

FILED
STATE OF MISSISSIPPI
LAFAYETTE COUNTY
IN THE CHANCERY COURT OF LAFAYETTE COUNTY, MISSISSIPPI
2020 NOV 16 PM 3:27

Phyllis Marie Crowder-Kester

Plaintiff/Petitioner

Vs

BY: TJ Cause # CV2016-422W

Matthew Reardon

Defendant/Respondent

MOTION TO DISMISS OR, IN THE ALTERNATIVE, TO TRANSFER VENUE

Pursuant to Miss. R. Civ. P. 12(b)(3), Matthew Reardon, The Respondent/Defendant in the above captioned cause files this Motion to Dismiss, Or, Alternative, to Transfer Venue on the basis that venue is improper in the Chancery Court of Lafayette County, Mississippi due to reasons of constitutional law, equity sought by respondent, and a jury demand by respondent/movant for these reasons stated. Due to other legal matters involving Lafayette County which are ongoing in which movant has asserted and continues to assert influence by opposing council along with select others prejudicing both prior as well as ongoing legal matters- which includes the opposing council in this matter, Mona Pittman and Christi McCoy who was in attendance during today's proceedings, and who represents the plaintiff as defense council in a separate matter. Movant asserts that he feels he cannot receive a fair ruling and one congruent with the constitution without a jury trial after this court ignored the statutory requirement placed upon the court of innocence until proven guilty. Movant feels he brought forth the evidence required to cast complete doubt on the plaintiff's claims especially being they haven't produced one sliver of evidence to back the baseless, slanderous, and defaming claims they made against Defendant and his wife. Nonetheless, as like the prior legal matter three years ago which is currently on appeal to the Supreme Court, the movant here was ultimately looked at in the eyes of this court as guilty until he could prove himself and his wife innocent in which movant had the evidence of and detailed out in his motions and petitions filed which include 3 separate calls with Department of Childs Services where they state

the plaintiff in this cause is lying and in gross contempt. Plaintiff in this cause recently pled out to filing a false report of Rape on the Defendant and has a history of pathological lying. Therefore based on the clear inconsistencies shown during today's hearing, movant asserts this to be a matter he seeks out a trial by a jury of his peers and further asserts that a trial which would show the plaintiff bringing false, perjuring claims in an ongoing criminal conspiracy against the Defendant would negate any need for a Guardian Ad Litem and potentially tainted result for Defendant being that Guardian Ad Litem was at first named by Plaintiff's Attorney whom is at the center of pending litigation due to what the Defendant in this cause asserts as direct involvement in his criminal framing along with a high preponderance of her playing a significant part in his incarceration awaiting trial denying him rights of due process and certain constitutional rights. As a USMC Veteran, Movant strongly condemns this type of treatment, and moves for treatment guaranteed by due process under and congruent with the Constitution. Respondent states that other pending legal matters he is initiating against the adverse party including intentional torts of civil wrongdoing that which movant would assert meets and exceeds the criteria of organized crime and conspiracy that has been committed on behalf of the plaintiff in this cause. As such, movant doesn't feel he is receiving proper care to the issue at hand which has already shown to be prejudicial to movant and raising real constitutional concerns which movant feels should be heard and decided by trial and jury of his peers, or on oral argument to the Mississippi Supreme Court on interlocutory appeal should movant's motion to dismiss order entered by this court or transfer venue to circuit court not be granted.

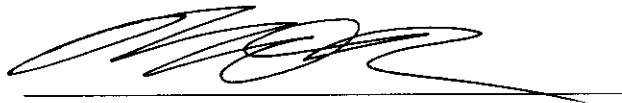
The Complaint identifies the Defendant as an adult resident citizen of Lafayette County. This is correct. Thus, is domiciled in Lafayette County. The cause of action involves the alleged abuse of a minor child in which plaintiff's claim was closed out unsubstantiated by Department of Child Services, Led to no notification of law enforcement which almost certainly would have happened leading in turn to an investigation which quite frankly was not the case, further the plaintiff has gone in gross contempt of the

established visitation order established by this court for 9 months not allowing communication or scheduled visitation with the respondent despite his continued child support obligations of \$600 per month being rendered to the plaintiff every month. All of this was done in retaliation of the plaintiff being prosecuted by Olive Branch Police Department for her knowingly false reporting and further conspired reporting that the respondent/movant had raped her which couldn't have been further from the truth. Such accusations on both the respondent/movant as well as his spouse have resulted in emotional trauma due to knowingly false, slanderous, and defaming statements and accusations made, and has further created conflict and marital issues between the respondent and his spouse, as such it is the movant and his spouse's intention to immediately bring a cause for action for Slander, Defamation of Character, Libel, Tortious Interference, Abuse of Process, Malicious Prosecution, and Civil Conspiracy against the Plaintiff in this cause and her spouse, along with bringing appropriate legal remedies against the plaintiff's counsel for knowingly playing a part in the ongoing conspiracy and intentional criminal framing of the respondent for the part that she so carelessly played.

WHEREFORE, Movant Matthew Reardon respectfully requests this Court to dismiss the action brought forth by the plaintiff due to absolutely ZERO evidence produced at the SECOND scheduled hearing to back their baseless claims especially after 9 months of being in contempt of this court's child visitation schedule. Movant further respectfully requests for this court to rescind its order entered 11/16/2020, or, in the alternative, to transfer this action to the Circuit Court of Lafayette County based on improper venue due to the amount of equity sought in counterclaim, the seriousness of the nature and harm steadily aggrieved by the movant and his spouse from such, and a jury demand by movant.

Movant further states his full intent to appeal by interlocutory appeal to the Mississippi Supreme Court should this motion not be heard and denied. Movant prays for any additional relief the Court may deem proper in such motion.

Respectfully Submitted This 16th Day of November 2020



Matthew Reardon | Respondant/Defendant/Movant