

**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**

Case No.2015-CA-001928

Plaintiffs,

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 OBJECTION AND REPLY AND MATTERS OF LAW TO
DEFENDANT MARK OBER, INDIVIDUAL,
MOTION TO VACATE AND SET ASIDE THE CLERK’S DEFAULT**

**COMES NOW, Plaintiff Randall Townsend, Pro Se, and as F.S.617.0834,
Representative and states the following:**

- 1. Mark Ober, is served in his Individual Capacity per the Summons and Affidavit already in the file of this Court. In this Summons is no mention of any of the Official Capacities or Agencies for which Mark Ober claims he is employed to serve as their Agent or for which he may try to allege protects him or his intentional “Bad Faith” Acts under and per F.S.768.28(9) SLAPP.**
- 2. Randall Townsend has walked on egg shells taking the high road per the advice of his attorney Patricia McCarthy since 11/1987, who then abandoned her clients and went to work in the State Attorney’s office.**

Townsend is still protecting himself from a variety of false charges by this McCarthy/RICO Gang working with Mr. Mark Ober in his office along side Townsend's first attorney in this matter, Mrs. Patricia McCarthy since 1988, and heard from "persons" or "agents" of the State Attorney's and Attorney's Generals and U.S. Attorney's Office and DOJ Offices and "alias law enforcers" excuses of their actions damaging Plaintiffs by their admitted negligence, intentional torts, delays while these agents and others and "Others DOE" under their claims of allowed mistakes, immunity and Under Color of Law outright intentional frauds direct the judges as "Fraud on the COURT" for some other "alias" law enforcer allegedly "Under Color of Law", ignore the CIVIL, PARENTING, PROPERTY, MONEY RIGHTS OF THESE PLAINTIFFS to freely operate per our CITIZENS RIGHTS while we are restrained, "impeded" and victimized further by F.S.728.(9)(a) SLAPP Violators doing total wanton disregard of our rights for Assembly with our Children or Religious Society "Impeded" by illegally implanted "agents" directed many years by Mark Ober, Individual, for his actions "Under Color of Office" personal benefit for him and his "agents" and "co-participants" while they take unlawful political privileges and illegally money from Plaintiffs and Publix, as Townsend reports their ongoing Malicious Plan since 1987 to Townsend's Lawyer Patricia McCarthy who went to work as a State Attorney's Agent, A.G. and DOJ Agent.

3. The Complaint Filed February 27, 2015, clearly:

A. Shows in the Certificate of Service (page 30, that Mark Ober, is

sent a copy of the stamped complaint. Townsend and as had Defendant Grant by multiple known emails alerted Mark Ober, Individually, of these years of violent acts by Defendants and Others and “Others DOE” and per the emails from John Grant, Mr. Gee and Mr. Ober and “Others” sent HCSO Master Detective John McDarby to “impede” and “threaten” Townsend as these emails show:

1. “Per the email of HCSO Master Detective John McDarby, a Defendant in this case dated May 7, 2014 at 2:46 PM, Detective McDarby writes:

“We can’t enforce federal laws. We are a County agency that enforces Florida laws. I do care, though. That is why I am advising you to go to the Department of Justice. They look into federal civil rights violations.”

2. Mr. Randall Townsend on May 7, 2014 at 2:31 PM, wrote: “So you are officially saying the HCSO does not follow and ignores the Florida Civil Rights or Federal Civil Rights Act!”

3. Detective John McDarby on May 7, 2014 at 2:31 PM, wrote: “That was a little hard to understand, but if your main complaint is a violation of your civil rights, contact The Department of Justice.”

4. Master Detective John McDarby on May 7, 2014 at 11:04 wrote: “But again, FBCCP bylaws are not covered by the Florida State statutes. You keep talking about extortion, but what you describe isn’t and extortion. You are just angry about how the church treated you.”

5. Master Detective John McDarby on May 7, 2014, at 8:12 AM

wrote:

“Randall, A church buying property against the wishes of someone isn’t a crime. Everything you complain about isn’t illegal. You keep referencing judicial rulings. If they are ruling on these cases, why do you keep trying to get me to look into this matter?”

And the above is verified proof of the HCSO intentional Breach of Contract(s), and Fiduciary Duty per our Contracts and Constitution Rights for unlawful abuse of process as by the HCSO ET AL with Ober directing his “agents” even Victims’ Assistance Curtis BAUGHMAN who with his superior officers admitted they were advised to assist HCSO Deputy Joe Howlett in his charges against Randall Townsend in the Court of Judge Palomino on 11/15/2001, of which Judge Palomino warned Defendants (present in the court were Charles Scruggs, Ron Beck, Karen Harrod, Curtis Baughman) and as the transcript of this warning to not impede with Townsend and his children but these abductions still continue and are assisting the Malicious and False defamation and Malicious Prosecution done by HCSO Deputy Howlett “impeding” Townsend acting per the Bylaws, Howlett aiding and abetting in the Beck 01-15813 and Harrod 01-15814 Sham litigations and collusion filing false reports and defaming Townsend as intentional torts against these Plaintiffs our “alias” “law enforcers” act ignoring their own agents “Bad Faith...” SLAPP ACTS continuing the same crimes since 1994 and before as they intentionally

joined in the Malicious Prosecution since began by McCarthy, Williams, Popper and Lane/Publix ET. AL.

B. lists multiple prior cases and agents and agencies being sued and specifically on page 2 names Mark Ober, Individually, as he has directed as his “agents” to continue to delay and do SLAPP acts to Maliciously continue the Plot even intentionally “impeding” in prior cases;

C. Defendants to be served in their Individual Capacities due to the SLAPP Rule and the nature of the allegations in the Complaint specifically stated as in the Complaint and Conditions Precedent filings showing Mr. Ober has had notice since taking his lead of the State Attorney’s Office requiring his to run in Political Elections where he can accept campaign funds from defendants herein thus a personal conflict of interest and State Laws he even is to enforce.

4. Townsend filed the Notice to Default with the Clerk, Tuesday July 28, 2015 and at July 28, 2015 at 8:06 PM did send an email to Defendants informing them of the filing of Plaintiff’s Motions For Default(s). The Clerk accepted these Motions for Default and that day referred them to the Clerk Specialist for Defaults Stephanie and Lisa Ray to be processed and Filed. The Clerks office on July 29, 2015, prior to the entry of the Notice of Appearance of Counsel and Ober Motion To Dismiss, admitted the mail clerk had misplaced the Defaults and the exhibits Townsend filed the prior day to be processed and the Clerk immediately processed the Defaults. The Docket confirms this timeline.

5. Motions for Ober, Individual, in Breach of his employers contract with these Citizens per his Fiduciary Contract Duties by proofs of his personal benefits but herein still using his Political Office to conduct his personal defense which was not filed until July 29, 2015 until 03:24:10 PM, which Plaintiffs contend would not have even happened July 29, 2015 at all had the Defendants not been alerted by Townsend 's email the prior day.

6. Further Plaintiffs allege any filing by Mark Ober, individual who is in Breach of Contract would be moot and proof of more "Bad Faith...wanton disregard...", Per R.O.C.P. 1.140(a)(1), "A defendant shall serve an answer within 20 days after service of the original process..." and per 1.140(b), "Every defense in law or fact to a claim..." and defendants and in this case specifically Ober has not filed per the rules but has attempted "Fraud on the Court" and on the Clerk that their alleged filing of voluminous papers meant for "fraud and delay" contained legal "defense(s) in law" which it does not but the admissions in these voluminous papers are not a "defense in law" to Plaintiffs Claims but admissions of their guilt and continuing criminal "Bad Faith" breach(s) of Contracts illegally using the power of their office for personal gain in violation of the Florida Constitution.

7. Per Rodriques v. Ray Donovan, U.S. Department of Labor, 769 F2d 1344, 1348 (1985), "All codes, rules and regulations are unconstitutional and lacking due process of Law." And Floumoy v. First National Bank of Shreveport, 197 La. 1067, 3 So2d 244, 248, "A 'Statute' is not a law" and

thus the papers filed by this counselor only contain excuses and non responsive answers “masked” as defense(s) in law to fraudulently allege no Cause of Action has been stated.

8. Vacating the Default would be: futility as Defendant has no “Defense at Law” and a prejudice and further delay to Plaintiff’s and for these Causes the Default should stand and Mark Ober, Individual, and others as his agents, should be arrested and prosecuted to the fullest extent of the law and Plaintiff’s should be per the fullest extent of the law be made whole, reimbursed for all losses, expenses, legal fee’s and receive Punitive Damages in the amounts decided by a jury.

9. Further, Plaintiffs should be allowed full discovery of any and all cases or State Attorney projects that the actions of Mark Ober, Individual, can be connected and to show how his Quid Pro Quo actions and to the extent of reviewing how his co-workers, Patricia McCarthy and Pam Bondi and Heather Gray and Charlie Scruggs, Stacey Turmel, Stanford Solomon, Rebecca O’Dell Townsend and other Lawyers or agents and Publix, have or have not been used by himself to reward or compensate whom he through his efforts and Quid Pro Quo actions have unjustly benefited in this Malicious Prosecution Scheme.

10. Plaintiff’s request this Court take judicial notice and include in this Motion the evidence of Plaintiffs facts and Matters of Law found in all Plaintiff’s Objections and Reply to all Defendants Motions in this case and

especially the facts raised in the 139 page FDLE Motion and the 2nd Verified Motion for the Recusal of Barbas.

Respectfully Submitted this date of August 3, 2015, by:
Randall Townsend, Pro Se and Per F.S.617.0834
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FOR ALL PLAINTIFFS
Jfyrt59@hotmail.com
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was provided this day of _____ by 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; tramelic@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 ____ DAY OF _____, 2015,
BY ID PRODUCED _____
NOTARY PUBLIC: _____

Respectfully submitted,

Randall C. Townsend, Pro Se and Per
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