of the membership as required by the Bylaws, and F.S.617.10, banned Townsend from his FBCCP Assembly and Duties.

10. Then to continue the Malicious Enterprise for further defamation and extortion on Townsend, on 10/21/1999, Defendants made a deal with Karen Harrod Townsend, for herself to conceal attempted murder, batteries, assaults, illegal drugs use, frauds, breach of contracts and tax evasion,(crimes which enjoin her in charges for Malicious Prosecution even as a Spouse) and for the “Sect and Sect Agents” without due process and even being later reminded of the law warned by Judge Palomino 11/15/2001 of their illegal F.S.71.30, Unlawful Interference with Child Custody actions these defendants and others unknown, abducted and continue to abduct and by Torts interfere with Children, J.G.T. and J.D.T. in their “Hate Crimes” actions and illegally prevented our: even Religious Society Assembly; Duties to investigate and expose crimes that may offend other members honor and integrity even in a trial; and Benefits since 9/8/1999, as determined by Defendant “Alias Judge” and individual, Marva Crenshaw and “alias honorable responsible attorney” and individual, Charles Denny IV, Charles Scruggs [saying “someday your kids will come back to you” and did frauds with his co-participants even criminal judges to Fraud an Honorable Court and Plaintiffs to conceal Townsend had a legal right to see or depose his kids] and Heather Gray and FSCt. Chief Judge Charles Canady knowing of crimes since 1987 and thereby adjudicating as the Chief Judge, all since 1987 to be guilty in the Malicious Enterprise, and even John Grant 11/2012, thereby admitting the crimes of all in collusion acting to continue the illegal Malicious Enterprise by Malicious Prosecution using delay and frauds and knowingly aiding and abetting Defendant John Grant ET AL (writing letters and emails and by verbal frauds) as

the alleged "Honest Serving, Responsible" FBCCP Registered Agent and F.S.617 Lawyer, Florida Legislator and Florida Republican Committee Member with his Fellow Republicans and the State Agents and HCSO Agents with David Gee and Gary Terry, and with Mark Ober ET AL, with David Gibbs and "Others" but since 10/1994 and before, Intentionally concealing truthful documents and facts and "omitting truthful disclosure" and or knowingly doing Torts and making false allegations by himself, "Sect Members" as alleged honorable FBCCP/CPCS, Clergy (Beck, Nasworthy, Meister, Brown, Ferguson), Employees (Karen Jeffers, Karen Townsend, Gayle Lynn, Paula Powell and Others) and members, Gary Leatherman, Geoff Smith and Others and Agents still unknown, Pinellas Deputy Tim Jeffers and HCSO Deputies Sgt. Joe Howlett and Det. Michael Smoak since 1999, and as Individuals, and Officers in collusion with their Superior Officers, in collusion with civilians alleged as rightfully and legally elected Officers in good standing per their Contracts with Others of the "Sect" and "Sect Agents" of Plaintiff FBCCP and continuing "Hate Crimes" and other violations using and operating "under color of law" Plaintiffs proceeds and even falsely as assisted by Mark Ober's Victim Assistance Agent Mr. Baughman and others, using the alleged honorable wife at that time (now Defendant Karen Harrod Townsend willfully participating in the Malicious Enterprise to conceal her acts of Attempted Murder on Townsend, Tax Evasion, Assaults and Batteries on Townsend and the Children and frauds to the Non-Sect as she admitted in her affidavit of 12/2005 to judge Holder) and children J.G.T. and J.D.T. to allege criminal acts and defamation in a False Public Light against Townsend in legal

cases 01-15813, 01-15814, 02-4974, and 05-9605 and still through current times in each related case even by the allegation on August 25, 2015, by Attorney for Deputies (Retired) Howlett and Smoak, that "at the time the drug transaction leading to his (Townsend) arrest took place" that Howlett and Smoak as "Individual's" as alleged "lawful" Members these "law enforcers" allege they have the right use their "Masked" "Under Color Of Law" alleged Right as "deputies allegedly honorably to be investigating and exposing criminal acts" instead to do Frauds to unlawfully take our Designated Proceeds and do fraud and delay of the Mission Growth Plan and the Plaintiffs Rights during the Eminent Domain taking and building plan, and thereby Breach their Contract with the FBCCP and do intentional Torts and "False Reports and False Detainments" as "Hate Crimes" and file fraudulent reports in FBCCP Business Meetings and "impede" truthful reports and to other alias "Law Enforcers" as already specifically indicted/affirmed by Crenshaw and Denny IV since May 10, 2006 and as confirmed by other courts and co-defendants own admissions.

11. A Matter of Fact is the admission of Attorney Charles Denny IV, on May 10, 2006, and the exhibit of his own statements in the transcript he added to this courts records shows his admitting the guilt of these defendants his clients of the "Sect" and their "Sect Agents" including himself and "alias" judge Crenshaw also recusing herself for knowingly aiding and abetting with fraud by her associations with Defendants Jeb Bush who appointed her and Charles Crist and her willful participation from 2003-2006, aiding and abetting "Hate Crimes" as even abduction of children for ransom (continued use of proceeds by defamation of the

Religious Society Honorable Leader Townsend as a threat to others) as part of the Malicious Enterprise, and Denny IV admits representing in the related case 02-03812, shows he and judge Crenshaw and those for who they spoke is affirming FSCt. Canady's ruling affirming the Malicious Enterprise and the FSCt and Chief Judge Canady's disbaring Plaintiff's Attorney Gray knowing she was to paid to litigate these illegal acts for her clients these Plaintiffs and since they disbarred her for these failures as a lawyer she became the defendants representative and then as all other lawyers are just as guilty and are estopped from denying their admissions they describe as "Hate Crimes" and by this admission admits to betraying, negligently representing, intentionally doing frauds and increasing damages and delaying the "Mission Growth Plan" and Rights of these Plaintiffs the Non Sect Owner/Operators of and or as The FBCCP and the Church Mission the CPCS to be under the supervision and management of the NON-Sect Members of the FBCCP per the Bylaws and the Nominations Committee Process, not the "Sect" or "Sect Agents" as our own reckless lawyers.

12. Further, then Denny IV, in collusion with Judge Barbas and "others" uses a void Order of recused judge Crenshaw and in collusion, Barbas backdates an Order of Dismissal of the 02-03812, case even though his authority of the case had already been transferred by Plaintiffs to the Federal Courts where 3/15/07, Judge Merryday rightly said this sounds like a case of "violation of Due Process".

13. Further, in admission of the Malicious Enterprise and guilt of named Defendants and still others unknown, in 2012, Florida Supreme Court Chief Judge Charles Canady admitted "Checkmate" and recused himself for his act he

knows of himself and his father involved in the Malicious Enterprise since 1987 and the entire FSCt and the 2DCA for past aiding and abetting in the “Hate Crimes” and even in the FSCt and 2DCA and 5DCA ruling in ROBINSON affirming the Malicious Enterprise to conceal evidence to continue defendants and others unknown unjust enrichment and actions regarding the disbarment of Plaintiffs attorney Heather Gray retained to expose these crimes and vindicate and restore her clients, yet knowingly and intentionally these Defendants allow the “Hate Crimes” to continue for their continued illegal use of Plaintiff’s proceeds and Contract Rights. Also even now Attorneys General and State Attorneys knowing of their admission of their Superior FSCt. Chief Judge Canady these continue unlawfully in their crimes as the FSCt and the Florida Bar aid and abet.

14. In addition, Defendant John Grant, on November 10, 2012, admitted that he knowingly even as a co-sponsor of the Ms. Doubtfire legislation intentionally aided and abetted and has instructed by frauds “Others” as David Gee and Mark Ober in the abduction of the kids from their Safe Home and Safe Parent and continued violation of this law to act in “Hate Crimes” against Townsend and his children (ages 16 & 14) abducted 10/21/1999 and no custody order was signed until by “alias” judge Timmerman until 12/2003, in a Divorce Action conspired and authored by Timmerman and Scruggs after both were notified per a 10/1/2003 Motion by Townsend that Scruggs was fired for Frauds and per this law willfully assisting in the unlawful abduction. See Plaintiff’s Exhibit #27, Per Florida Family Law §71.30:

“It is a crime for any person, without lawful authority, to knowingly or recklessly take or entice, or to aid, abet, or otherwise procure another to take or

entice, any child of seventeen years of age or younger from the custody of his or her parent or guardian, or other lawful custodian, including a public agency [§787.03(1), Fla. Stat.] Any such interference with the custody of a child constitutes a felony of the third degree...In either instance, a subsequent court award of custody of the child will not affect the culpability of an individual under the statute.[§787.03(3), F.S.]

Plaintiffs prove these Defendants knew their duties per the August 1998 letter from HCSO Gary Terry written to accommodate and honor the same Deputy Tim Jeffers and kept in Jeffers Personnel File, that since 1999, has unlawfully violated and abducted Plaintiffs even from assembly in their protected Religious Society to Defame Townsend as Dangerous but actually to continue the Malicious Enterprise even in 2014, by McDarby continuing violations of 71.30.

15. Additionally David Gibbs, CLA, John Grant admitted he knowingly gave false police reports about Townsend and Townsend's Facts since 1994 and he had exparte contacts with multiple defendants named in this case and "others unknown" including "Alias" judge Jim Arnold, in 2003, the sitting judge on the 02-03812, case until the case was reassigned to Crenshaw as part of the aiding and abetting and in collusion with Attorney Denny IV ET AL, the concealing of the Malicious Enterprise and judges and others including the records of multiple emails from John Grant to David Gee and Mark Ober and in intentional collusion prohibited Plaintiffs including or adding John Grant ET AL as a defendant in any related case until this case timely filed and per conditions precedent Government Persons have illegally "impeded" due process and contract rights since 1987 in these related continued cases both in Circuit, Appeals, or Federal Courts.

16. Plaintiff's affirm they have met conditions president and timely notified, our

lawyers, Governors, Cabinet Members as the Executive Branch and the Judicial Branch and the Legislative Branch at the State and Local Counties and even in the Orlando and other meetings with the Florida Bar Officers and Grievance Committee's, and FDLE Officers, (Sanz, Newton, J.r. Miller, John Barr), involved and each continues in violation of our Contracts to continue the Malicious Enterprise.

17. Per PROSSER, LAW OF TORTS §46 (West 4th ed 1971):

“All persons who actively participate in a tortious act, or who aid or encourage the wrongdoer in furtherance of a common plan or design to commit the tortious act, are equally liable with the wrongdoer for the act. Those who ratify and adopt the wrong doer's act that are done for their benefit are also equally liable with the wrongdoer for the act. Traditionally, all such aiders and abettors are joined as defendants in one action and each is held liable for the entire damage.” Matthew Bender and Company, Inc. Assault and Battery 20.04

18. This is intentional specific behavior and therefore per Dominguez v. Equitable Life Assurance Society 438 So2d 58 (Fla. 3rd 1983) shows sufficient proof that “emotional distress arose from the act”.

19. All Florida Bar Members as judges and lawyers and Florida Department of Law Enforcement Officers and a Sheriff as Officers of the Court to protect the integrity of the court are not to allow fraud in the court or fraud on the court by the aggressor who uses the fraud to the court to abuse the victim of the acts of the Malicious Enterprise and then assault and battery the victim again by the alleged “Under Color of Law” process in a Corrupt Court! Plaintiffs remind this court of F.R.O.P.C. 4-3.1, prohibiting attorney from bringing or defending a suit that in this case conceals even admitted crimes since 1987 that since about March 1988,

turns Assistant State Attorney or by others who have been using Plaintiffs proceeds as "Government Agents" or act in Breach of Contracts and torts.

20. EXXON CORP. USA v. DUNN 474 So2d 1269 states:

"Damages for emotional distress may be recovered from a defendant who maintains a nuisance, regardless of physical injury or impact. Annoyance, discomfort, inconvenience, and the like are the natural results of a nuisance and are thus compensable, even if the defendant did not intentionally, maliciously or recklessly create or maintain the nuisance."

"Compensation for injuries that to and extent involve emotional distress may also be recovered through such acts as torts as false imprisonment, assault and battery, wrongful birth and defamation."
PER FLORIDA TORTS 23.30

21. "Per 18 U.S.C.A. §1962(a-d), Although alleging agreement to engage in activities prohibited by Racketeer Influenced and Corrupt Organizations Act (RICO) is essential to establish conspiracy claim under RICO, proof of such claim is often established by circumstantial evidence." And "Existence of conspiracy and individual's participation in it may be inferred from circumstantial evidence." Donofio v. Matassini, 503 So2d 1278 (1987).

22. The Civil Rights Act of 1964 and Section §1983 of Title 42, U.S.C. states:

"which provides that any person who, under the apparent authority of state law, deprives another of any rights, privileges, or immunities secured by the United States Constitution and the laws will be liable to the party injured."

And Per Salinas v. U.S. 522 at 65, 118 S.Ct. at 477, 139 L. Ed. 2d at 362:

"A conspirator must intend to further an endeavor which, if completed, would satisfy all of the elements of a substantive criminal offense, but it suffices that he adopt the goal of furthering or facilitating the criminal endeavor. He may do so in any number of ways short of agreeing to undertake all of the acts/omissions necessary for the crime's completion."

23. As an Officer of the Court both as a lawyer in private practice in 11/1987, when being informed of the illegal actions of Charles E. Lane Jr. ET AL and as ASA Patricia McCarthy and ASA now AG Pam Bondi and Gov. Crist and Chief Financial Officer Tom Gallagher replied by her counsels in the AG's

office in the 2006-2007, related cases and now through and with AAG Cridlin and this courts records has already been informed of the findings of informed FSCt. Canady and Judge Crenshaw and attorney Denny IV of multiple "Hate Crimes" who wrote most of this 15-CA-1928 Complaint and violations of law as already found as damages to Plaintiffs and other Citizens and Complaint Paragraph 11, stating:

"Plaintiff also had duty as described above and herein and was asked by others to investigate and to report other acts of Negligence and Frauds and Conspiracy to Defraud when Pastors and others with Finance Committee Members and trustees sought to defraud the Membership, Government Agencies and individuals, including false reports to alias law enforcement officers, and for showing of intentional malicious defamations by defendants."

24. In a normal course of Defendants doing their Fiduciary Duty, Defendants as AAG Cridlin and those she is alleging to honorably represent as "alias law enforcement officers" are doing the actions to conceal and damage what Plaintiffs alleged since 1987, and have been "Hate Crimes" that Defendants in service to the citizens of Florida are to protect. Per F.S.838.21:

"A public servant who discloses or uses confidential criminal justice information with the intent to obstruct, impede, or prevent a criminal investigation or a criminal prosecution, when such information is not available to the general public and is gained by reason of the public servants official position, commits a third degree felony." Also F.S. 112.313.

But in this case defendants are in collusion to violate Due Process, Contracts and their Oaths and conspire to continue to victimize Plaintiffs so to continue the Malicious Enterprise on a Religious Society and the true Owner/Operators of a F.S.617 Corporation Not for Profit.

25. Defendant Mark Ober, Individual, was properly served a summons

with Plaintiff's Complaint in this continued Cause of Action to expose the Malicious Enterprise and Conspiracy in the Malicious Prosecution since 11/1987, on 6/24/2015 and failed to file any answer as required by law until July 29, 2015, after the Default Clerk Specialist had filed a Default. This is 35 days after but not including the day of service of June 24, 2015.

26. The Motion for Default was filed and requested by Plaintiffs on July 28, 2015, while Townsend waited at the Clerks General Service Counter, but by confusion and error in the Clerks new office, the Default Clerk did not enter the Default on Defendant Mark Ober, Individual, on the 28th but until July 29, 2015, but before any attempted answer filed as "DEFENDANT MARK OBER, STATE ATTORNEY FOR THE THIRTEENTH JUDICIAL CIRCUIT'S MOTION TO DISMISS PLAINTIFF'S COMPLAINT WITH PREJUDICE AND MEMORANDUM OF LAW" as in point 2. for Mark Ober, Individual, was filed by AAG Cridlin.

27. Plaintiff Townsend advised the defendants that Plaintiffs filed for the Defaults on Tuesday, July 28, 2015, and this alerted AAG Ms. Shelley Cridlin who filed "DEFENDANT MARK OBER'S MOTION TO VACATE AND SET ASIDE CLERK'S DEFAULT" on July 31, 2015, which alleges defenses of State Attorney Mark Ober, not Mark Ober, Individual.

28. An unknown judge, unannounced to Plaintiffs, conducted an ex parte hearing and electronically signed an order vacating the Default by the Clerk.

29. Later it is learned, it is a substitute for Judge Barbas, who went out on emergency medical leave and a Judge Nash, an appointee of a defendant(s) in this case Governor Rick Scott and Rick Scott, Individual, who is substituted to

hear the AAG Cridlin Motion Exparte and who vacated the Default of the Clerk and let the Motion To Dismiss filed after the Default by the Clerk to stand as the Answer by Defendant State Attorney Mark Ober, with claims of “excusable neglect”, “meritorious defense”, “and due diligence in seeking relief”.

30. The “DEFENDANT MARK OBER’S MOTION TO VACATE AND SET ASIDE CLERK’S DEFAULT” is an fraud and fraud at law and used fraudulently prepared exhibits and affidavits in an attempt at Fraud on the Court and Fraud on the Plaintiffs to keep Plaintiffs from their “Day in Court” since 1987. The Defendants have concealed that they have been duly notified of these claims in the related cases and Defendants even the lawyers retained to obey the law illegally conspired with other to limit Plaintiffs adding Defendants as Mark Ober.

31. Defendant Mark Ober, Individual, as an Individual before becoming the State Attorney knowingly, intentionally, willfully and negligently received Plaintiffs proceeds and participated in Quid Pro Quo acts and Torts now defined by the Court of Judge Crenshaw and Attorney Charles Denny IV and his superior Court Officer, FSCt Chief Judge Canady in 2012, as “Hate Crimes” and therefore as an Individual, cannot claim any type of Immunity.

32. Plaintiffs allege and believe that Defendant Mark Ober, as State Attorney, who has not yet been even served, should be of great importance to the court as a Matter of Law to show the distinction of SLAPP rule for Torts by individuals, is by using his now State Attorney Office to allege to defend him as Mark Ober, Individual, has violated: 1. His Oath of Office to serve the Florida and United States Constitution; 2. Multiple duties defined in these Constitutions; 3.

And knowingly did "Hate Crimes" defined as SLAPP under F.S.768.28(9)(a); 4. And Now violates his Political Office for personal gain using an Assistant Attorney General who is using State Funds in violation of Florida Constitution Article I. Section 3. To unlawfully assist a "Sect" and "Sect Agents" as his co-participant John Grant ET AL, David Gee ET AL, Pam Bondi ET AL, Patricia McCarthy ET AL, Governors Jeb Bush, Charlie Crist and Rick Scott ET AL, The Florida Bar, The FDLE Commissioners since 1987, Florida Supreme Court Judges since 1987 and Florida Attorney's Generals since 1987, and "Others Unknown" a.k.a. "The Government Veil". Also Florida Constitution Article 1 Section 5. Right to Assemble; Article 1. Section 9, Due Process; Section 13, Habeas Corpus; Article 1. Section 15. Prosecution for crime; (a) No person shall be tried for capital crime without presentment or indictment by a grand jury, or for other felony without such presentment or indictment or an information under oath filed by the prosecuting officer of the court" as Mark Ober, Individual, or Mark Ober, State Attorney, knowingly and willfully allows his "agents" to willfully allow John Grant ET AL, David Gee ET AL, John McDarby ET AL, Gary Terry ET AL, Michael Smoak ET AL, Joe Howlett ET AL, Pam Bondi ET AL, Governors, Rick Scott, Charles Crist, Jeb Bush ET AL and now Ms. Cridlin ET AL, and Lawyers: Denny IV, Heather Gray, Charles Scruggs III, Stacey Turmell, Patricia McCarthy and Judges and "Others UNKNOWN" to become the judge and the jury and intentionally violate a Religious Society's Contract with the State of Florida and the United States of America to protect their Sovereign Religious Rights of Self Government and Religious Practices of their Members and violate by Breach of

Contract and allow Tort "Hate Crimes" specifically stated in the Bylaws of Conduct NOT TO DO, by members "masked as Under of Color Law enforcers" to usurp their BYLAWS Superior Officer Randall Townsend and to Under Color of Law allege to remove Townsend from office and prosecute Townsend for false charges and detain him from his Religious Society Duties and Rights, and remove him from Assembly with his Children, Wife and Church school Sovereign Duties, without ever filing "an information under oath filed by the prosecuting officer of the court". Further in violation of F.S. Article 1. Section 16. Rights of the Accused and of Victims: (a) In all criminal prosecutions the accused shall, upon demand, be informed of the nature and cause of the accusation, and shall be furnished a copy of the charges, and shall have the right to have compulsory process for witnesses, to confront at trial adverse witnesses, to be heard in person, by counsel or both, and to have a speedy and public trial by impartial jury in the county where the crime was committed. (b) Victims of crime or their lawful representatives, are entitled to the right to be informed, to be present, and to be heard when relevant, at all crucial stages of criminal proceedings, to the extent that these rights do not interfere with the constitutional rights of the accused."

Section 17: Excessive Punishments: without the "information under oath filed by the prosecuting officer of the court" these Malicious Enterprise participants allow non-member Sheriff Deputies, John Grant ET Al, FBCCP Lawyers allegedly representing and protecting the Rights of the F.S.617 Religious Society and Owner/Members and their "Sect Agents" to "cruel and unusual punishment" to their clients and especially Townsend elected to as the Nominations Committee

Supreme Court Member advocate their Religious Society Contract Rights and his family to be abused by “Hate Crimes” and since 1994 and before in the 1987 Townsend v. Lane ET AL legal case per Section 21. Access to Courts be denied, Section 22 Trial by Jury and Section 23. Right to Privacy to perform our Religious Society Sovereign Rights. Additionally, since these Defendants claim Deputies Howlett, Smoak, Jeffers, Corbin and State Officer John Grant had a right to “impede” the Religious Society rights Article 1. Section 24, is violated in the statement “Every person has the right to inspect or copy any public record made or received in connection with the official business of any public body, officer, or employee of the state, or persons acting on their behalf.” By even keeping members from investigation of alleged members crimes in violation of our Religious Society Bylaws and our attempts to not be defamed as violating a Federal or State Law. Facts that in May 10, 2006, agents of Mark Ober for the Malicious Enterprise Agents as Judge Crenshaw and their Attorney Charles Denny IV already conceded as “Hate Crimes” as others even of Mark Ober’s Victim Assistance Program, Mr. Baughman and Ms. Lopez since 11/2001 and 2006, respectively, also have agreed and now defendants are estopped from trying to “UNDO” their prior confessions of “Hate Crimes”.

33. Mark Ober, Individual, has failed to Obey his Oath and Fiduciary duties for his own personal advancement at the direction of his co-conspirators in the Malicious Enterprise.

34. Quoting Chapter 67 of Florida Jury Instructions by Richard B. Badgley, at 67.01[3]—Comment,

“The Florida Supreme Court has adopted the position set forth in the Restatement (Second) of Torts §46, which acknowledges the existence of an independent tort for intentional infliction of emotional distress.¹ At the same time, recovery of damages for emotional distress in a cause of action for another tort remains viable.² Damages may be recovered for emotional distress without a showing a bodily harm resulting from the emotional distress.³ Examples of this include certain abusive debt collection practices.⁵ Conduct that is actionable as intentional infliction of emotional distress may also give rise to liability for malicious infliction of emotional distress, for which punitive damages may be sought.⁶ 67.02[3] “Abuse of real or apparent authority over a plaintiff may also rise to the level of extreme and outrageous conduct.⁵ Examples of Florida cases in this category include and abuse of position by a police officer.⁷” Per CITY OF DELAND v. FLORIDA TRANSPORTATION AND LEASING CORP 293 So2d 800 (Fla. 1st DCA 1974).

III. LEGAL STANDARD FOR SUMMARY JUDGMENT

“A party is entitled to summary judgment as a matter of law when it can demonstrate that there is no genuine issue as to any material fact. See Fla. R.Civ. P. 1.510, see also Celotex Corp. v. Catrett, 477 U.S.317, 325 (1986);Anderson v. Liberty Lobby, Inc. 477 U.S. 242,247-248 (1986)

IV. NONE OF DEFENDANT Mark Ober, Individual’s, CLAIMS CAN

WITHSTAND SUMMARY JUDGMENT

- A. EXHIBIT #25—Patricia McCarthy letter to David Popper March 8, 1988
- B. EXHIBIT #26--January 5, 1993, Bruce Chapin Letter
- C. EXHIBIT #28--Sabal Marketing Pre Agreement
- D. EXHIBIT #29--Bonneau Agreement, June 1, 1985
- E. EXHIBIT #30-- Bonneau Agreement September 25, 1987
- F. EXHIBIT #31--Bonneau Letter of August 15, 1988
- G. EXHIBIT #32-- John Grant Email to David Gee and Mark Ober 6/13/08.

35. In Townsend APPELLANT’S REPLY BRIEF in case 94-1913, included herein as PLAINTIFF’S Exhibit #33, with arguments that proved the frauds: Intrinsic, Extrinsic, Fraud At Law and Fraud on the Courts being done by Chief Judges Powell, Strickland through Perry, ET AL in intentional collusion with Bruce and Linda Chapin, Popper, Williams Jr., Lane, and Publix Executives (Lane Sr., Ed Crenshaw and Others) and “Others” unknown that the 5th DCA in

1994, fraudulently for Extrinsic Fraud by Fraud on the 5th DCA used a P.C.A. Ruling as a Fraud from its intended purpose per the ratification by the voters to conceal the Malicious Enterprise. This Appeal then was taken to the Florida Supreme Court which also illegally continued in the Malicious Enterprise to conceal the unlawful actions which assisted Government Persons through the actions of Chapins with the FSCt and Chiles and others. The U.S. Supreme Court did not hear the case and said ask for writs later. Then the cases were returned to the lower court.

36. The Ruling by the 5th DCA in ROBINSON, 9/1/2006, and the recusal of Judge Crenshaw on 9/7/2006, after Townsend's production of documents and oral arguments affirms the legal pleadings as Townsend alleged since 1987 and wrote in all the earlier related cases exposing the Malicious Enterprise as confirmed by the "Checkmate" ruling of FSCt. Chief Judge Canady in 2012 and confirmed by the 11th Circuit Court of Appeals that law enforcers have failed to provide "Honest Services" confirming the disbarment of Heather Gray as should be others.

37. Plaintiff's ask the Honorable Court to take judicial notice of all records filed in this case and all related cases and incorporate the records herein as needed.

38. Defendants claims of no prior notification, expired statute of limitations and Immunity and no laws violated that required their civil or criminal actions or third party counterclaims is not justified Defenses as Matters of Law and an attempt at Fraud On an Honorable Court and Plaintiffs as the Malicious Enterprise to defame Plaintiffs by Malicious Prosecution is clear from the ongoing records

since 1987, based on Defendants own admissions to various parts of the case. Until the 11th Circuit Court of Appeals ruled in 2013, in Townsend ET AL v. Gray ET AL. The Courts Order remains vague on multiple points Plaintiffs raise on Matters of Law as to the persons submitted in the case included in FRAP.26.1.

A. Pinkerton v. West 353 So2d 102, 1977, 76-1882, 4th DCA 1977, states: “(1) for purposes of commencement of two-year statute of limitations for legal malpractice suit, client was not chargeable as a matter of law with knowledge that lawyer was wrong or with failure to use reasonable diligence to so discover, when he allegedly told client that law as stated in newspaper article did not apply in Florida, and (2) clients repeated expressions of dissatisfaction and distrust of attorney was not sufficient to put client on notice of alleged shortcomings.”

In this case even the highest levels of Government Persons argue with each others even their superiors admissions of the Malicious Enterprise.

B. SMYRNA DEVELOPERS, INC. V. BORNSTEIN, 177 So2d 16 2nd DCA 1965, “Attorney who fails to perform duties of representing client and handling client’s affairs with utmost degree of honesty, forthrightness, loyalty and fidelity may become personally liable to client for loss ensuing whether the failure consists of fraud, negligent performance, or failure to perform.”

C. DYKEMA v.GODFREY, et al 467 So2d 824 (Fla.App 1st DCA 1985), “A cause of action exists as against attorney who neglects to perform services which he agrees to perform for the client or which by implication he agrees to perform when he accepts employment.”

D. SURITZ v. KELNER 155 So2d 831, (Fla. App.3rd DCA 1963), “A jury question was presented as to whether an attorney was negligent in failing to tell his client to answer interrogatories which were properly served upon him by a third party tort-feasor...Also Issue of whether client lost anything of value when he lost his cause of action due to alleged negligence of attorney was for jury, where evidence presented jury issue as to whether client was contributory negligent at time he was injured on premises of alleged tort-feasor.”

E. GREENE v. KOLPAC 549 So2d 1150 (Fla. App.3. D1st 1989) quoting Besett v. Basnett, 389 So2d 995, 998 (Fla. 1980) (adopting Restatement (Second) of Torts §§540-42 (1976); accord Johnson v. Davis, 480 So2d 625, 628 (Fla. 1985) The law appears to be working toward the ultimate

conclusion that full disclosure of all material facts must be made whenever elementary fair conduct demands it, ... Florida Rule of Civil Procedure 1.190(a) requires that leave to amend should be freely given where there is no showing that the privilege has been abused, and the more so where leave is sought at or before a hearing on a motion for summary judgment."

39. Defendants as Delay in the Malicious Enterprise have continued Malicious Prosecution by defaming Plaintiff's that we are not lawyers and cannot understand their law, their withholding evidence, their concealing their actions, and their still disagreeing about their rights to their actions and how they have kept these Plaintiffs from their rights to even assemble as a Religious Society as their own Sovereign Jury with the legal representative Townsend they elected to advise them after reviewing since 1987 Business Records and receiving Responsible Legal Counsel, that somehow these Defendants even by the Motion to Dismiss filed August 25, 2015, by HCSO Attorney Lindemann to protect all Defendants go back to 2006 issues Townsend already pled and already solved by judge Crenshaw per:

UMBERGER v. JOHNS 363 So2d 63, 1987, and herein as Plaintiff Exhibit #34, that the "Sect" had no authority on 9/8/1999, to remove Townsend and "impede" his investigation of the "Sect and Sects Agents" Bylaws violations and possible criminal acts and then remove him from Officer positions and then try to alter the Bylaws and now allege Deputies Howlett and Smoak are excused to operate outside the Bylaws which then keeps Plaintiffs detained in frauds without Civil or Contract Rights or an impartial jury who may say what only may be in question is the degree(s) "actual Malice" to determine Actual and Punitive Damages for the "Hate Crimes" and unlawful acts and Breach of Contracts in their course of

defaming, unlawful controlling of proceeds and Rights that have been done by Co-participant Defendants which still damage Plaintiffs now for over 27 years and these issues must be decided by a jury but even these Government Defendants keep Plaintiffs from knowing their rights even per Grand Juries.

CONCLUSION:

1. Plaintiff's have proved beyond any shadow of doubt the 6 elements of their Conspiracy to do the Malicious Enterprise and the Malicious Prosecution to take Plaintiffs proceeds/money and Defame Townsend' points of facts and laws even by these admissions of guilt by these defendants, their Superior Courts and others yet these Defendants and their agents and others unknown continue to "delay", "initiate more acts, prosecute or pursue the original case for improper purposes" with actual malice and reckless wanton and willful disregard knowing:

A. Their co-participants are in political and judicial and legislative and Public and media and "Others unknown" positions and illegally "implanted" in the Religious Society FBCCP as "masked officers under color of law" to try to continue the Malicious Enterprise for "Hate Crimes", money, conceal the frauds with Hillsborough County Attorney/Administrator Pat Bean and others to reduce their payout in the Eminent Domain Case, elections controls and money; and child abduction for their own Quid Pro Quo advancement;

B. Patricia McCarthy, Popper, Chapin ET AL with Lane ET AL since 1987, did not have probable cause to delay production of records or even file their counter-claim to conceal their proved drug gang, bribery, extortion and RICO

Gang activities to pay bribes for themselves and politicians. Then by torts to limit Townsend to stop all his business and assist 100% Lane in violation of the HOBBS Act, 18 U.S.C. 1951 so only those that continue the Malicious Enterprise can get the proceeds or Quid Pro Quo rewards; and

C. Since 10/1994, with the Confession from the Pulpit in a Regular Quarterly Business Meeting, Administrative Pastor Elbert Nasworthy and new Senior Pastor Ron Beck and the Finance Committee Members and Trustees admitted to Breach of Contract Acts of the Bylaws, redistributing of Designated Funds and self-dealing and evasion of Tax liability and putting the F.S. 617 Corporation Not For Profit and the Religious Society Members in a possible illegal status by a "Sect" and that the fact that the Members in such a status were damages in a "False Public Light" which still remains to this day because illegal Sheriff Deputies Howlett and Jeffers and Smoak and Corbin and Registered Agent/ FBCCP Lawyer Republican Party Leader John Grant and David Gibbs, Lawyer to the Jeb Bush Republicans (now even in the sale of the property to the K-12 Organization) and their Superior alleged "Law Enforcers" continue to block discovery of said alleged "proper" Business Records and these Members "Designated Proceeds" and the Members "Free Will" to operate per our BYLAWS has been controlled by Fraud(s) of "Masked Deputies" ET AL, Under Color of Law and Under Color of Uniform even admitted as causing Defamation to the FBCCP by the email Exhibit# 32, of Defendant John Grant 6/17/2008, states:

"It would appear to me that you are either obsessed with damaging the reputation of others, bankrupting the Citrus Park Baptist Church or a mental case who should be Baker Acted",

alleging defamation against Townsend as the speaker for the Non Sect Members now proved Truthful about all issues of Defendants Malicious Enterprise was or is "ruining another's reputation or to knowingly place blame on someone other than the actual wrongdoer" when production of records reveals "Hate Crimes" and thousands of dollars diverted for unintended purposes to these Defendants and "Others unknown" by the "Sect" to unknowns illegally "taking our Free Will" and Contract and Civil Rights.

2. Especially note the Defamation step(s) totally in "Odious and Outrageous" "Hate Crimes" as contrast to our Bylaws and Religious Society REQUIRED Practices by the "Sect" concealed by their "Sect Agents" of September 8, 1999, to conceal the "Sects" false business records and self-dealing and the fraudulent Building Scheme many members already knew and were looking for more records for more proofs before making such as a Criminal Charge, the illegal removal of Townsend from his Authorized Offices as these Members had elected him since 1993-1994, to prevent their demise and defamation by this Sects and the "Sect Agents" knowingly, willfully, intentionally and recklessly illegal choices. And the Act of causing the breakup of a marriage and the illegal abduction of children 10/1999 and the intentional actions by Defendants and Others Unknown without probable cause to keep separate a family regardless of Judge Palomino warnings, and the 2003 Judge Timmerman Order of visitation. Additionally, continuing still to current times allow Defendants and "Others UNKNOWN" to intentionally through HCSO Master Detective John McDarby to still through 2014 to threaten Townsend, "Don't go to your Church.

Don't try to see your kids. Don't file more lawsuits" and 10/1/2014 stating on public Tampa sidewalk, McDarby will even arrest Townsend for allegedly "raising his voice" as disturbing the peace yet ignoring their actions since 1987, disturbing our peace and rights even these HCSO admit are crimes per their ABBOTT Report. Also telling more lies as to his alleged contact with J.D.T. and J.G.T and that "they did not want contact with their father" in total contrast to their letter the night of their 10/21/1999, till now abduction attached herein as Plaintiff's Exhibit 35, but then October 1, 2014 admitting he never spoke to the kids or delivered the letters as promised 4/8/2014. Even while a lawsuit against him and his HCSO co-defendants since about 2001, and other Defendants as listed in FRAP 26.1, Plaintiff's Exhibit 21, as Townsend has filed with multiple courts and agencies is pending and active for their Torts in the Malicious Enterprise Defendants still act illegally.

3. Plaintiff request full discovery of all necessary records since 1987.
4. Plaintiffs seek full relief and restitution to the fullest extent of the law.
5. Plaintiffs request an Order of Summary Judgment on Defendant Mark Ober, Individual.
6. Further, Plaintiff's request the Court Order as it deems in the best interest of justice to benefit Plaintiffs and this Court for a speedy trial for damages and punitive damages as it seems just and proper.

Respectfully Submitted by:
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FOR ALL PLAINTIFFS

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was provided this day of 9/14/15_ by hand or email or e-filing to the Clerk of the 13th Circuit 800 East Twiggs St. Tampa, Florida 33602 and by emails as follows TVG Electronic FILING CASE NO: 292015CA001928A001HC, Shelley.cridlin@myfloridalegal.com; Christina.santacroce@myfloridalegal.com; Celia.wright@myfloridalegal.com; khornbee@hcsotampa.fl.us; olindema@hcsotampa.fl.us; FLservice@gtlaw.com; trammellc@gtlaw.com; moodym@gtlaw.com; richardb@gtlaw.com; lgustofik@pcsonet.com; dconnolly@pcsonet.com; araymond@dglawyers.com; cdenny@dglawyers.com; corourke@dglawyers.com; scruggspa@aol.com; kkharrod@gmail.com; kjeffers@citruspark.org for Tim and Karen Jeffers 15217 W. County Line Road Odessa, Florida 33556.

SUPPORTING AFFIDAVIT

BEFORE ME THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED RANDALL C. TOWNSEND, PRESENTING IDENTIFICATON, WHO UPON BEING DULY SWORN AND CAUTIONED EXECUTED AND STATED IN HIS OWN WORDS AND TOOK AN OATH THAT THE STATEMENTS AND THE THINGS CONTAINED THEREIN ARE TRUE AND CORRECT, TO THE BEST OF HIS KNOWLEDGE, INFORMATION AND BELIEF.

WITNESS MY HAND AND OFFICIAL SEAL THIS _14th_ DAY OF September, 2015,

BY ID PRODUCED _____

NOTARY PUBLIC: _____

Respectfully submitted,

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