

Exhibit #1

The Judicial Branch of Arizona, Maricopa County

Civil Court Case Information - Case History

Case Information

Case Number: CV2010-050624	Judge: Miles, Linda
File Date: 1/13/2010	Location: Northeast
Case Type: Civil	

Party Information

Party Name	Relationship	Sex	Attorney
Rebecca Beasley	Plaintiff	Female	John Doyle
Orville Thomas	Plaintiff	Male	John Doyle
Anna Elizabeth Beasley	Plaintiff	Female	John Doyle
John C Stuart	Defendant	Male	Pro Per

Case Documents

Filing Date	Description	Docket Date	Filing Party
3/31/2010	ANS - Answer	4/2/2010	Defendant(5)

NOTE: PAID/ AND OR RESPONSE TO PLAINTIFFS BASELESS, FRIVOLOUS, AND UNLAWFUL COMPAINT SUBMITTED UNDER DURESS AND VI ET ARMIS AND NOT GRANTING JURISDICTION DEFENDANT IS ONLY APPEARING SPECIALLY AND NOT GENERALLY

3/30/2010	AFS - Affidavit Of Service	4/2/2010	
NOTE: JOHN C STUART 03/29/2010			
1/13/2010	CCN - Cert Arbitration - Not Subject	1/19/2010	
1/13/2010	NJT - Not Demand For Jury Trials	1/19/2010	
1/13/2010	COM - Complaint	1/19/2010	

Case Calendar

There are no calendar events on file

Judgments

There are no judgments on file

Exhibit #2

1 JOHN STUART, *Pro per*
2 10407 W. Trumbull Road
3 Tolleson, Arizona (85353)
4 Phone # (480) 232-0606
5 <themobinem@aol.com>

6 John Stuart, *Sui Juris*
7 Authorized Representative

8 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**
9 **IN AND FOR THE COUNTY OF MARICOPA**

10 REBECCA BEASLEY, individually as the
11 surviving spouse of ORVILLE THOMAS
12 BEASLEY III, and as personal
13 Representative of the ESTATE OF
14 ORVILLE THOMAS BEALSEY III; and
15 ORVILLE THOMAS BEASLEY II and
16 ANNA ELIZABETH BEASLEY, husband
17 and wife, and parents of ORVILEE
18 THOMAS BEASLEY III,
19 Plaintiff,

20 vs.
21 JOHN C. STUART, and JANE DOE
22 STUART, a married couple; JOHN and
23 JANE DOES I-V; BLACK & WHITE
24 CORPORATIONS VI-X; and ABC
25 PARTENRSHIPS XI-XV;
26 Defendants

Case No. CV2010-050624

**ANSWER AND/OR RESPONSE TO
PLAINTIFF'S BASELESS,
FRIVOLOUS, AND UNLAWFUL
COMPAINT SUBMITTED UNDER
DURESS AND VI ET ARMIS AND NOT
GRANTING JURISDICTION
DEFEDANT IS ONLY APPEARING
SPECIALLY AND NOT GENERALLY**
(Assigned to the Hon.)

27 *In the name of God, with the gaze of Our Lord, JOHN STUART, ens legis, by*
28 and through his Authorized Representative, a separate entity, John Stuart, a civilian,
Authorized Representative and beneficiary for JOHN STUART, appearing specially and
not generally, *vi et armis*, claiming, exercising and invoking ALL RIGHTS including but

1 not limited to God granted Rights, human Rights, and all Rights guaranteed and protected
2 by the united States Constitution, the Arizona Constitution, and International Treaties.

3 Defendant *in error* JOHN STUART (Hereafter Defendant) does NOT accept
4 jurisdiction of this Court over this matter. Defendant does NOT consent to jurisdiction of
5 this Court in this matter and ONLY "answers" under duress, and *vi et armis*. Pursuant to
6 numerous SOCUTS decision jurisdiction MUST be proved before any matter can move
7 forward. Defendant omits said cites for now, but reserves the right to enter the cites to
8 prove absence of jurisdiction.
9

10
11 Defendant; by Law and precedent and in accordance with the Supreme Court of the
12 United States decisions; MAY NOT be held to the same standard as a lawyer and/or
13 attorney; and whose motions, pleadings and all papers may ONLY be judged by their
14 function and never their form.
15

16 *See: Haines v. Kerner; Platsky v. CIA; Anastasoff v. United States; Litigants are to*
17 *be held to less stringent pleading standards;*
18 *Haines v. Kerner, 404 U.S. 519-421; In re Haines: pro se litigants are held to less*
19 *stringent pleading standards than admitted or licensed bar attorneys. Regardless of*
20 *the deficiencies in their pleadings, pro se litigants are entitled to the opportunity to*
21 *submit evidence in support of their claims.*

22 *Platsky v. C.I.A., 953 f.2d. 25; In re Platsky: court errs if court dismisses the pro se*
23 *litigant without instruction of how pleadings are deficient and how to repair*
24 *pleadings.*

25 *Anastasoff v. United States, 223 F.3d 898 (8th Cir. 2000); In re Anastasoff:*
26 *litigants' constitutional (guaranteed) rights are violated when courts depart from*
27 *precedent where parties are similarly situated.*

28 **Defendant's Authorized Representative is a civilian and must be afforded all
protections by this Court due a civilian answering on behalf of an *ens legis*.**

1 Accordingly, Defendant by and thorough His Authorize Representative, moves
2 this Court to advise Defendant of defects in pleadings and procedures, *and the like*,
3 and allow Defendant time to do the required corrections and not dismiss and/or deny
4 said pleadings, *and the like*, unless Defendant fails to correct said pleadings
5 accordingly.
6

7 There is no evidence proving Defendant is a “resident” as defined and required in
8 law. Defendant may be either an *ens legis* OR a “civilian” under ALL laws. It is
9 incumbent on Plaintiff to stipulate which party Plaintiff is suing, by what Right Plaintiff
10 brings this action, and whether Plaintiff is a Fictitious Plaintiff, and attest to whether
11 Plaintiff is the *ens legis* OR the civilian.
12

13 This Court MUST dismiss this case with prejudice for: lack of jurisdiction over the
14 “person,” as Defendant is not a “person” in the legal sense as Defendant is truly a civilian
15 in all senses, pursuant to Rule 12(b)(2); and/or failure to state a claim upon which relief
16 can be granted, as a kidnapper has no right to sue their victim for their victim surviving the
17 kidnapping attempt, pursuant to Rule 12(b)(6); and/or failure to join an indispensable
18 party, as Plaintiff has failed to state which entity Plaintiff is suing, pursuant to Rule
19 12(b)(7).
20
21

22 **PLAINTIFF’S AND PLAINTIFF’S ATTORNEY’S IPSE DIXITS**

23 It is not Defendant’s intent to destroy anyone’s relationships and/or reputation. But
24 Plaintiff’s have brought this baseless and fraudulent suit against Defendant and therefore
25 Defendant MUST tell the truth and protect himself.
26
27
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1 Defendant has no issue with Plaintiffs known as "parents of Mr. Beasley." It is
2 Defendant's contention that perhaps Mr. Beasley's parents did not know that their son was
3 a drug addicted alcoholic with extremely violent tendencies, nor did they likely know their
4 son was "a groupie" to band that sung about doing drugs and robbing people. Irrespective
5 of what they knew, MR. Beasley's own words on the blog for the aforementioned band
6 condemn Mr. Beasley's personality to that of a "druggie," a "drunk," and a "fighter."

7
8 On "the Waterin Hole" blog used by followers of the band that Mr. Beasley
9 "partied with," Mr. Beasley made numerous statements attesting to the facts he liked to
10 fight, did "too much acid" and even flirted with other members wives to the point another
11 member became very upset with Mr. Beasley. To put it nicely, in his own words Mr.
12 Beasley was just a lousy person that greatly damaged his own brain through his frequent
13 use of drugs, especially L.S.D. It is a well known scientific fact that repetitive use of
14 L.S.D. destroys a person's ability to think rationally. Several studies have proved
15 conclusively that long time L.S.D. users are likely to experience sudden violent rages
16 especially when "extremely intoxicated." Add in Mr. Beasley's use of a "steroid inhaler"
17 which specifically warns that anything more than a minimum amount of alcohol ingested
18 while using the inhaler may lead to violent outbreaks and uncontrollable rage and it
19 becomes obvious MR. Beasley was just flat out dangerous.
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23 Mr. Beasley's statements include, without , limitations, *paraphrased*: "I can't do as
24 much acid anymore because it makes me think I am God," "I can out drink anyone," "I
25 kicked my wife out and I'm glad she is gone." Mr. Beasley also aggressively invited other
26 men to meet him at bars to fight and invited other men's wives to do other things.
27
28

1 Simply stated, Mr. Beasley was a **chemical time bomb ready to explode** that
2 could be triggered by any event, even being passed by a car in the "middle of nowhere"
3 while he was driving at less than half the speed limit. At issue, is the fact Mrs. Beasley
4 was well aware of all of Mr. Beasley's inadequacies in dealing with life through positive
5 thinking instead of drugs. In fact, Mrs. Beasley **MUST** have been aware she could be
6 releasing a chemical time bomb on society when she decided to let her husband get
7 "extremely intoxicated."
8

9
10 As to the other Plaintiff, Mrs. Beasley, she is again committing perjury. Mrs.
11 Beasley set into motion the events of that evening that led to her husband's death. Mrs.
12 Beasley had the requisite knowledge to be certain that allowing her alcoholic and drug
13 addicted husband to get extremely and feloniously intoxicated then drive a vehicle would
14 more likely than not lead to injury and/or death of some innocent party. Mrs. Beasley's
15 grossly negligent and fundamentally abhorrent behavior of allowing a man she knows
16 loves to get drunk, high, and then fight; drink for six hours straight then release the man
17 onto the public in general is a criminal act unto itself.
18

19
20 Mrs. Beasley's own statements to the media, controverting her statements to the
21 police, prove Mr. Beasley did instigate the situation by "flashing his high-beams," and
22 Mrs. Beasley's statement concerning Mr. Beasley's temper that "he sees RED" proves
23 conclusively Mrs. Beasley was well aware Mr. Beasley had "anger issues." Accordingly, it
24 was incumbent on Mrs. Beasley to control Mr. Beasley, and Mrs. Beasley owed a common
25 law and statutory duty to not release an "extremely intoxicated" Mr. Beasley on the
26 general public.
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1 It is tragic that a woman lost her husband, and just as tragic that a man who was in
2 urgent need of psychological and addiction counseling died due to Mrs. Beasley's
3 negligence, but she needs to accept the blame and consequences of her actions that led to
4 the death of her husband.
5

6 Mr. Beasley had obviously come to rely on Mrs. Beasley's assistance to prevent
7 him from conducting himself in accordance with the way his addictions led him to behave.
8 That night Mrs. Beasley failed, and thus a tragedy that could have been avoided was not. If
9 Mrs. Beasley chose to stay at least reasonably sober, perhaps even been the designated
10 driver for the man she was well aware was an alcoholic and drug addict, the incident
11 would have been avoided completely.
12

13 Instead, Mrs. Beasley chose to commit numerous felonious acts with her husband.
14 Acts which set into motion a set of circumstances that were more likely than not going to
15 end in tragedy, the extent of which could have been substantially worse than they are.
16 Because Mrs. Beasley made the choice to participate and join in her husband's crimes, one
17 man is dead, the lives of numerous people have been destroyed, public resources have
18 been wasted, and an innocent man is being falsely prosecuted. It is highly possible that
19 several more people could have been injured or worse as Mr. Beasley was so intoxicated
20 he was in actuality nothing but a raging psychotic aiming a 2000 pound weapon at the
21 general public. It is incumbent on this Court to weigh the number of possible deaths that
22 may have been caused by Plaintiff's gross negligence against the loss of life of one man
23 committing numerous felonies that led to his own death.
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1 The Court and society in general can only wonder; "What was she thinking?" Was
2 she only concerned with getting drunk, did she want to get someone hurt, does she like
3 living dangerously, does she enjoy watching her husband attack people, was she getting
4 even with her husband for his indiscretions, was she punishing him for "kicking her out,"
5 or was she trying to get him or someone else killed? Her conduct proves conclusively she
6 had absolutely no regard for the safety of any other person, including without limitations,
7 her husband and any person traveling on the roadways.
8

9 Mrs. Beasley now brings this suit to conceal her felonious behavior and hide her
10 culpability. If Mrs. Beasley would simply tell the truth about that night and accept
11 responsibility for her actions, an innocent man would soon have his life back. Defendant
12 did not wish to cause harm to Mrs. Beasley's reputation, but this secondary assault on
13 Defendant by Mrs. Beasley has created a situation Defendant MUST defend himself from.
14

15 **John C. Doyle, esquire, is intimately involved in this situation and has a major**
16 **conflict of interest in representing Plaintiff. Doyle made certain fraudulent**
17 **accusations and statements to the media that has put Doyle in the position he shall**
18 **likely be called as a witness in this and other civil and criminal matters concerning**
19 **his voluntary statements that caused harm to Defendant and others. As a possible**
20 **witness against Plaintiff, Doyle has voluntarily forsaken his attorney/client privilege**
21 **with Plaintiff in this and other matters concerning his intimate knowledge of certain**
22 **facts and criminal acts committed by himself and/or his client.**
23

24 **As a possible future witness for and/or against Plaintiff who is currently his**
25 **client, Doyle is in violation of the "rules of ethics" and his contract with the**
26
27
28

1 ARIZONA STATE BAR and therefore MUST withdraw as Plaintiff's attorney in
2 this matter forthwith.

3 Doyle also violated Arizona Rules of the Supreme Court Rule 42 by making
4 fraudulent and/or prejudicial statements to the media concerning Defendant,
5 statements that caused great financial harm to Defendant and others.
6

7 A preponderance of the evidence may prove that Doyle "coaxed" his client to
8 make false and perjurous statements to police, media, and possibly even the life
9 insurance company that paid out a claim on Mr. Beasley. It is known that most life
10 insurance companies do not pay when the death occurred during and/or was caused
11 by the insured's felonious acts.
12

13 In fact, Doyle's perjurous, slanderous and eventually libelous statements
14 harmed NUMEROUS OTHER PARTIES THAT ALL HAVE FINANCIAL
15 CLAIMS AGAINST DOYLE FOR HIS LIES, as Doyle's lies led to Defendant
16 needing financial assistance from numerous parties, all of whom have been damaged
17 by Doyle's lies. Defendant's bond was raised approximately \$200,000 in part due to
18 Doyle's slanderous statements to the media about Defendant being part of the
19 "FREEMEN" and having "an arsenal of assault weapons." Neither of which are true,
20 as Defendant has NEVER been part of any "radical group" and Defendant had
21 hunting rifles, defensive hand-guns, and "cowboy collectible rifles and pistols."
22
23

24 Doyle's statements were slanderous, inflammatory, unfounded, baseless,
25 perjurous, intended to create prejudice and bias the jury pool, caused great financial
26 harm to Defendant and others, and a blatant violation of ethics.
27
28

1 **Defendant's fiancé was financially destroyed directly due to Doyle's perjurous**
2 **statements which eventually led to Defendant's fiancé leaving Him. Doyle may be**
3 **held accountable for his perjurous statements by any and all parties harmed by such**
4 **and may even face disciplinary action up to and including disbarment and criminal**
5 **charges for his actions.**

7 **Defendants' children were personally harmed by Doyle's lies, and in fact**
8 **Doyle's lies led to the breakdown of Defendant's family situation. Doyle is exclusively**
9 **responsible for his lies and the consequences suffered by the victims thereof.**

11 **Accordingly, Defendant reserves the right to access all of Doyle's financial**
12 **records to establish what gains Doyle received in direct and/or indirect relationship**
13 **to Doyle's slanderous statements about Defendant.**

15 Defendant reserves the right to make public this document and/or deliver this
16 document and all documents concerning this case to other parties, including without
17 limitations, the BAR, other courts, the media, other attorneys, insurance companies,
18 creditors, debtors, witnesses, state and federal law enforcement agencies, and others.

20 Defendant reserves the right to add exhibits and/or evidence in this matter.

21 Defendant reserves the right to call witnesses, including without limitations, Doyle,
22 Plaintiffs, and other witnesses.

INFORMATION FOR COUNTER CLAIM

24 It is a functional impossibility in law to state a claim for which relief can be granted
25 when the claim stems from a felonious act by the claiming party and the relief would cause
26 further damage to the victim of the claimant' felonious acts. Plaintiff's felonious acts were
27

1 the cause of Plaintiff Mrs. Beasley's husband's death. Plaintiff Mrs. Beasley (Hereafter
2 Plaintiff, as all other Plaintiff have no involvement and/or knowledge of the incident) had
3 the requisite knowledge of her husband's rampant drug usage and violent tendencies to
4 know becoming "extremely intoxicated" with her husband then allowing him to drive
5 would put the public at risk. Yet, Mrs. Beasley still allowed her husband to become
6 viscously and feloniously drunk and then conspired with her husband to commit numerous
7 other felonies, including without limitations driving while intoxicated with a B.A.C. of .19
8 and an additional 900 ml of alcohol in his system.
9

10
11 Mrs. Beasley's felonious acts and negligence caused by her voluntary "extreme
12 intoxication" led to the tragedy. The incident is falsely considered a crime and charged
13 against the true victim by corrupt state agents.
14

15 All statements made by Plaintiff's attorney MUST be disregarded and struck from
16 the Court's record as Plaintiff's attorney may only make "hearsay" statements, which are
17 not allowed under the Hearsay Rule.
18

19 All statements made by Plaintiff MUST be disregarded and struck from the Court's
20 record as Plaintiff was "extremely intoxicated" at the time of the incident and it is a
21 functional impossibility for Plaintiff to "remember" any of the events of the that night,
22 therefore Plaintiff's statements may only be considered "hearsay", which are not allowed
23 under the Hearsay Rule. Plaintiff's inconsistent accounts of that evening are *prima facie*
24 evidence that Plaintiff does not remember the incident OR is committing perjury to falsely
25 convict and defraud an innocent civilian and to profit from the wrongful imprisonment of
26 an innocent civilian.
27
28

1 Plaintiff also assisted her husband in the heinous act of kidnapping pursuant to,
2 *inter alia*, A.R.S. 13-1304 Kidnapping

3 **13-1304. Kidnapping; classification; consecutive sentence**

4 A. A person commits kidnapping by knowingly restraining another person
5 with the intent to:

- 6 1. Hold the victim for ransom, as a shield or hostage; or
- 7 2. Hold the victim for involuntary servitude; or
- 8 3. Inflict death, physical injury or a sexual offense on the victim, or to
9 otherwise aid in the commission of a felony; or
- 10 4. Place the victim or a third person in reasonable apprehension of imminent
11 physical injury to the victim or the third person; or
- 12 5. Interfere with the performance of a governmental or political function; or
- 13 6. Seize or exercise control over any airplane, train, bus, ship or other
14 vehicle.

15 B. Kidnapping is a class 2 felony unless the victim is released voluntarily by
16 the defendant without physical injury in a safe place before arrest and before
17 accomplishing any of the further enumerated offenses in subsection A of this
18 section in which case it is a class 4 felony. If the victim is released pursuant
19 to an agreement with the state and without any physical injury, it is a class 3
20 felony. If the victim is under fifteen years of age kidnapping is a class 2
21 felony punishable pursuant to section 13-705. The sentence for kidnapping
22 of a victim under fifteen years of age shall run consecutively to any other
23 sentence imposed on the defendant and to any undischarged term of
24 imprisonment of the defendant.

25 Plaintiff was also "very intoxicated" according to the Phoenix Police Officers that
26 assisted her.

27 Plaintiff also committed perjury pursuant to, *inter alia*, A.R.S § 13-2705 Perjury by
28 inconsistent statements.

Plaintiff also committed obstruction of justice by lying to police as evidence by her
perjury pursuant to, *inter alia*, A.R.S § 13-2907.01 False reporting to law enforcement
agencies; and, *inter alia*, A.R.S § 13-2705 Obstructing a criminal investigation.

1 Defendant adapts and incorporates into Maricopa County Superior Court case
2 CR2008-106594-001DT by reference as if fully set forth herein, this entire Court file and
3 record including, but not limited to, all Minute Entries, Rulings and Orders, the entire
4 docket; and submits this entire Court case into Maricopa County Superior Court case
5 CR2008-106594-001DT.
6

7 **INCONTROVERTIBLE FACTS:**

8 These statements can be used in ALL courts and for ALL aspects of ALL courts,
9 including without limitations, this case; as defense against Plaintiff's claims and as
10 evidence for Defendant's counter claim(s); and in Maricopa County Superior Court case
11 CR2008-106594-001DT as evidence to prove Defendant's innocence and/or justification,
12 and to prove the crimes committed by Plaintiff and/or Plaintiff's husband.
13

14 On or about January 29, 2008, at approximately 9:00 pm:

15
16 1. Mr. Beasley savagely attacked and attempted to kidnap Defendant and/or
17 Defendant's fiancé.

18 2. Mr. Beasley had a B.A.C. of .19 and 900 ml of a "pinkish brown liquid" in his
19 stomach and bladder, which resembles "Jack and Coke" but which fluid was never tested
20 for its alcohol percentage by the Medical Examiner regardless of numerous requests for
21 such by Defendant.
22

23 3. Numerous Phoenix Police Officers stated Mrs. Beasley was also "extremely
24 intoxicated."
25

26 4. Mr. Beasley was committing numerous dangerous felonies immediately prior to
27 and during his death.
28

- 1 5. Mr. Beasley was driving while impaired at 2.375 times the legal limit under
2 Arizona Law immediately preceding the incident.
- 3 6. Mr. Beasley has made numerous comments publicly attempting to invite other
4 people to fight him. (*See: Waterin Hole Blog*)
- 5 7. Mr. Beasley strangled Defendant immediately before Mr. Beasley's death.
- 6 8. Mr. Beasley gouged Defendant's eye immediately before Mr. Beasley's death.
- 7 9. Mr. Beasley repeatedly punched Defendant immediately before Mr. Beasley's
8 death.
- 9 10. Mr. Beasley was shot while partially inside of Defendant's vehicle.
- 10 11. Mr. Beasley's blood and markings from Mr. Beasley's head were found half-way
11 across Defendant's windshield, which is *prima facie* evidence that Mr. Beasley was in
12 contact with Defendant's vehicle at the time Mr. Beasley was shot.
- 13 12. Mr. Beasley's blood was found on Defendant's clothing.
- 14 13. Ballistic evidence proves the gun was only 15 to 21 inches from Mr. Beasley when
15 fired, which is *prima facie* evidence of Mrs. Beasley's false and perjurous statements.
- 16 14. Blood evidence and witness statements prove conclusively Mr. Beasley was inside
17 of Defendant's vehicle when Mr. Beasley was shot.
- 18 15. Arizona law, known as "castle doctrine," justifies the use of "deadly physical
19 force" by any civilian when the civilian is attacked in their own vehicle.
- 20 16. Arizona law defines "kidnapping" as a person attempting to take control of a
21 vehicle and/or attacking someone in their own vehicle, and/or interfering with a political
22 function.
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1 17. Defendant was performing a political function prior to and during the incident.

2 18. Arizona law "justifies" and even requires the use of force and/or deadly force to
3 prevent one's self from being kidnapped.

4 19. It is a felony pursuant to Arizona Law known as "road rage" to leave your vehicle
5 during a non-collision traffic incident.

6 20. Mr. and/or Mrs. Beasley never called emergency personnel to assist them before
7 they started the altercation and attack upon Defendant.

8 21. Mr. Beasley did "flash his high-beams" at Defendant when Defendant passed Mr.
9 Beasley as evidenced by Mrs. Beasley's statement to the media.

10 22. Mr. Beasley "does see RED" when he gets angry as evidenced by Mrs. Beasley's
11 statement to the media.

12 23. Defendant passed Mr. Beasley's vehicle within the confines of ALL traffic laws.

13 24. Mrs. Beasley was too intoxicated at the time of the incident to possibly remember
14 the incident correctly, as evidenced by numerous police officers' statements.

15 25. Mr. Beasley was too intoxicated at the time of the incident to possibly drive safely
16 and within the confines of Arizona traffic law immediately previous to the incident, as
17 evidenced by Mr. Beasley's B.A.C.

18 26. Defendant only passed Mr. Beasley to extricate Himself and His fiancé from the
19 dangerous situation caused by Mr. Beasley's erratic and extremely slow driving.

20 27. Defendant is responsible for the safety and well being of His fiancé when they are
21 traveling together in Defendant's private vehicle and therefore any and all actions by
22 Defendant done within the confines of Arizona traffic laws are by law correct.

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1 28. Mr. Beasley had no lawful reason and no substantive right to leave his vehicle
2 during a non-collision traffic dispute.

3 29. Mrs. Beasley is required by law to state facts to law enforcement agents and any
4 statements she makes that contradict those statements are evidence of her perjury.
5

6 30. Mrs. Beasley was highly involved in the causative acts that lead to Mr. Beasley's
7 numerous felonies as Mrs. Beasley assisted Mr. Beasley in becoming "feloniously drunk"
8 and driving while impaired, then screaming at Defendant and pounding on Defendant's
9 vehicle.
10

11 31. Mrs. Beasley made numerous false statements to police and investigators
12 concerning the amount of alcohol her and Mr. Beasley consumed in an attempt to conceal
13 how intoxicated Mr. and Mrs. Beasley were at the time of Mr. Beasley's death.
14

15 32. Mrs. Beasley has made numerous contradictory statements to police, media, and the
16 court.

17 33. Mr. Beasley was an admitted frequent L.S.D. user. (*See: Waterin Hole Blog*)

18 34. Mr. Beasley admitted to using so much L.S.D. that he sometimes believed he was
19 "God" and was attempting to curtail his frequent usage due to his recent psychotic and/or
20 sociopathic drifts. (*See: Waterin Hole Blog*)
21

22 35. Mr. Beasley and Mrs. Beasley had "broken up" the night before according to Mr.
23 Beasley's numerous statements on a "blog" written the night before the incident in
24 question. (*See: Waterin Hole Blog*)
25

26 36. Mr. Beasley expressed his "happiness" about Mrs. Beasley "being gone for good"
27 and was attempting to "flirt" with a friend's wife previous to night of the incident.
28

1 (See: Waterin Hole Blog)

2 37. Defendant NEVER left His own vehicle during the savage attack and kidnapping
3 attempt committed against Him and His fiancé.

4 38. Defendant's fiancé NEVER left the vehicle during the savage attack and
5 kidnapping attempt committed against Her and Her fiancé.

6 39. Defendant's fiancé did attempt to assist Defendant during the kidnapping attempt
7 against them, and was in fear for Her life.

8 40. Mrs. Beasley also attacked and threatened Defendant and Defendant's fiancé.

9 41. Mrs. Beasley attacked Defendant's vehicle.

10 42. Mr. Beasley intelligently, knowingly, willingly, and purposefully, with malice
11 aforethought, left his own vehicle to attack and/or injure and/or murder and/or kidnap
12 Defendant without cause and/or right.

13 43. Defendant believes and believed at the time of the incident; Defendant and
14 Defendant's fiancé only survived the violent assault and kidnapping attempt committed by
15 Mr. Beasley with Mrs. Beasley's assistance due to the death of Mr. Beasley.

16 44. Defendant believes and believed at the time of the incident; Mr. Beasley would
17 have continued assaulting Defendant until Mr. Beasley killed or greatly injured Defendant
18 and then Mr. Beasley would have attacked Defendant's fiancé.

19 45. Defendant believes and believed at the time of the incident; Mr. Beasley was
20 experiencing a psychotic break due to Mr. Beasley's voluntary drug and alcohol
21 intoxication; and accordingly Mr. Beasley was out of control mentally; and Mr. Beasley
22 was physically unstoppable by any natural human force at the time Mr. Beasley died.

1 46. Defendant was "performing a political function" on direct request by a presidential
2 candidate during the incident.

3 47. Mr. Beasley had made inferred derogatory beliefs against the presidential candidate
4 Defendant was assisting at the time of the incident.

6 48. Defendant was sober before and during the incident.

7 49. Defendant does not do ANY illicit drugs.

8 50. Defendant did ram the vehicle behind Defendant's vehicle in an attempt to escape
9 from Mr. Beasley's savage assault before Mr. Beasley was shot.

11 51. Plaintiff is and was required by law to attempt to prevent her husband from
12 committing the crimes he did commit but Plaintiff chose to assist Mr. Beasley not only in
13 getting drunk and driving while intoxicated, but also in assaulting and kidnapping
14 Defendant.

16 52. Mr. Beasley's strength, aggressiveness, ability to disregard pain were all
17 unnaturally increased due to Mr. Beasley's ingestion of extreme amounts of alcohol and
18 illicit drugs, including without limitations, marijuana, L.S.D. and/or steroids.

20 53. Mr. Beasley used a steroid inhaler and was in possession of such at the time of his
21 death.

22 54. Mr. Beasley's mixture of extreme amounts of alcohol, steroids, and other drugs is
23 "scientifically known" to cause people to act like "raging monsters" and inflict grave
24 injury to innocent people.

26 55. Mr. Beasley was experiencing what is commonly referred to by laymen and law
27 enforcement officers as "roid rage."
28

1 56. Pursuant to Arizona's Felony Murder Rule, Plaintiff, as a conspirator and/or
2 accessory to her husband's assault and attempted kidnapping on Defendant and
3 Defendant's fiancé, Plaintiff must be charged with Felony Murder.
4

5 57. Plaintiff has not been charged with Felony Murder Only due to the fact Plaintiff's
6 husband had financial ties with County Attorney Andrew Thomas in the laundering of
7 "Prisoner bonds" through Plaintiff's husband's employment as an accountant at Charles
8 Schwab.
9

10 58. Strangulation is the third leading cause of murder in Arizona.

11 59. Mr. Beasley died while violently and aggressively resisting "citizen's arrest."
12

13 **UNKNOWN:**

14 1. It is unknown if Mrs. Beasley informed the insurance company if Mr. Beasley was
15 drunk, high, and/or on other drugs when he died.

16 2. It is unknown if Mrs. Beasley informed the insurance company if Mr. Beasley died
17 during the commission of multiple felonies that lead to his death.

18 3. It is unknown "exactly" how intoxicated Mrs. Beasley was at the time she helped
19 cause her husband's death through her criminal acts, yet numerous Phoenix Police
20 Officers, which are considered expert witnesses in "intoxication" stated Mrs. Beasley was
21 "extremely intoxicated" at the time of the incident. It was claimed by Mrs. Beasley that
22 Mr. Beasley had 1.5 "Jack and Cokes" that day, when in fact Mr. Beasley MUST have
23 consumed at least 15 "Jack and Cokes," ten times the amount claimed by Plaintiff.
24
25

26 Plaintiff also claimed she had only drank 1.5 "Jack and Cokes," yet she was
27 "extremely intoxicated." Plaintiff's statement MAY only be considered that she claims she
28

1 drank the exact amount of "Jack and Cokes" as her husband, which then means this Court
2 MUST consider that Plaintiff has stipulated to consuming 15 "Jack and Cokes" in
3 approximately 6 hours.
4

5 Scientifically, that means Plaintiff's B.A.C. would be in the neighborhood of .28,
6 which would concur with the Phoenix Police Officers statements of her condition. If
7 Plaintiff chooses to refuse to stipulate to this fact, Plaintiff will therefore be required to
8 prove that several Phoenix Police Officers have committed perjury and numerous other
9 crimes.
10

11 Numerous Phoenix Police Officers stated for the record Plaintiff "was so drunk
12 they had to help her in and out of the vehicle." That is about as drunk as a person can get,
13 and such is *prima facie* evidence it is not possible Plaintiff remembers anything about that
14 night.
15

16 Plaintiff should then consider the ramifications of "falsely charging Police
17 Officers" with numerous felonies; for her pecuniary gain, as opposed to just committing
18 perjury to falsely imprison a civilian for her pecuniary gain. The consequences may be
19 radically different.
20

21 If Plaintiff refuses to stipulate to her "extremely intoxicated" state as claimed by
22 numerous Phoenix Police Officers then Plaintiff is required by law to prove the Officers
23 committed perjury.
24

25 If Plaintiff stipulates to her "extremely intoxicated" state then Plaintiff MUST
26 explain and prove scientifically with *prima facie* evidence that a person that drunk can
27 remember "facts" during the traumatic and violent event which she initiated. Such proof
28

1 does not and cannot exist as all scientific conclusions evidence it is not possible that
2 Plaintiff remembers anything of that night due to her "extremely intoxicated" state.

3 **Accordingly, Plaintiff MUST stipulate that either she is committing numerous**
4 **acts of perjury OR numerous Phoenix Police Officers are committing perjury.**

5 **Either stipulation is acceptable to Defendant. Defendant acknowledges**
6 **acceptance in advance to either stipulation. Defendant only requires that Plaintiff**
7 **stipulate to her perjurous acts OR the Officer's perjurous acts before the discovery**
8 **process for this case begins.**

9 **NOTE:** It is a functional impossibility for Plaintiff, Mrs. Beasley, to accurately
10 **recollect and or honestly describe the events of the night in question due to her "extremely**
11 **intoxicated" state as evidence by the statements of numerous Phoenix Police Officers.**
12 Mrs. Beasley has made numerous contradicting statements to police, *a criminal act*, and
13 the media. Mrs. Beasley has stated in the media that Mr. Beasley "sees RED" and that Mr.
14 Beasley did "flash the high beams" even after Mrs. Beasley denied Mr. Beasley "flash[ed]
15 the high beams" when she was questioned if Mr. Beasley instigated the incident in any
16 way, including "flash[ing] the high beams." (See: Numerous T.V. news shows)

17 Mrs. Beasley has previously lied to law enforcement and the Court in an attempt to
18 falsely accuse an innocent man and conceal her numerous criminal acts, and is again lying
19 to the Court for pecuniary gain.

20 /

21 //

22 ///

1 **IN DIRECT ANSWER AND REPOSNE TO PLAINTIFFS' CLAIMS:**

2 **JURISDICTION, VENUE AND PARTIES**

3 1. Defendant is without knowledge or information sufficient to form a belief.

4 2. Defendant is without knowledge or information sufficient to form a belief.

5 3. Defendant is without knowledge or information sufficient to form a belief.

6 4. Denied. Defendant is a civilian, and pursuant to law and treaty as a civilian,

7 Defendant shall be referred to by this Court and all others, parties or not, as no other.

8 5. Denied. Defendant is a civilian, and pursuant to law and treaty as a civilian,

9 Defendant shall be referred to by this Court and all others, parties or not, as no other.

10 Defendant is not now nor recently been "lawfully married" pursuant to Arizona Statutes,

11 and Defendant has NO communal property.

12 6. Defendant is without knowledge or information sufficient to form a belief.

13 7. Denied. Plaintiff's felonious and heinous acts of assault, kidnapping, and/or

14 attempted murder led to and caused the death of Mr. Beasley. If at least one of the people

15 in Plaintiff's vehicle, Plaintiff or Plaintiff's husband had refused to break the law and

16 refused to risk the public's safety and refused to become "extremely intoxicated" then

17 Plaintiff's husband would have not caused the events that led to Plaintiff's husband's

18 death.

19 8. Denied. Defendant is a civilian and as such, Plaintiff and this court MUST PROVE

20 jurisdiction BEFORE commencing any action.

21 /

22 //

23

GENERAL ALLEGATIONS

1
2 Defendant incorporates by reference all denials and/or statements set forth in the
3 preceding paragraphs as if fully set forth herein.
4

5 9. Defendant is without knowledge or information sufficient to form a belief.

6 10. Denied. Defendant passed the Beasley vehicle within ALL confines of the law. Mr.
7 Beasley and Mrs. Beasley at the time were "extremely intoxicated" and unable to operate a
8 motor vehicle within the confines of the law. Plaintiff has either knowingly committed
9 perjury or acquiesced to Defendant's claim Plaintiff was too intoxicated to remember the
10 event as there were not "several other vehicles in front of Defendant's vehicle."
11

12 11. Denied. Defendant did not and did not need to exceed the speed limit as Plaintiff's
13 husband was so intoxicated at the time his speed was not greater than 20 miles per hour.
14 Physics proves the speed needed to pass a vehicle being driven by a "drunk driver" going
15 20 miles per hour does not need to exceed the posted limit to remain within the confines of
16 the law at that particular location.
17

18 12. Denied. Defendant never cut off Plaintiff's vehicle. Plaintiff was too intoxicated at
19 the time to be able to determine infractions of law and/or driving etiquette.
20

21 13. Denied. Plaintiff's obfuscation of the timing of events is Plaintiff committing fraud
22 upon the court. Defendant stopped at red light, THEN, Plaintiff's vehicle pulled next to
23 Defendant's vehicle at the light.
24

25 14. Denied. Plaintiff's statement of "guided" is blatantly incorrect as a person with a
26 B.A.C. of .19 cannot "guide" a vehicle, they are more correctly "aiming a dangerous 2000
27 pound weapon at the general public."
28

1 15. Denied. Plaintiff is intelligently, knowingly and willfully committing perjury in her
2 statement. At the intersection, Defendant's window was down as Defendant was "smoking
3 a cigarette" and Defendant's fiancé greatly dislikes cigarette smoke. Plaintiff and her
4 husband were shouting obscenities at Defendant when Plaintiff's husband pulled next to
5 Defendant. Plaintiff's acts of pulling next to Defendant is *prima facie* evidence of
6 Plaintiff's *malum in se* intent and malice aforethought behavior as Plaintiff had every
7 opportunity to pull behind Defendant and/or slow down and not pull next to Defendant
8 and/or pull far in front of Defendant. Mr. Beasley's act of pulling "next to" Defendant and
9 immediately jumping out of his vehicle is *prima facie* evidence of Mr. Beasley's decided
10 intent of attacking Defendant. Mr. Beasley with Mrs. Beasley's concurrence made the
11 choice to instigate a violent assault on and kidnapping of Defendant due to Mr. Beasley
12 and Mrs. Beasley's intoxicated state. Mr. Beasley and Mrs. Beasley had unlimited
13 possibilities to prevent they're attack on Defendant yet chose to park next to Defendant
14 and get out of their vehicle and attack Defendant.

15
16
17
18 Mr. Beasley and Mrs. Beasley's choice to become "extremely intoxicated" by
19 continuously ingesting alcohol for six hours which caused them, due to the violent
20 tendencies created by abusive amounts of alcohol and drug use, to initiate the assault and
21 kidnapping is the original and primary relative factor that led to Mr. Beasley's death.

22
23 16. Denied. Defendant did not move his vehicle until after Mr. Beasley assaulted and
24 kidnapped Defendant, and such was ONLY done in an attempt by Defendant to extricate
25 himself from Mr. Beasley's assault.
26
27
28

1 17. Denied. Mr. Beasley exited his vehicle immediately upon parking next to
2 Defendant's vehicle as was Mr. Beasley's plan developed during his drunken rage while
3 driving; as evidenced by Mr. Beasley "flashing his high-beams" while he was "seeing
4 RED" as stated by Mrs. Beasley to the media. Mr. Beasley's chosen location to park is
5 *prima facie* evidence of Mr. Beasley's premeditated intent on savagely assaulting and
6 kidnapping Defendant.
7

8 18. Denied. Defendant's vehicle may have maneuvered back and forth during Mr.
9 Beasley's savage assault on Defendant and the ONLY reason Defendant's vehicle did not
10 travel in a straight direction was due to Defendant using the steering wheel of the vehicle
11 to push His own body further away from Mr. Beasley's savage assault on Him.
12

13 19. Denied. At no time did Defendant "display" a hand-gun and/or any weapon of any
14 type. Mr. Beasley grabbed a hand-gun from Defendant's vehicle's hidden compartment
15 on the dash when the hand gun became visible during Mr. Beasley's savage assault on
16 Defendant.
17

18 20. Denied. Plaintiff's claim is controverted by the evidence and is a lie and complete
19 fabrication. The blood evidence on Defendant's vehicle and lack of (GSR) evidence on
20 Mr. Beasley's hands proves *prima facie* that Plaintiff's statement is perjurous. Mr.
21 Beasley's hands and arms were inside of Defendant's vehicle when Mr. Beasley was shot.
22 It is a functional impossibility for a man walking backwards to fall forwards when shot in
23 the head. It is also a functional impossibility for Mr. Beasley's blood to be in the location
24 it was, if Mr. Beasley was walking backward. It is also a functional impossibility for Mr.
25 Beasley to NOT have GSR on his hands if his hands were up instead of in Defendant's
26
27
28

1 vehicle. The evidence proves conclusively Plaintiff is lying, either because she does not
2 remember which she physically cannot, do due to her extremely intoxicated state, or she is
3 lying in an attempt to receive pecuniary gains from falsely imprisoning an innocent
4 civilian, and to conceal her crimes.
5

6 21. Denied. The gun discharged while 15 to 21 inches inside of the vehicle as the
7 evidence conclusively proves. It is functionally impossible to determine how or what
8 caused the weapon to discharge as Mr. Beasley's hand or hands were moving erratically
9 inside Defendant's vehicle while Defendant was fighting off Mr. Beasley and Defendant
10 was trying to garner control of the weapon from Mr. Beasley.
11

12 22. Denied. Defendant retreated from the scene of the assault and kidnapping of
13 Himself and His fiancé as is His duty, to protect the people in His vehicle, under Arizona,
14 United States, and International Law.
15

16 COUNT I

17 Wrongful Death

18 Defendant incorporates by reference all denials and/or statements set forth in the
19 preceding paragraphs as if fully set forth herein.
20

21 23. Denied. As a direct and proximate result of Plaintiff's choice to become "extremely
22 intoxicated" and place the general public in grave danger by allowing her husband, a man
23 Plaintiff knows uses L.S.D., alcohol, steroids, and illicit drugs, Plaintiff has destroyed the
24 lives of numerous innocent people and caused the death of a mentally disturbed drug
25 addicted alcoholic individual who relied on her to prevent him from injuring others.
26
27
28

1 Plaintiff's choices the evening of the incident led to Mr. Beasley's death. Plaintiff
2 intelligently, knowingly, and willfully allowed and assisted a drug addicted alcoholic to
3 become "extremely intoxicated" and drive a motor vehicle through residential
4 neighborhoods and on busy streets. Plaintiff's obvious total disregard for public safety and
5 her own negligence made Plaintiff primarily culpable for any and all injuries and deaths to
6 any and all parties.
7

8 It is not incumbent on the State or Defendant to establish that the party that died
9 due to Plaintiff's negligence and abhorrent behavior was an "intended victim," just that
10 there is a victim due to Plaintiff's culpable act(s).
11

12 24. Denied. Plaintiff is liable under the Felony Murder rule for Mr. Beasley's death.
13 Mr. Beasley died during the commission of numerous felonies that Plaintiff was either a
14 conspirator with or assistant to, and as such Plaintiff is solely responsible for Mr.
15 Beasley's death.
16

17 Plaintiff is solely responsible for ALL loses to ALL parties, including without
18 limitations, financial, emotional, physical, psychological, past and future, medical,
19 earnings, incidental, burial, etc., this answer is responsive to Plaintiff's a, b, c, and d.
20

21 COUNT II

22 Reckless and Gross Negligence

23 Defendant incorporates by reference all denials and/or statements set forth in the
24 preceding paragraphs as if fully set forth herein.
25

26 25. Denied. Defendant is a civilian and only owes a duty to protect those entrusted to
27 his care, which is inclusive of His fiancé. Defendant's common law duty was to defend
28

1 Himself and His fiancé from the "extremely intoxicated" drug addicted man that chose to
2 risk the lives of everyone around him and put the general public in grave danger and
3 savagely attack Defendant and His fiancé. Defendant has the duty to survive and the
4 Substantive Right to do what was necessary to save the life of His fiancé and Himself from
5 a man that chose to ingest enough poison to turn himself into a raging beast.

7 Common law springs from the Holy Scriptures, which states:

8 *See: Exodus 22:2*"If a thief is caught breaking in and is struck so that he dies, the
9 defender is not guilty of bloodshed;"

10 *See also: the story of David and Goliath, 1 Samuel.*

11 26. Denied. Defendant, as always, conducted Himself appropriately according to the
12 situation. Defendant's duty was to assure His fiancé's safety; mission accomplished.

13 In fact, it was truly Plaintiff's duty to prevent her husband from becoming so violently
14 intoxicated that he risked other people's lives. Plaintiff in fact "armed" and/or conspired to
15 "arm" Mr. Beasley with what is considered one of the most deadly of all weapons, that of
16 the inability to feel pain or control one's self physically and mentally, then armed Mr.
17 Beasley with a 2000 pound missile. Plaintiff's arming of a drug addicted alcoholic with
18 such a deadly weapon is beyond negligence, it is dangerous to the extent that inevitably
19 someone is more likely to be injured than not.

22 Plaintiff's blatant disregard for the general public's safety and welfare is the
23 primary cause of Mr. Beasley's death. Such disregard for other's safety is the most
24 heinous act possible of recklessness and gross negligence.

26 27. Denied. The direct and proximate result was caused by Plaintiff's disregard for
27 public safety. In essence, if Plaintiff had not committed so many acts of gross negligence

1 and recklessness continually, the events that led to Mr. Beasley's death would not have
2 occurred. Plaintiff could have prevented the outcome by simply not committing so many
3 crimes in such a short amount of time. Mr. Beasley would still be alive if Plaintiff had not
4 committed and/or assisted in the commission of even one of the following felonious acts:
5

- 6 1. Driving while "extremely intoxicated;"
- 7 2. Public intoxication;
- 8 3. Road Rage;
- 9 4. Kidnapping;
- 9 4. Assault.

10 If Plaintiff had made the choice to follow the laws of Arizona instead of becoming
11 dangerously and grossly intoxicated, Plaintiff would have no losses.

12 All loses, inclusive of those listed by Plaintiff in a, b, c and d are directly caused by
13 Plaintiff's numerous felonious acts and/or Plaintiff's voluntary involvement with her
14 husband's numerous felonious acts.
15

16 COUNT III

17 Negligence

18 Defendant incorporates by reference all denials and/or statements set forth in the
19 preceding paragraphs as if fully set forth herein.
20

21 28. Denied. Defendant did not breach common and/or statutory law.

22 Common law allows one to do what is necessary to survive an assault and prevent
23 one's self and any other party, especially a loved one, from being kidnapped.
24

25 *See: Heller, 128 S.Ct. at 2793, 2797-2799, 2801, 2809, 2817.*
26 *Heller informs, if not resolves, reaffirming that **armed self-defense is an***
"inherent," "natural," "fundamental," "right."

27 *See also: Defendant's short treatise on Kidnapping below.*
28

1 Even in the most extreme of cases, that of a civilian against a corrupt law
2 enforcement officer, a civilian has the right to defend himself by any means necessary
3 when he believes someone is attempting to kill him.
4

5 *See: People v. King, 22 Cal. 3d 12, 24, 582 P.2d 1000, 1007 (1978)*
6 *“and the right to armed self-defense is fundamental to the American*
7 *scheme of justice.”*

8 *See also: Starr v. United States, 153 U.S. 614, 623 (1894), SCOTUS*
9 *came to a similar conclusion finding an alleged horse thief had the right to*
10 *defend himself against an overzealous posse.*

11 Statutory law in this case is, inter alia, Arizona Revised Statutes §§ 13-418, 419:

12 13-418. Justification; use of force in defense of residential structure or
13 occupied vehicles; definitions

- 14 A. Notwithstanding any other provision of this chapter, a person is
15 justified in threatening to use or using physical force or deadly
16 physical force against another person if the person reasonably
17 believes himself or another person to be in imminent peril of death or
18 serious physical injury and the person against whom the physical
19 force or deadly physical force is threatened or used was in the process
20 of unlawfully or forcefully entering, or had unlawfully or forcefully
21 entered, a residential structure or occupied vehicle, or had removed or
22 was attempting to remove another person against the other person's
23 will from the residential structure or occupied vehicle.
- 24 B. A person has no duty to retreat before threatening or using physical
25 force or deadly physical force pursuant to this section.
- 26 C. For the purposes of this section:
- 27 1. "Residential structure" has the same meaning prescribed in
28 section 13-1501.
 2. "Vehicle" means a conveyance of any kind, whether or not
motorized, that is designed to transport persons or property.

13-419. Presumption; exceptions; definitions

- 24 A. A person is presumed to be acting reasonably for the purposes of
25 sections 13-404 through 13-408 and section 13-418 if the person is
26 acting against another person who unlawfully or forcefully enters or
27 entered the person's residential structure or occupied vehicle....

1 There is no evidence Defendant fired any weapon. The evidence supports the
2 contention that Mr. Beasley caused the hand gun to discharge during the struggle for the
3 weapon. If Mr. Beasley did not want the gun to discharge, Mr. Beasley should not have
4 grabbed the gun out of Defendant's vehicle's dash.
5

6 If Plaintiff is again attempting to obfuscate facts by claiming that evidence of GSR
7 on Defendant's hands is indicative of Defendant firing a weapon, the Plaintiff is again
8 using perjury as a means to support a claim. The FBI, in numerous statements, has
9 established that GSR is ONLY indicative of proximity, not possession.
10

11 29. Denied. Plaintiff's list of injuries, inclusive of a, b, c, and d, are a direct result of
12 Plaintiff's gross negligence and criminal activity. Again, it must be noted that if Plaintiff
13 had chosen to not commit even one of the felonies she was committing that caused Mr.
14 Beasley's death, Mr. Beasley would not be dead.
15

16 COUNT IV

17 Intentional Infliction of Emotional Distress

18 Defendant incorporates by reference all denials and/or statements set forth in the
19 preceding paragraphs as if fully set forth herein.
20

21 31. Denied. Surviving a violent assault and kidnapping by an extremely intoxicated
22 drug addicted roid raging psychopath on a murderous rampage is not outrageous conduct.
23 Yet, Plaintiff's behavior of knowingly, intelligently, and willfully, assisting a drug
24 addicted violent alcoholic in consuming what any medical professional would consider a
25 highly dangerous amount of alcohol is outrageous behavior.
26
27
28

1 In fact, Plaintiff assisted Mr. Beasley in consuming inconceivable amounts alcohol
2 and drugs and then allowed Mr. Beasley to drive, all on a day after Mr. Beasley broke up
3 with her. It is distinctly possible Plaintiff succeeded in a misguided attempt to "teach Mr.
4 Beasley" a lesson, as Mr. Beasley may have consumed enough poison in the few hours
5 before the incident that Mr. Beasley may have been dying of alcohol poisoning at the time
6 of the incident.
7

8 32. Denied. Defendant committed NO wrongful conduct. It was not Defendant that
9 allowed a drug addicted alcoholic to drive a vehicle with a B.A.C. of .19. The ONLY
10 wrongful conduct was that of Plaintiff and Mr. Beasley. Defendant's conduct led to the
11 survival of Himself and that of His fiancé, even though they were attacked in their vehicle
12 by a drunken, drugged crazed, psychotic on a murderous rampage.
13

14 COUNT V

15 Negligent infliction of Emotional Distress

16 Defendant incorporates by reference all denials and/or statements set forth in the
17 preceding paragraphs as if fully set forth herein.
18

19 33. Denied. Defendant's behavior was ONLY that which was necessary to survive in a
20 situation created by Plaintiff's gross negligence and criminal acts and in no way breached
21 any common law and/or statutory concepts.
22

23 34. Denied. Plaintiff's criminal acts caused Plaintiff to experience, hangover, shock
24 and mental anguish.
25

26 35. Denied. Plaintiff's criminal acts caused great and unnecessary risk to Defendant,
27 Defendant's fiancé, and the public in general.
28

1 36. Denied. Plaintiff's criminal acts caused Plaintiff's emotional distress, and
2 Plaintiff's continued disavowing of the truth is destroying Plaintiff's body, as doing evil
3 things to innocent people often does. Plaintiff would be better served by telling the truth
4 and facing what she has done to her own life and how her issues with alcohol eventually
5 led to her husband's death.

7 37. Denied. All of Plaintiff's emotional distress and physical illnesses are a direct result
8 of Plaintiff's heinous and criminal activity and Plaintiff's unwillingness to face the truth
9 and face the consequences of her heinous acts. Plaintiff should consider telling the truth, if
10 she can remember anything from that night, as the "soul cleansing" may heal her.
11 Plaintiff's ongoing life built on lies to conceal her guilt will probably continue to erode her
12 health.

14 COUNT VI

15 Assault

16 Defendant incorporates by reference all denials and/or statements set forth in the
17 preceding paragraphs as if fully set forth herein.

18 38. Denied. Defendant never left Defendant's vehicle. In fact, Defendant never even
19 had time to remove Defendant's seat belt as Mr. Beasley's drug induced assault and
20 kidnapping on Defendant was quickened due to Mr. Beasley's heightened physical
21 abilities due to the effects of the drugs Mr. Beasley ingested. Defendant's vehicle never
22 struck Mr. Beasley nor Mrs. Beasley, nor was there any attempt to strike either.
23 Defendant's vehicle moved ONLY in response to Defendant's loss of control of the
24 vehicle during the savage assault and gaining control of the vehicle by Mr. Beasley.
25
26
27
28

1 39. Denied. Defendant's ONLY intent was to extricate Himself and His fiancé from a
2 violent assault being perpetrated on them by a drug crazed maniac. Defendant NEVER left
3 His vehicle. Mr. Beasley left Plaintiff's vehicle with the intent on causing grievous bodily
4 injury and/or death to Defendant and/or Defendant's fiancé, as repeatedly stated by Mr.
5 Beasley during his savage assault on Defendant.
6

7 40. Denied. As direct result to Plaintiff's numerous felonious acts and other criminal
8 activity many people have suffered greatly. Such is the case when criminals such as
9 Plaintiff are not charged and allowed to live within a society.
10

11 COUNT VII

12 Battery

13 Defendant incorporates by reference all denials and/or statements set forth in the
14 preceding paragraphs as if fully set forth herein.
15

16 41. Denied. There is no evidence anyone but Mr. Beasley caused the gun to discharge,
17 resulting in Mr. Beasley's death.

18 42. Denied. Defendant ONLY intended for Himself and His fiancé to survive a murder
19 attempt and escape from a kidnapping. Mr. Beasley and Mrs. Beasley were the ONLY
20 parties to leave their vehicle in the incident in question.
21

22 It would have been a functional impossibility for any party in this incident to have
23 been harmed if Plaintiff and/or Mr. Beasley stayed within the confines of the law and
24 remained in their vehicle and/or did not ingest massive amounts of alcohol and/or illicit
25 drugs.
26
27
28

1 43. Denied. As a direct result of Plaintiff's grossly negligent behavior of allowing a
2 drug addicted alcoholic, her husband, who relied on Plaintiff's assistance to not commit
3 his typical criminal acts, Mr. Beasley died. A husband has the right, and a wife has the
4 duty, as the reverse is also true, to care for one another and to keep each other safe. Even if
5 that means preventing the other from doing something as stupid as getting ridiculously
6 drunk and driving around residential neighborhoods looking for a "brawl" as was Mr.
7 Beasley's claimed normal behavior.
8

9
10 **COUNT VIII**

11 **Punitive Damages**

12 Defendant incorporates by reference all denials and/or statements set forth in the
13 preceding paragraphs as if fully set forth herein.
14

15 44. Denied. Defendant acted with just cause, "clean hands," and a sound mind.
16 Plaintiff's acts MAY ONLY be described as *malum in se*. There is no better way to
17 describe Plaintiff's intent of getting "extremely intoxicated" and driving, while risking the
18 safety and welfare of the general public. Defendant's intent was not only good and pure,
19 Defendant was actually out "performing a political function" to benefit His society and
20 His country, to the best of His ability and at His own expense financially.
21

22 45. Denied. Defendant repeatedly attempted to escape without harming His attacker,
23 even to the extent of ramming the vehicle behind Him. Plaintiff's husband entered
24 Defendant's vehicle with the stated intent of murdering Defendant and His fiancé, and
25 Plaintiff's husband repeatedly informed Defendant that he was "going to kill" Defendant,
26 even while Plaintiff's husband was strangling Defendant.
27
28

1 46. Denied. Defendant's conduct was ONLY motivated by survival, as Defendant
2 feared for His life and the life of His fiancé, as any reasonable civilian would while being
3 attacked by a drunken drug ridden psychotic attempting to kill Him in His own vehicle.

4
5 47. Denied. This accusation seems to evidence signs of sociopathic tendencies and/or
6 schizophrenic thoughts by Plaintiff. Plaintiff's behavior has all the requisite elements to be
7 considered as willingness to risk substantial harm to others, yet Defendant's conduct
8 ONLY proves justification and the desire to not be savagely murdered and/or kidnapped.

9
10 Is it Plaintiff's contention that "hanging banners" for a Presidential candidate
11 creates substantial risk of significant harm to others? Does not spending over six hours
12 continually drinking at two different parties then driving through a residential area seem a
13 more appropriate example of how one creates the substantial risk of significant harm to
14 others?
15

16 Does not flashing your high beams at a passing car then pulling up next to said car
17 at an intersection and leaving your vehicle and attacking the occupants of said car fulfill
18 the required elements of creating substantial risk of significant harm to others?
19

20 KIDNAPPING AS IT PERTAINS TO THE INCIDENT

21 Arizona Revised Statutes §13-1304. Kidnapping

22 A. A person commits kidnapping by knowingly restraining another person with the
23 intent to:

- 24 3. **Inflict death, physical injury** or a sexual offense on the
25 victim, or to otherwise aid in the commission of a felony; or
- 26 4. Place the **victim or a third person in reasonable**
27 **apprehension of imminent physical injury to the victim**
28 **or the third person;** or
- 26 5. **Interfere with the performance of a governmental or**
27 **political function;** or
- 28 6. **Seize or exercise control over any airplane, train, bus, ship**
or other vehicle. (*All emphasis added*)

1 Summary of kidnapping pursuant to A.R.S. § 13-1304 as it applies in this case:

2
3 It is a well settled matter in this and all other States in the union that a person
4 attempting to escape from a kidnapper shall by right and law be protected from
5 prosecution and civil suits as it is a person's right and duty to attempt to save their own
6 life.
7

8 It is also well settled that a victim escaping from kidnappers is neither required nor
9 expected to remain at the scene of the crime, especially if any of the kidnappers remain. It
10 was never Defendant's intention to flee, only to escape from the kidnappers and retreat to
11 prevent any further injury to Himself or anyone else, as is lawfully allowed and reasonably
12 expected during a failed kidnapping attempt.
13

14 Dating back well over 150 years, and even into ancient times, every precedent set
15 has allowed kidnapping victims to use any type of force, necessary or not, to escape. Even
16 in **United States v. The Libellants and Claimants of the Schooner Amistad her**
17 **Tackle, Apparel and Furniture 40 U.S. 518 (1841)**, argued 22-24 February 1841,
18 decided 9 March 1841 by vote of 7 to 1; Story for the Court, Baldwin in dissent,
19 *known now as the Amistad case*, the case was decided on whether slaves were property or
20 people and if they be considered people they were lawfully allowed to kill their captures
21 even while at sea. There are obviously far too many cases to list and the concept too well
22 settled for the Plaintiff to argue whether a kidnap victim may use deadly force to escape
23 from his attacker.
24
25
26
27
28

1 The use of the word or instead of and (*governmental or political function*) causes
2 the statute to mean a very clear and distinct difference between governmental and political
3 functions. These are two separate concepts and can not be redefined to mean that those
4 performing a "political function" need be government employees and/or paid for their
5 services.
6

7 At point is only whether Defendant was performing a political function. We then
8 look to Black's Law Sixth Edition:
9

- 10 a) Political: page 1158 "*..having to do with organization or ACTION OF*
11 *INDIVIDUALS that seek to control appointment... "*
12 b) Function: page 673, "*..perform, execute or administer.. "*
13 c) Campaign: page 205, "*ALL the things... done by a candidate AND HIS*
14 *ADHERENTS to obtain... votes. Any organized effort to promote a cause*
15 *or to secure some definite result with any group of persons"*
16 *(Emphasis added)*

17 Political function is exactly that; a political function, which would include a myriad
18 of duties and jobs whether volunteered or paid. Hanging banners for a company to draw
19 customers would be a "company function" whether those hanging the banners were being
20 paid or simply doing a friend a favor. Thus, someone hanging banners for a politician
21 trying to be elected to a political office is by definition a "political function."

22 **A. Elements of kidnapping:**

23 The Beasley's did in fact commit kidnapping pursuant to Arizona law when they
24 blocked Defendant's truck door from opening and attacked Defendant while Defendant
25 was restrained by his own seatbelts. Seat belts are legally defined as restraints pursuant to:
26 *Arizona State Senate Issue Brief 11-03-06*. Mr. Beasley did in fact attempt to exercise
27 control over Defendant's vehicle when Mr. Beasley grabbed Defendant and attempted to
28

1 remove Defendant from Defendant's vehicle and after failing did in fact grab at
2 Defendant's steering wheel.

- 3
- 4 i) Knowingly restraining another person with intent to place the victim
5 in a reasonable apprehension of imminent physical injury or to
6 seize or exercise control over a vehicle
7 *State v. Newman*, (1984) 141ARIZ 554, 688 P.2d 180
- 8 ii) Kidnapping may be committed with intent to inflict death or it may
9 be... committed with intent to inflict serious injury.
10 *State v. Bruni*, (app. Div.2 1981) 129 Ariz. 321, 630 P.2d 1044
- 11 iii) Although offense of kidnapping with intent to place a victim or a
12 third person in reasonable apprehension of imminent physical
13 injury is not a lesser included offense or a separate offense, it is one
14 of the many ways in which a person can be guilty of kidnapping.
15 *State v. Stough*, (App. Div.2 1983) 136 Ariz. 374, 641 P.2d 862

16 **B. Intent, elements of kidnapping:**

17 Under Arizona law there is no requirement for the Beasleys to know that Defendant
18 was performing a political function, nor is it a requirement that they caused Defendant's
19 restraint. The simple facts that Defendant was performing a political function and/or was
20 restrained is all that is necessary under Arizona law for the Beasleys to be considered
21 committing the act of kidnapping.

- 22 i) Under Arizona kidnapping statute, kidnapping is one crime,
23 regardless of whether it occurs as a result of a knowing restraint
24 with the intent to inflict physical injury or with intent to interfere
25 with the performance of a governmental function.
26 *State v. Jones*, (App. Div1 1995) 185 Ariz. 403, 916 P.2d 1119.

27 **C. Force or intimidation, elements of kidnapping:**

28 Although it is known that Mr. Beasley did in fact try to injure Defendant, such
attempt is not required under Arizona law. The simple fact that Defendant was

1 apprehensive about the fact Mr. Beasley was going to attempt to injure Defendant is all
2 that is necessary under Arizona law. It is obvious that a man with a B.A.C. of .19 would
3 appear to be drunk and any reasonable man would be apprehensive of an obviously
4 drunken man attacking him while in his own vehicle, especially if said attacker is 4 inches
5 taller and 40+ pounds heavier than the victim.
6

7 It is known that Mr. and Mrs. Beasley both left their vehicle, both pounded on
8 Defendant's vehicle and that Mr. Beasley attempted to remove Defendant from
9 Defendant's vehicle. Witnesses have also acknowledged that Mr. Beasley was attempting
10 to strangle Defendant.
11

12 Defendant's testimony, even without other witnesses testimony, that Defendant told
13 Mr. Beasley to stop is relevant in this matter and goes to prove Defendant's intent to
14 escape and Mr. Beasley's intent to kidnap.
15

16 i) The force or compulsion required for offense of kidnapping need
17 not consist of using actual physical force or express threats, and,
18 where taking was accomplished by giving orders that the victim
19 felt compelled to obey because he feared harm, or injury, and
20 victim's apprehension was not unreasonable under the
21 circumstances, taking was "forcible" within the meaning of
22 kidnapping statute.
23 *State v. Belkin*, (App. Div.2 1976) 26 Ariz. 513, 549 P.2d 608

24 ii) Rape victim's testimony that defendant knew that she was
25 trying to get away from them while they were raping her was clearly
26 relevant so as to be admissible lay opinion testimony in prosecution
27 for rape and kidnapping in that it added weight to victim's
28 contention that she was forced without her consent to have
intercourse without her consent and rebutted defendant's allegation
to contrary.
State v. Alaya, (App. Div.1 1994) 178 Ariz. 385, 873 P.2d 1307

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D. Commission of felony

Beasley's purposeful confinement of Defendant and Defendant's fiancé was enough to determine that Mr. Beasley meant to kidnap Defendant and Defendant's fiancé. There need not be any other crime committed by Mr. Beasley nor is it a requirement that Mr. Beasley caused in any way for Defendant and/or Defendant's fiancé to be moved any distance.

i) Fact that defendant's confinement of individuals was incidental to armed robbery of store did not preclude defendant's conviction of kidnapping with intent to commit armed robbery in addition to conviction of armed robbery.
State v. Rabon, (App. Div.2 1977) 115 Ariz. 45, 563 P.2d 300

ii) Fact that defendant ordered individuals into room in connection with robbery only after defendant had received money did not preclude conviction of kidnapping for robbery on theory that robbery had already been committed at time defendant confined the individuals.
State v. Rabon, (App. Div.2 1977) 115 Ariz. 45, 563 P.2d 300

E. Sufficiency of evidence

Statements by the witnesses are adequate evidence to prove the Beasley's did commit kidnapping and/or conspired to do so as both left their vehicle and attacked Defendant's vehicle. Although neither Defendant nor his fiancé was forced to go anywhere, the fact the Beasley's forced Defendant and his fiancé to stay in Defendant's vehicle is enough to constitute the charge of kidnapping against the Beasleys.

The fact Defendant was performing a political function and the Beasleys interfered with said function is grounds enough for the kidnapping charge. The fact Beasley did violently assault Defendant and attempt to kill Defendant is further evidence of Beasley's intent.

1 Although Defendant is not a law enforcement officer, Defendant did place Mr.
2 Beasley "under arrest for felonious assault" and Mr. Beasley did resist said arrest in a
3 violent manner.
4

5 Mrs. Beasley's behavior, whether willing or not, primarily due to her voluntary
6 intoxication, makes her an accomplice to Mr. Beasley's kidnapping attempt of Defendant
7 and Defendant's fiancé. Especially since Mrs. Beasley committed several acts of perjury to
8 hide her husbands crimes and further the false prosecution and unlawful imprisonment and
9 financial ruination of Defendant.
10

11 i) Evidence that defendant compelled victims, against their will to
12 remain in truck cab or to enter rear of truck so that defendant could
13 commit rapes was adequate evidence of compulsion to stay
14 somewhere or go somewhere against victim's will so as to sustain
 conviction of three counts of kidnapping with intent to rape.
 State v. Pickett, (1978) 1221 Ariz. 142, 589 P.2d 16

15 ii) Evidence was sufficient to support finding that defendant interfered
16 with performance of governmental function by deputy, and thus
17 supported defendant's conviction of kidnapping deputy; defendant
18 admitted that he grabbed, hit, and wrestled with deputy, and told
19 brother to grab deputy's gun so that deputy would not take
 defendant to jail.
 State v. Herrera, (1993) 176 Ariz. 21, 859 P.2d 131

20 iii) Manner in which defendant and codefendant forcibly entered
21 victim's automobile and fact that she was then taken immediately to
22 isolated area where she was raped and robbed by defendant was
23 sufficient circumstantial evidence of codefendant's intent to sustain
24 his convictions as aider and abettor on charges of kidnapping for
 rape and robbery.
 State v. Bailes, (App. Div.2 1978) 118 Ariz. 582 P.2d 1011

25 iv) In prosecution for being an accessory to crime of kidnapping in that
26 defendant had full knowledge that named person had committed
27 crime of kidnapping and concealed such fact fro magistrate or
28 harbored and protected such person...
 State v. Hernandez, (1958) 83 Ariz. 279, 320 P.2d 467

1 F. HISTORICAL BACKGROUND OF KIDNAPPING LAWS

2 No civilian has ever been sued for injuries inflicted on his kidnapper or for
3 continued flight after escaping a failed kidnapping attempt. Such suit contravenes the
4 desired effect of societal imposed laws. The suing of the Defendant is no different than
5 suing Charles Lindbergh's infant son for suicide.
6

7 Kidnapping has been a recognized crime tracing back to the earliest Judeo-
8 Christian law. *See Exodus 21:16* (Holman Christian Standard). English common law
9 defined kidnapping as "the forcible abduction or stealing away of a man, woman, or child,
10 from their own country, and sending them into another."
11

12 *See: William Blackstone, 4 Commentaries *219.*

13 Some federal courts, considering the separate states as jurisdictions foreign to each
14 other for the purpose of kidnapping, incorporated the English common law definition of
15 kidnapping by modifying the offense to include the asportation of an individual across
16 state lines as well as across international boundaries. *See, e.g., Collier v. Vaccaro*, 51 F.2d
17 17, 19 (4th Cir. 1931) ("The gist of the [kidnapping] offense is the forcible carrying out of
18 the state"); *Gooch v. United States*, 82 F.2d 534, 537 (10th Cir.) ("[K]idnapping at
19 common law means to forcibly abduct a person and to carry him from one state into
20 another state"), *cert. denied*, 298 U.S. 658 (1936). So, too, did Congress, in its
21 enactment of the Federal Kidnapping Act in 1932. 18 U.S.C. § 408(a) (1932) (currently
22 codified at 18 U.S.C. § 1201 (2000)). The Act, often referred to as "The Lindbergh Law"
23 because its enactment came as a result of the mysterious disappearance of Charles
24 Lindbergh's infant son, currently follows the English common law by stating: "Whoever
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1 unlawfully seizes, confines, inveigles, decoys, kidnaps, abducts, or carries away and holds
2 for ransom or reward or otherwise any person . . . when--(1) the person is willfully
3 transported in interstate or foreign commerce . . . [,]" shall be guilty of kidnapping. 18
4
5 U.S.C. § 1201(a) (2000).

6 During the last half of the twentieth century, kidnapping stories encompassed an
7 ever wider array of fictive and real-life scenarios. The 1974 abduction of Patricia Hearst,
8 the daughter of a prominent media mogul, by the Symbionese Liberation Army, recalled
9 politically motivated kidnappings in other countries. Several years later, when an anti-
10 American faction in Iran seized nearly one hundred people at the American Embassy in
11 Tehran, the media proclaimed "America Held Hostage," and the incident played a key role
12 in the 1980 presidential election of Ronald Reagan and the defeat of incumbent Jimmy
13 Carter. The kidnapping of U.S. businesspeople and diplomats remained a prominent
14 concern overseas, while abductions that accompanied **carjackings** and other crimes
15 attracted considerable attention in the United States.
16
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18 Still, cases involving young children attracted the most intense interest. Bitter
19 controversy over child custody laws, for example, publicized a form of abduction in which
20 one parent resorted to kidnapping in order to circumvent a court order granting custody to
21 the other. In 1980, Congress responded with the Parental Kidnapping Prevention Act,
22 which mandated greater state-to-state cooperation in custody-related abductions.
23
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25 Advocates for children, though, insisted on a clear distinction between parental
26 kidnappings and "stranger abductions," which became firmly associated with the specter
27 of sexual exploitation. Several tragic cases of stranger abductions prompted new
28

1 legislation, such as "Megan's Law," which aimed for the registration and monitoring of
2 "sexual predators." Other prominent kidnappings produced new nationwide organizations,
3 including the Adam Walsh Children's Fund and the Polly Klaas Foundation for Missing
4 Children.

5
6 **Arizona's legislature**, however, has chosen to accept the Model Penal Code §
7 212.1, in its entirety, as its bases for the definition of kidnapping, and the corresponding
8 statutes thereof. Thus, the precedents of other State's that also chose to accept Model
9 Penal Code § 212.1 in its entirety as law, apply.

10
11 The intent of Model Penal Code § 212.1 is in no way ambiguous. Model Penal
12 Code § 212.1 the crime of kidnapping, its most serious imprisonment offense, is defined
13 as: unlawfully remov[ing] another from his place of residence or business, or a substantial
14 distance from the vicinity where he is found, or . . . unlawfully confin[ing] another for a
15 substantial period in a place of isolation, with any of the following purposes:

- 16
17 (a) to hold for ransom or reward, or as a shield or hostage; or
18 (b) to facilitate commission of any felony or flight thereafter; or
19 (c) **to inflict bodily injury on or to terrorize the victim or another;** or
20 (d) **to interfere with the performance of any governmental or political**
function.

21 **Annotated**

22 "The legislative intent of enacting the enhancement of sentence provision of 13-
23 1304 was to deter kidnappers from injuring their victims by distinguishing between injury
24 and noninjury case, not between injuring and noninjuring kidnappers."
State v. Tison, (1981) 129 Ariz. 526, 633 P.2d 335

25 "Under Arizona kidnapping statute, kidnapping is one crime, regardless of whether
26 it occurs as a result of a knowing restraint with the intent to inflict physical injury or with
27 intent to interfere with the performance of a governmental function."
State v. Jones, (App. Div1 1995) 185 Ariz. 403, 916 P.2d 1119

1 "Evidence was sufficient to support finding that defendant interfered with
2 performance of governmental function by deputy, and thus supported defendant's
3 conviction of kidnapping deputy; defendant admitted that he grabbed, hit, and wrestled
4 with deputy, and told brother to grab deputy's gun so that deputy would not take defendant
5 to jail."

6 *State v. Herrera*, (1993) 176 Ariz. 21, 859 P.2d 131

7 39 ALR 5th 283, Seizure Or Detention For Purpose Of Committing Rape, Robbery,
8 Or Other Offense As Constituting Separate Crime Of Kidnapping.

9 Knowingly restraining another person with intent to place the victim in a reasonable
10 apprehension of imminent physical injury or to seize or exercise control over a vehicle.

11 *State v. Newman*, (1984) 141 ARIZ 554, 688 P.2d 180

12 Under Arizona kidnapping statute, death or injury to victim is a sufficient but not
13 necessary goal of the restraint.

14 *State v. Jones*, (App. Div.1 1995) 185 Ariz. 403, 916 P.2d 1119, review denied.

15 Neither movement of victim nor differing degree of victim's restraint by defendant
16 constitutes additional act of kidnapping under Arizona statute defining that offense. *State*
17 *v. Jones*, (App. Div.1 1995) 185 Ariz. 403, 916 P.2d 1119, review denied.

18 Crime of kidnapping was complete where defendant abducted victim at knife point
19 from behind and ordered her into his truck.

20 *State v. Jones*, (App. Div.1 1995) 185 Ariz. 403, 916 P.2d 1119, review denied.

21 Physical injury suffered by victim of sexual assault, kidnapping, and aggravated
22 assault from being punched and kicked during assault enhanced all of the offenses as
23 "dangerous" rather than merely aggravated assault, where by punching and kicking victim
24 defendant was able to accomplish sexual intercourse without consent constituting sexual
25 assault, and was able to effect the element of restraint required for kidnapping.

26 *State v. Greene*, (App. Div.1 1993) 177 Ariz. 218, 866 P.2d 886, review granted in part,
27 denied in part, affirmed in part, vacated in part 182 Ariz. 576, 898 P.2d 954.

28 Though defendant's infliction of physical injury on victim would not itself support
felony-murder charge, defendant's knowing restraint of victim with intent to inflict such
injury was kidnapping which supported felony-murder charge.

State v. Lewis, (App. Div.1 1991) 169 Ariz. 4, 816 P.2d 263, redesignated as opinion,
review denied 170 Ariz. 398, 825 P.2d 19

Seizure or detention of victim, with any accompanying movement, is necessarily
sufficient to constitute separate crime of kidnapping, whether or not movement
substantially increases risk of harm.

State v. Lewis (App. Div.1 1991) 169 Ariz. 4, 816 P.2d 263, redesignated as opinion,
review denied 170 Ariz. 398, 825 P.2d 19.

Elements of kidnapping as charged in instant case were: knowingly, restraining
another person with the intent to place the victim in a reasonable apprehension of
imminent physical injury or to seize or exercise control over a vehicle.

State v. Newman, (1984) 141 Ariz. 554, 688 P.2d 180.

1 Although offense of kidnapping with intent to place victim or a third person in
2 reasonable apprehension of imminent physical injury is not a lesser included offense or a
3 separate offense, it is one of many ways in which a person can be guilty of kidnapping.
4 *State v. Stough*, (App. Div.2 1983) 137 Ariz. 121, 669 P.2d 99.

5 A kidnapping may occur during a robbery, it is but one of the acts occurring during
6 the course of the robbery. *State v. Linden*, (App. Div.1 1983) 136 Ariz. 129, 664 P.2d 673.

7 It is fact of forcible removal and not distance involved that establishes crime of
8 kidnapping.

9 *State v. Ring*, (1982) 131 Ariz. 374, 641 P.2d 862.

10 Kidnapping may be committed with intent to inflict death or it may be committed
11 with intent to inflict a sexual offense or it may be committed with intent to inflict physical
12 injury.

13 *State v. Bruni*, (App. Div.2 1981) 129 Ariz. 312, 630 P.2d 1044.

14 Kidnapping involves taking away of person by force or fraud against will of victim.

15 *State v. Miguel*, (App. Div.1 1980) 125 Ariz. 538, 611 P.2d 125.

16 When defendant took each girl at gunpoint into a room and raped her, this
17 constituted kidnap for rape and when he forced them into the car, this constituted armed
18 kidnap.

19 *State v. Jones*, (App. Div.2 1979) 123 Ariz. 373, 599 P.2d 826.

20 Essence of kidnap is not the distance the victim is transported but the unlawful
21 compulsion against the will to go somewhere.

22 *State v. Williams* (1974) 111 Ariz. 222, 526 P.2d 1244.

23 To constitute kidnapping, it is not essential that any personal property be taken.
24 *State v. Soders*, (1970) 106 Ariz. 79, 471 P.2d 275.

25 Under Arizona kidnapping statute, kidnapping is one crime, regardless of whether it
26 occurs as a result of a knowing restraint with the intent to inflict physical injury or with the
27 intent to interfere with the performance of a governmental function.

28 *State v. Jones*, (App. Div.1 1995) 185 Ariz. 403, 916 P.2d 1119, review denied.

State was not required to establish that defendant committed sexual offense after
abducting victim to support kidnapping conviction, but rather was only required to show
that defendant had intent to commit such offense when he abducted victim.

State v. Atwood, (1992) 171 Ariz. 576, 832 P.2d 593, opinion modified on denial of
reconsideration, certiorari denied 113 S.Ct. 1058, 506 U.S. 1084, 122 L.Ed.2d 364.

Defendant, who both moved and confined 15-year-old victim in his automobile
with intent to inflict sexual offense, had no standing to make argument that kidnapping
statute (this section) was overbroad by defining restraint without consent as acquiescence
of victim if under 18.

State v. Taylor, (App. Div.2 1982) 135 Ariz. 262, 660 P.2d 863.

Even if defendant had standing to challenge kidnapping statute (this section) as
overbroad due to fact that restraint without consent is defined as acquiescence of victim if
under 18, statute makes such "restraint" criminal only if one of the requisite intent is
present, which in defendant's case, was intent to commit a sexual offense; therefore, this
section was not overbroad.

State v. Taylor, (App. Div.2 1982) 135 Ariz. 262, 660 P.2d 863.

1 Consideration of the number of victims kidnapped was not beyond the discretion of
2 sentencing court, even though number of victims was not statutory aggravating factor; by
3 committing crimes against multiple victims simultaneously defendant altered character
4 and magnitude of offense, creating greater risk of physical and emotional injury to each
5 victim as they saw the others terrorized or injured, thus arguably representing graver
6 offense to society.

7 *State v. Tschilar*, (App. Div.1 2001) 200 Ariz. 427, 27 P.3d 331, review granted in part,
8 review denied as improvidently granted.

9 Force required by § 13-491 (repealed; now, this section) was not necessarily the
10 same as force required by assault statute, § 13-241 (repealed; see, now, § 13-1203).
11 *State v. Belkin*, (App. Div.2 1976) 26 Ariz.App. 513, 549 P.2d 608.

12 Fact that defendant's confinement of individuals was incidental to armed robbery of
13 store did not preclude defendant's conviction of kidnapping with intent to commit robbery
14 in addition to conviction of armed robbery.

15 *State v. Rabon*, (App. Div.2 1977) 115 Ariz. 45, 563 P.2d 300.

16 CONCLUSION

17 **The comparison of Defendant's actions and Plaintiff's actions are synonymous**
18 **with comparing good and evil:**

19 A. **Defendant** was spending His time and money helping society by being
20 politically active and performing a political function.

21 **Plaintiff** and her husband were spending their time and money getting
22 "drunk" and risking the lives and well being of the general public.

23 B. **Defendant** was trying to avoid being murdered and/or kidnapped and/o
24 assaulted and attempting to save His fiancé from harm.

25 **Plaintiff** and her husband left their vehicle in a fit of rage to injure innocent
26 people due to their inability to reason caused by their drunken state.

27 C. **Defendant** retreated from the scene when Plaintiff attempted to complete the
28 assault on Defendant after her husband was stopped; to keep His fiancé safe.

Plaintiff attacked Defendant after her husband's attempt failed.

1 D. Defendant has ONLY told the truth when speaking of the incident.
2 Plaintiff has told numerous lies, changed her stories numerous times,
3 committed perjury, lied to law enforcement officers and investigators,
4 attempted to cause people to believe she could remember the incidents of
5 that evening even though she was far to intoxicated to possibly remember,
6 and possibly failed to inform the insurance company of the pertinent facts
7 concerning her husband's death, including without limitations, the fact her
8 husband died while in the act of committing felony assault, kidnapping, and
9 attempted murder, and that Plaintiff was and is an accessory to all crimes
10 committed by her husband.
11

12 Plaintiff's gross negligence and complete disregard for the public's safety and well
13 being was more likely than not going to cause great bodily injury and/or death. If Mr.
14 Beasley had not died during his savage assault and kidnapping and murder attempt on
15 Defendant, Mr. Beasley may have very well died without ever waking from his soon to be
16 realized alcohol induced coma. It is also more than possible that Mr. Beasley may have
17 killed and/or destroyed the lives of numerous other innocent people due to his almost
18 unfathomable drunken state.
19

20 B.A.C. of .19 is only .01 below two and one half times the legal limit. Mr. Beasley
21 also had what easily could have been another 900 ml of alcohol in his body. Depending on
22 what percentage of the 900 ml was alcohol, it is quite possible Mr. Beasley was already
23 dying. Such a death would then be directly attributable to Plaintiff's criminal activity.
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1 Perhaps if Mr. Beasley had died at home in his bed due to Plaintiff's criminal
2 activity, Plaintiff would now be suing Greasewood Flats and the FBR Open under the
3 DRAM Act for the bars getting her husband drunk.
4

5 Accordingly, this suit is nothing more than the real criminal's attempt to hold
6 someone else accountable for her heinous and criminal activity.

7 Plaintiff is well aware that due to her knowledge of her husband's criminal activity
8 with County Attorney Andrew Thomas she will never be charged criminally for the crimes
9 she committed that directly led to her husband's death, as the County Attorney would then
10 be forced to discuss his "connections" with an organized syndicate that profits from selling
11 convicted criminals bonds converted by securities into chattel paper. It is obvious the
12 County Attorney does not want the general public to know that ALL prisoners are
13 converted into securities that are sold on the open market, as such would lead to questions
14 of why Andrew Thomas prosecutes so many obviously innocent civilians, as Thomas is
15 doing to Defendant.
16
17

18 **Defendant hereby state for the record, Defendant does not agree to ANY time**
19 **extensions for Plaintiff to file their RESPONSE AND/OR REPLY to this ANSWER,**
20 **even if Plaintiff changes counsel. Plaintiff brought this baseless and frivolous suit and**
21 **the longer it last the more damage Plaintiff causes Defendant.**
22

23 **Defendant hereby state for the record, Plaintiff has "opened the door" for**
24 **Defendant to garner access to ALL of Plaintiff's medical records. Plaintiff's claims of**
25 **"health issues being caused by Defendant" requires Plaintiff grant Defendant full**
26 **disclosure and/or discovery of Plaintiff's past and present medical records.**
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CERTIFICATE OF SERVICE

Defendant delivered/mailed copies of the foregoing
to the Plaintiff this 31st day of March, 2010:

- ANSWER AND/OR RESPONSE TO PLAINTIFF'S BASELESS,
FRIVOLOUS, AND UNLAWFUL COMPAIN T SUBMITTED UNDER
DURESS AND *VI ET ARMIS* AND NOT GRANTING JURISDICTION
DEFEDANT IS ONLY APPEARING SPECIALLY AND NOT GENERALLY
50 pages**

COPY of the foregoing delivered
this 31st day of March, 2010 to:

Honorable **UNKNOWN**
Maricopa County Superior Court
101 W. Jefferson
Phoenix, AZ. 85003-2243

COPY of the foregoing delivered/mailed
this 31st day of March, 2010 to:

DOYLE LAW GROUP
5010 East Shea Blvd., Suite A-106
Scottsdale, AZ 85254
John C. Doyle, Esq. (010602)
Jonathon L Sullivan, Esq. (026619)

By: [_____], agent