

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF ARKANSAS , NORTHERN DIVISION

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT ARKANSAS

STEPHEN WARD

PLAINTIFF

APR 29 2024

V. Case No. 3:22-CV-00250-LPR

TAMMY H. DOWNS, CLERK  
By: *Mark Rose*

HAROLD COPENHAVER, et al.

DEFENDANTS

DEP. CLERK

**PLAINTIFF'S MOTION TO STRIKE KIMBERLY RANDALL'S MOTION TO DISMISS & AFFIRMATIVE DEFENSES & BRIEF IN SUPPORT.**

Comes now Plaintiff Stephen Ward in human capacity in this court of record in his **PLAINTIFF'S MOTION TO STRIKE KIMBERLY RANDALL'S MOTION TO DISMISS & AFFIRMATIVE DEFENSES & BRIEF IN SUPPORT.**

1. On April 22, 2024 , The Kimberly Randall filed a MOTION TO DISMISS & BRIEF DOCKET # 31 & DOCKET #34
2. On March 25, 2024 Judge Lee Ruofsky signed an ORDER which denied the Plaintiff's ability to pursue his full case even though this is a Jury Trial.  
  
DOCKET #14

**STATEMENT OF THE PLAINTIFF**

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3. In Judge Rudofsky's Order, he made many unprofessional and biased statements which were sent a signal to the Defendants that the Judge was

planning to dismiss the case which caused statements from Defendant Simrit Kaur (Alias) “ That's why you've been told it will be dismissed” .

4. In the Plaintiff’s view, Judge Rudofsky had every intention of ignoring all the evidence provided and breaking the Plaintiff’s case into segments that would make it impossible for the Plaintiff to pursue.
5. In the Plaintiff’s view, Judge Rudofsky had no intention of allowing Plaintiff Stephen Ward to actually obtain a fair trial as Judge Rudofsky only wanted to present the illusion of fairness in hopes that the Plaintiff would not notice, or understand the miscarriage of Justice.
6. The Plaintiff’s exercises his First Amendment Right of the United States Constitution which guarantees the Plaintiff’s right to freedom of Speech and Under the Under Federal Rules of Civil Procedure rule 10 which states in pertinent part that the only requirements are as follows:
  7. (a) CAPTION; NAMES OF PARTIES. Every pleading must have a caption with the court's name,a title, a file number, and a Rule 7(a) designation. The title of the complaint must name all the parties; the title of other pleadings, after naming the first party on each side, may refer generally to other parties.(b) PARAGRAPHS; SEPARATE STATEMENTS. A party must state its claims or defenses in numbered paragraphs, each limited as far as practicable to a single set of circumstances.

8. The Plaintiff's Prima Facie **MOTION TO STRIKE KIMBERLY RANDALL'S MOTION TO DISMISS IS** clearly is within Rule 10 guidelines with everything else being simply a matter of style. The Plaintiff specifically brings up Judge Rudofsky's miscarriage of Justice and biases as a matter of free speech under the First Amendment of the United States Constitution and as a matter of style so that he provides a very clear picture of why the Plaintiff would have to overcome the challenges presented by the Judges ORDER on March 25, 2024 and acted on by for Lisa Trevan's "Motion to Dismiss" which state now that she should be dismissed because there are only state claims involved since Judge Rudofsky denied the Plaintiff his right to pursue her in all conspiracy references and all other COUNTS.
9. In the Plaintiff's view it a shame that he have to protect himself against an abuse of power from someone who is acting as agate to prevent the Plaintiff from equal access to public accommodation and who violated the Plaintiff's 14th Amendment rights Of the United States Constitution that states the Plaintiff is equal under the law.
10. Based on the decisions , statements and ORDERS of Judge Rudofsky, The Plaintiff's pleadings are at times OBTUSE (stupid) and MUCK (manure).

11. Based on the decisions , statements and ORDERS of Judge Rudofsky, The Plaintiff is not Equal under the law and does not deserve an equal opportunity to present his case to a Jury of his peers.
12. The Plaintiff has asked that Judge Rudofsky be disqualified for his biased and inappropriate statements.
13. The Plaintiff discussed with the eighth circuit that Judge Rudofsky should not be Judge of the Plaintiff's "MOTION TO DISQUALIFY". The Eighth circuit recommended that I request the Chief Judge to Rule on the Motion.
14. The Plaintiff immediately called the Judge's clerk Heather and asked that the Chief Judge rule on the Motion. Heather informed the Plaintiff that She needed it in writing. The Plaintiff asked to fax, email or electronically his request and Heather said No however the Judge was out for the rest of Thursday, and will not be back till Mon. The Plaintiff stated that he could have it writing and would simply overnight the request.
15. Shortly thereafter Judge Rudofsky ironically clocked back in so to speak so that he could personally decide whether or not he should disqualify himself. What an honorable Judge to come back from his time off to rule on only my MOTION to Disqualify.
16. Predictively he denied the Plaintiff's Motion as can be seen in DOCKET # 25 where he stated "This is a TEXT ENTRY ONLY. *There is no pdf*

*document associated with this entry.) ORDER: To the extent Doc. 23 is asking for me to recuse myself from this case, that request is denied. Nothing in the Motion (or outside of it) requires my recusal under the recusal statute or the applicable judicial cannons. To the extent this document is a request for me to transfer this case to the Supreme Court, that request is denied as wholly meritless. To the extent this document is a request for me to grant an interlocutory appeal, it is denied as failing to meet the requirements for such an appeal. To the extent this document is a request for action addressed to the Chief Judge of the Eastern District of Arkansas, the Eighth Circuit, or the Supreme Court (as opposed to requesting action from me), it is not appropriate for my comment at this time. Signed by Judge Lee P. Rudofsky on 4/11/2024. (hml) (Entered: 04/11/2024)”*

17. In response to Judge Rudofsky’s invitation for the Plaintiff to have a PRO BONO Attorney. That invitation is DENIED. The Plaintiff is well aware that the Judge would only use my PRO BONO Attorney to further deprive the Plaintiff of equal access and a fair Jury trial. Together the Judge, My Attorney along with all of the Defendant would put on an all star performance of the illusion of justice, and No one will ever say anything about all the violations of the Judges and violations of the rules of professional conduct.

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18. With that being said the Plaintiff will attempt to challenge KIMBERLY RANDALL'S Motion to Dismiss because even though the Plaintiff is fighting against the odds created by Judge Rudofsky. The Motion to Dismiss should still be denied as a matter of law.

19. The Motion to Dismiss from is in fact a “ Motion for Summary Judgement” since the request is to dismiss the case entirely against . Kimberly Randell’s pleadings have not reached the level of particulars required by FRCP rule 56- Summary Judgement, such as Affidavits , or show that the materials cited do not establish the absence or presence of a genuine dispute, or that an adverse party cannot produce admissible evidence to support the fact.

20. Paragraph 1 should be denied as a matter of law because the Kimberly Randall has failed to follow FRCP rule 8 which states:

*(a) CLAIM FOR RELIEF. A pleading that states a claim for relief must contain:*

*(1) a short and plain statement of the grounds for the court's jurisdiction, unless the court already has jurisdiction and the claim needs no new jurisdictional support;*

*(2) a short and plain statement of the claim showing that the pleader is entitled to relief; and*

*(3) a demand for the relief sought, which may include relief in the alternative or different types of relief.*

And Therefore should be denied because KIMBERLY RANDALL'S has failed to provide a short and plain statement showing that the court had jurisdiction.

21.Paragraph 2 should be denied as a matter of law because the Kimberly Randall has failed to state which Federal Law that “ requires a party to be protected” , and then after building his straw man unsupported Federal Law claim he states “consequently” that the Motion should be decided prior to requiring her to ANSWER of appear for any discovery. could have produced a “ PROTECTIVE ANSWER” but chose not to. And Therefore should be DENIED

22. Paragraph 3 is the result of Judge Rudoifsky’s biased and Judicial misconduct and is the very thing that Judge Rudofsky anticipated would happen when he dismissed from all other Counts. The Plaintiff insist that not be dismissed from this case based on the State Claims only approach because the State Claim is still included in this case and will likely need to stay since Defendant Wannda Turner is involved in both the Federal and The State claims which will prevent it from being dismissed as a matter of law.

Since it has not and may not be dismissed then its premature to speculate that it may be dismissed. Unless we factor in the inconvenient truth that Judge Rudofsky signaled to the Defendants that it the court may decline to take up the state claim. With Wannda Turner being a part of The Federal and State claims and the fact that Lisa Tevathons and Wannda Turner's activities were a group effort and deeply intertwined within each other. It would be impossible to fully pursue Wannda Turner and the other Defendants if we severed the State Claims. This would also be inappropriate because it would leave Wannda Turner being sued in Stated and Federal Court for the same group of activities. And Therefore should be DENIED.

23.Paragraph 4 should be denied as a matter of law because it is simply a conclusory statement that fails to list an example or anything specific that backs up her statement that "The Plaintiff's allegations against Kimberly Randall are insufficient to form a claim for relief."

24. Paragraph 5 should be denied as a matter of law because Kimberly Randall only makes conclusory statements that are unsupported by any facts or evidence other than the fact that she has made the claim.Kimberly Randall is attempting to mislead the court by improperly defining Defamation as "Defamation is defined as "a statement that injures a third parties reputation". The correct definition is "Defamation is the act of

communicating false information to a third party that harms the reputation of a person, business, or organization” She refers to messages between the Plaintiff and a second party but does not provide any evidence or even identify who the second party is /she fails to quote, identify or give anyone any indication of what private messages, who made them, what the entire context of the messages were, what the messages were about ETC. Kimberly Randall just blurts these things out as if her word is gospel. Well its not. Under FRCP rule 8 (2), Defendant KIMBERLY RANDALL has failed to support her claims and therefore is not entitled to a dismissal based upon her claims. Paragraph 5 should be DENIED as requested by the Plaintiff.

25. The Plaintiff MOTION TO STRIKE KIMBERLY RANDALL’S

“MOTION TO DISMISS” should be GRANTED as a matter of law based on FRCP reule 12f due its insufficient ,immaterial, impertinent, defenses .

26. The Defendant KIMBERLY RANDALL has copied Lisa Trevathan’s

“MOTION TO DISMISS (without brief) mostly and everything else was poorly constructed Motion and is offered as a replacement for an ANSWER and she did not provide an ANSWER or PROTECTIVE ANSWER at all as required by FRCP rule 12

(a) TIME TO SERVE A RESPONSIVE PLEADING.

(1) *In General.* Unless another time is specified by this rule or a federal statute, the time for serving a responsive pleading is as follows:

(A) A defendant must serve an answer:

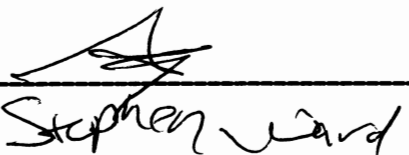
(i) within 21 days after being served with the summons and complaint;

27. KIMBERLY RANDALL has failed to include a certificate of service as required by FRCP rule 5
28. KIMBERLY RANDALL has failed to file an appearance with the Court stating that she is Defending the case.
29. KIMBERLY RANDALL has failed to double space and use appropriate type size.
30. KIMBERLY RANDALL has failed to include a support brief in or Motion or Separately from her Motion that gives any kind of idea on what laws, codes or statutes that she is relying on when making her claims for relief.
31. KIMBERLY RANDALL has failed to serve her MOTION TO DISMISS to the Plaintiff.
32. KIMBERLY RANDALL has failed to do her own work and has simply copies off Defendant Lisa Trevathan's "Motion to Dismiss" as if it were her own. It is painfully obvious that Kimberly Randall has no idea of what most of her "Motion To Dismiss" actually means. It would be a

miscarriage of Justice to GRANT her MOTION to DISMISS when she does not even understand what she signed and submitted and its not even her MOTION to DISMISS, but mostly borrowed from another Defendant. Her small changes were incorrect definitions and made absolutely no point in law or even accurate definitions.

33. KIMBERLY RANDALL has failed to state with particularity any of his main defenses that entitle to a dismissal.

Wherefore, for the reasons stated in Paragraphs 1-33 The Plaintiff asks that his Motion to Strike Kimberly Randall's Motion to Dismiss & Affirmative Defenses be Granted and Kimberly Randall's Motion to Dismiss & Affirmative Defenses be removed from the record and DENIED. The Plaintiff asks this court to STRIKE any future pleadings because Defendant KIMBERLY RANDALL has failed to provide an ANSWER and or PROTECTIVE ANSWER and as a result has waived her right to further plead as the Plaintiff is entitled to Summary Judgement Respectively submitted



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