

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 OPPOSITION AND REPLY TO DEFENDANT'S
DAVID GEE IN HIS INDIVIDUAL AND OFFICIAL CAPACITY AS SHERIFF
FOR HILLSBOROUGH COUNTY FLORIDA AND DETECTIVE JOHN
MCDARBY, MOTION TO DISMISS PLAINTIFF'S COMPLAINT WITH
PREJUDICE AND SUPPORTING MEMORANDUM OF LAW**

**COMES NOW, RANDALL TOWNSEND, INDIVIDUAL, PRO SE, AND AS
F.S.617.0834 ELECTED REPRESENTATIVE per F.S.617.022 and states:**

**1. Plaintiff request this Honorable Court for sake of consolidating and
condensing the record, take judicial notice and incorporate herein all facts
and Matters of Law as written in Plaintiffs Opposition and Reply to the
Motion to Dismiss of the defendant the FDLE, Ronald L. Beck and Judge
Crenshaw as proof of Perjury, Conspiracy, Bad Faith Malfeasance,
Malicious Purpose, Fraud On the Court, Extrinsic Frauds and admissions
of guilt yet Defendants continue in violation of F.R.O.P.C.4-3.1 as Attorney**

Denny IV (Telling judge Arnold since 2003 he represented the members at large and confirmed by Judge Crenshaw 5/10/2006 as “Hate Crimes” written in her version of the Second Amended Complaint 02-03812 Denny put in this record) for HCSO Deputies Howlett and Smoak has admitted to their Schemes of Breach and Torts of Contract of the FBCCP Bylaws, Criminal Acts by their Acts and Conspiracy on the part of other defendants to continue their illegal actions that HCSO, David Gee, through the chain of others as John Grant emails since 2007, continuing to now to Ober, Gee and McDarby (See Grinder v. City of Auburn 618 F.3rd cite Case 3:07-cv-01031 MHT-WC, Officer sued for Malicious Prosecution) continue these same illegal acts which “abduction of children” that has no statute of limitations especially while illegal Deputies Howlett and Jeffers are planted as Trustees and still “impeding” Townsend for the Members since 1994, acting per our Bylaws and Laws by their extortion as admitted by Chief Judge Canady, who switch Parties to work for Bush and concealing his father was the Governor Chiles advisor during the time of the Lane/Publix extortions Townsend reported to McCarthy.

2. Per R.O.C.P. 1.140, defendant(s) herein has failed to state a proper “responsive pleading or motion” as required in 1.1140.(b) but in this response willfully participates in Breach of Contracts, frauds, Fraud on the Court, Omissions of Facts, violations of F.R.O.P.C.4-3.1(prohibiting and Attorney for Bringing or Defending a fraud) established in the Court cases of these related or this Complaint, and by rulings made already implicating

HCSO and its Agents (Even specifically naming Deputies Joe Howlett and others by reference multiple times in judge Crenshaw and the Denny written complaint and Judge Crenshaw ruling in the writing of the Second Amended COMPLAINT (Submitted in the Record of this case by Denny) page 11:

“These members put themselves above the law and practiced hate crimes against this Plaintiff including attempting false charges in order to have plaintiff arrested and these acts did cause plaintiff to be harassed by a sheriff deputy on multiple occasions...”

Specifically ruling with “Malice” and “Hate Crimes” and naming Joe Howlett a HCSO Deputy and illegal “alias” FBCCP Trustee with HCSO Detective Smoak and in collusion with other Co-Participants in criminal actions as damages to these Plaintiffs that still are illegally continued by co-participants through HCSO Detective Smoak through Gee, HCSO Col. Gary Terry and through McDarby who as shown in the complaint multiple times traveled outside his jurisdiction as the Grant Emails in the exhibits show and made multiple threats to Townsend while as a Noticed Defendant of the Ongoing Federal and State Cases the HCSO made these threats as crimes per their own admissions and now the author of this HCSO Motion to Dismiss by Oliver F. Lindemann, Esq. is estopped from defending these defendants breach of contracts by over 20 years of intentional torts since HCSO Howlett from the 10/1994, confession of crimes by Nasworthy has unlawfully used his HCSO alleged authority to breach the FBCCP Contract

and “Impede” Townsend conducting his Fiduciary Duties per the Contracts including advising Howlett, Jeffers, Smoak and others as Deputies they cannot be member of FBCCP and their actions individually and collectively as Deputies are violations of the Bylaws and Constitution Rights still in 2015.

3. Defendants POINT A.--Claims of Statue of Limitations:

- A. Omits that HCSO, law enforcers, lawyers and other Defendants know HCSO Deputies Howlett and Jeffers illegally under color of law obtained their still of record positions as alias Trustees of FBCCP and have “impeded” members of our Bylaws Contract and Civil Rights and falsely alleged facts omitting their ongoing Breach of our Contracts and illegal acts “impeding assembly, Religious Services and production of documents;**
- B. being expired cannot be when active ongoing crimes and breach of contracts are ongoing and the “bad faith” and “malicious purpose” for the unlawful abduction of children has no expiration date and is a fact for a jury. Emphasis Added.**
- C. Were previously attempted in 10/2007, in face to face meeting Townsend had with Sheriff David Gee at Sickles High School as a defense yet under his direct command that same month did more violations and interference with Bylaws and Civil Rights and contact with Townsend and his children continue as they**

specifically alleged in their review of Sarasota Chief of Police Abbot's illegal actions just as HCSO and others continue;

- D. When Defendants ignore that they are proved to be in collusion with Department of Financial Services persons and other Government officials who have repeatedly over many attempts ignored Plaintiffs contacts and demand for our Rights timely made.**
- E. In defense on page 3, tries to allege some past act "in 1995 regarding an alleged theft of funds" and did not even get the dates correct but said acts are still violating Plaintiffs Bylaws and Contract Rights not yet in 2015 reviewed;**
- F. And admissions from John Grant and others is that and by proofs of the exhibits attached in said complaint show the connected collusion of Government persons since 1987, Gee and others have not denied are ongoing and informed to McDarby in 2014 or to Gee in multiple letters and emails.**

Are ongoing without court Due Process and prohibit Townsend/Members from our Bylaws rights but only for extortion to conceal criminal acts the abduction of children since 10/1999, done by HCSO Deputies (Howlett, Smoak and their Superior Officers and OTHERS) in collusion with others of alias "Law Enforcement" and Politicians and Civilians illegally in collusion doing extortion and thefts of the minor children, other property and funds these Plaintiffs duly owned and in collusion to deprive Plaintiffs of their

Civil Rights does not bar actions when it is found a party is a victim of intrinsic and or extrinsic fraud and or Fraud On the Court involving illegal collusion with alleged officers of the Honorable Court to pervert the outcome of a case for their own personal benefit and or to continue a malicious purpose as proved in the facts of these cases since 1987.

4. It appears defendants deny all Matters of facts and Matters of Law as put forth in the complaint without themselves offering any defensive truthful facts or Matters of Law.

5. Plaintiffs state this alias “answer” is additional proof as to why Townsend and those for whom he speaks as the true Operation/Owner members of FBCCP/CPCS not of the “Sect”, Representative has had to oppose and expose the illegal tort actions even of his wife at the time Karen Harrod Townsend (including attempted Murder, Batteries on Plaintiffs, Assaults of Plaintiffs, IRS Frauds, Perjury, THEFTS, illegal abduction of children by frauds to and with alias law enforcers acting without proper Due Process and court orders, filing false reports and emotional distress), Multiple Bylaws violations and Collusion with the “Sect” and even illegally acting with Ron Beck, Others, HCSO Joe Howlett, HCSO Detective Mike Smoak, Pasco Detective Mike Corbin and Pinellas Deputy Tim Jeffers and Karen Jeffers in their attaining “officers and Principal” respective positions they self-empowered to themselves with the “Sect” and Tim Jeffers as an “alias” “Law Enforcer” in collusion with his Superior Officers and others as Defendants herein and “Others Doe”, as

Howlett, Smoak, Corbin with Tim Jeffers using his Under Color Of Law alleged “Superior Knowledge” of the law, used his “masked” uniform as a Sheriff Deputy outside of his Pinellas County Jurisdiction to leverage in Hillsborough County what he knew of criminal acts, Bylaws violations, and IRS Tax Evasion done as confessed by FBCCP Administrative Pastor Elbert Nasworthy and Senior Pastor Ron Beck in the FBCCP/CPCS required Quarterly Business Meeting of 10/1994.

6. Harrod ET.AL. to conceal her illegal actions per Federal and State laws illegally in collusion with John Grant ET. AL., Ron Beck ET.AL., Lane ET. AL., as lawyers and alias “law enforcers” through current co-participant defendants and “others Doe” continues illegal collusion doing Fraud on the Court and other illegal acts as proved in these Courts and by the perjury of her own documents provided to the courts.

7. Said Breach(s) were brought to the immediate attention of FBCCP Registered Agent John Grant and others of “alias” law enforcers to no avail illegally still to this day in 2015.

8. Further, this alias “answer” demonstrates the arrogance and incompetence of the defendant(s) that without facts demand their authority despite the code of conduct as prescribed for members per the Bylaws and Florida Statues and Federal Laws and our Constitutions.

9. Due to the conduct and talents expected of persons in membership at FBCCP the Bylaws subject their members to the authority of the Nominations Committee of which Townsend per the Bylaws was and is a

member never properly removed but for the frauds of defendants torts and Breach of Contracts that Townsend acting per F.S.617.022(2)(b) acts and our Nominations Committee Members expected to present for consideration to the Membership for their Confirmation for that of a member and school employee and or one for fraud “acting in the Sect” is in violation of F.S.617.0285 but continued acts of alias “law enforcers” have unlawfully “impeded” Townsend’s duties since 1994 and continue by the frauds even presented in this Motion TO Dismiss that cannot be granted until full discovery and disclosure of the Corporation Records are reviewed by the membership and a vote done by said owner/members.

10. Additionally, in Breach of the Bylaws, defendants herein resorted to tortful defamation in the same manner and words used by others of the “Sect” and of FBCCP John Grant, alleging Townsend even after being validated in matters of Facts, Matters of Law and Matters of Risks of these defendants that failed has alleged even in court filed documents in case(s) 01-15813 and 01-15814, where Howlett dressed in his “Masked” HCSO uniform attempted to address Judge Palomino but was blocked by collusion of Scruggs ET. AL. to conceal additional criminal acts of the Malicious Process and was also defaming that Townsend was an apparent mentally unstable individual and thus their reasons to in 1999, unlawfully “impede” Townsend from his children, family, Church Duties, Church Members and friends.

11. Additionally, in specific forbidden Breach of the Bylaws, defendants

then in 2001, aid and abet Ron Beck ET AL and Karen Harrod Townsend to file the Sham 01-15813 (Repeat Violence) and 01-15814(Domestic Violence) Lawsuits against Townsend which Judge Palomino dismissed in favor of Townsend and also at that time in 11/15/2001 warned defendants to not “impede” with the relationship between Townsend and his children that had been as the court admitted “impeded” illegally despite the ineffective legal representation of Scruggs ET.AL or GRANT ET.AL. OR DENNY ET.AL. or GRAY ET.AL or any other defendant through HCSO and McDarby and Others “Doe” yet to date as the exhibits of emails from John Grant to HCSO and Ober show collusion to promote known false reports to law enforcers and citizens.

12. Therefore, Plaintiffs request this Honorable Court rule this alias “answer” is nonresponsive and rule this Defendant is in Default as a matter of law.

13. Additionally, Plaintiffs request this Honorable Court issue an order requiring Defendant’s to be found in Contempt of Court, Pay any and all reasonable costs and fees incurred by Plaintiffs and issue arrest warrants for their multiple criminal actions.

14. Defendants footnote knows others are being served but are also tampering with the independent service processor retained to perform a legal service.

15. TO DEFENDANTS POINT B.—AS Individuals, Plaintiffs state:

A. Multiple cases show Florida Courts require when law enforcers knowingly use fraudulent information to damage a victim of their constitutional rights the department and the agents are sued and held responsible in their individual capacities. AISENBERG et al., v. Hillsborough County Sheriff' Office et al. Case No. 8:03-cv-2063-T-23EAJ suing Kunz and Bedke in their individual capacity for"acts...within the course and scope of ...(their) authority and course of... (their) employment" in the same causes here that deputies created and used in litigation known fraudulent information as HCSO and other Law enforcers have known of the frauds since Lane et al (1987) and FBCCP (1994) still ongoing and adjudicated by Judge Merryday as also upon Plaintiffs belief and opinion and until discovery appears to have conspired with defendants in their Malicious purpose Plaintiffs alleged in the appeals to the 11th Circuit Court of Appeals regarding the prejudice of the judge and others doing Fraud On the Court, Plaintiffs and Citizens.

B. Defendants allege Plaintiff Townsend "failed to allege...at the time the drug transaction leading to his arrest took place." Townsend was never arrested but alleges that McCarthy, Williams with Lane et al., have been aided and abetted continuing their frauds by the willful acts of "alias" law enforcers trying to ignore their lawful duties while taking bribes from Lane et al and others as discovery

still “impeded” will show as Gee, Ober and McDarby per the Grant Emails connect their years of knowingly using collusion and frauds against Townsend as now even falsely claiming Townsend was arrested on Drug Charges.

C. Defendant Claim Notice of Claim was not done is Fraud and their argument has no merit at fact or law and Plaintiff will overwhelm this court file as other court files with the 25 plus years of litigation defendants have followed, concealed while they aided and abetted criminal actions as told to Gee in 2007, a Father’s Day letter in 2007, through meetings with various deputies and on April Fools Day in 2014 and thus the alleged friendly visit from again deputy McDarby on April 8, 2014 and being informed while standing on Townsend’s backporch of the pending suit and the active underlying lawsuits since 1987. It is a fraud for defendants to claim ignorance, no notice nor the over 20 opportunities to “respond to a potential claim before initiating any litigation.” As emails even from John Grant alerted HCSO and Ober multiple times. Townsend has had HCSO meetings pleading with HCSO since about 10/1999 from when Townsend was a Security Officer working with multiple HCSO Deputies to stop the crimes of Joe Howlett and Mike Smoak and Others illegally taking Townsends kids and FBCCP Designated Funds and with Internal Affairs Luther Core, John Campo, Richard Walker, Scott Wellinger, Paul

J. Guarino, Harry Hoover, Kevin Bodie, J.R. Burton, Col. Gary Terry and Renato Martinez, and even past sheriff Cal Henderson and others to name a few and exchanged even certified mail producing documents. Even 10/28/07, HCSO Clark illegally trespassed Townsend from FBCCP for attending a Business Meeting and in follow up Townsend had multiple discussions with HCSO Commanders and Deputies regarding the illegal acts of Jeffers in collusion with HCSO. As a matter of fact, Defendants knowingly in collusion advised Judge Crenshaw in 2006, to not let Townsend Amend or file his Third Amended Complaint filed with Judge Crenshaw and the Court on August 10, 2006. Additionally, Townsend filed a “Complaint for Stalking” in 2013, immediately dismissed by Judge Barton.

16. Defendants Defense in Section D as “Failed to bring forth a viable Cause of Action is a fraud as the Slapp rule is clearly detailed as violated in Plaintiffs Reply to the FDLE Motion to Dismiss and requested to be included herein. Even on April 8, 2013, McDarby outside of his jurisdiction made threats and intentional false promises and frauds to Plaintiff in his personal and for his employers “malicious and bad faith purposes” that he would now help Townsend reconnect with his children and Townsend should provide to him letters for him to personally deliver to his kids. On October 1, 2014, in the complaint new intentional torts by McDarby

and his employer HCSO are alleged and proved to be continuing using Frauds started since 1987, McCarthy intentionally inspires to continue with her co-participants for their continuing personal gain at the expense of Plaintiffs who they fail to serve per contracts.

17. Defendants Defense in Section E. regarding R.O.C.P.1.110(b):

- a. Has been more than rebuked in now this courts records and
- b. Defendants points and alleged case laws have no merit to the facts of this case but are meant for their additional malicious purpose and delay of restitution of Plaintiffs.

Conclusion:

Therefore, Plaintiffs request this Honorable Court:

1. rule this alias “answer” is nonresponsive and rule this Defendant is in Default as a matter of law;
2. Additionally, Plaintiffs request this Honorable Court issue an order requiring Defendant HCSO, Gee ET AL, McDarby ET AL to be found in Contempt of Court, Pay any and all reasonable costs and fees incurred by Plaintiffs and issue arrest warrants for their multiple criminal actions;

Respectfully Submitted by:

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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; trammelic@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; 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 IDENTIFICATION, 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,

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