

JO ANN HOWARD AND ASSOCIATES
PLAINTIFFS,

RECEIVED

V. JUL 31 2014 CASE NO.09-CV-1252-ERW

J.DOUGLAS CASSITY, ET. AL.,
DEFENDANTS

BY MAIL

MOTION TO DISMISS WITH PREJUDICE OR IN THE ALTERNATIVE TO GRANT DEFENDANT BRENT CASSITY,
PRO SE,
DUE PROCESS RIGHTS IN ORDER THAT HE BE ABLE TO DEFEND HIMSELF

COMES NOW Defendant Brent Cassity and respectfully requests an Order of this Court Dismissing this defendant with prejudice from the Complaint hereby pending against him or, on the alternative, Order that this Defendant be granted due process rights enabling the Defendant to defend himself.

As a result of the actions of the Plaintiffs, and particularly, Elizabeth Fuller, the General Counsel for the Texas Department of Insurance, who upon being informed by Hannover operatives in 2008 that Lincoln was about to be awarded a multi-million dollar judgment (possibly as much as \$250,000,000) which would have thwarted her plan to give the Cassity companies to her brother, Chris Fuller, put the Cassity companies in receivership and immediately enjoined the Hannover Arbitrators from issuing the multi-million dollar award against Hannover. As a result, the regulator's brother, Chris Fuller, has become a multi-millionaire, claiming he is supervising the Reilly Pozner law firm, which firm, on its web site, takes credit for the indictment and destruction of the Cassity family. This Court recently ruled that the actions of the Fuller regulators, even if illegal, can not be challenged in the interest of providing regulatory certainty to protect the public.

WHEREFORE, Defendant Brent Cassity, for his Motion to Dismiss and/or for Alternative relief states, as follows:

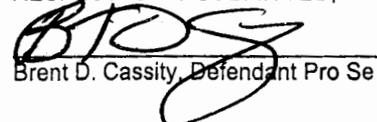
- (1) This Defendant has been rendered penniless as the result of Plaintiff and the US Government, aided and abetted by Plaintiff. In addition to being destitute, this Defendant is now incarcerated, and has no ability to defend himself unless this court appoints an attorney with the skills necessary to understand the issues in this case and prepare an adequate defense for Defendant. If the Court does not appoint an attorney and charge it to the costs of this case or the US government, then this Defendant asks the Court to dismiss this case.
- (2) This Defendant has been denied the ability to confront witnesses against him at the dozens of depositions which have been taken in which this Defendant has had no ability to participate. Due process and basic fairness require at least this basic right and therefore this case should be dismissed as to this Defendant.
- (3) Neither the Court, nor the Plaintiffs, have even provided this Defendant with copies of depositions of the dozens of depositions taken in this case. So, this Defendant not only was not able to confront witnesses, but has no idea what testimony has been sworn to by witnesses. Again basic fairness and due process require this case be dismissed.
- (4) Neither the Court, nor the Plaintiffs, have provided this Defendant with any documentary evidence or exhibits to the depositions. There appears to be 1,000,000s of page of such evidence and the parties have stored it on DVDs. DVDs are considered contraband in federal prisons and cannot be viewed by prisoners. Again basic fairness and due process require this case be dismissed.
- (5) Working with the US Government, the US Government has assigned federal restitution against this Defendant of \$435,000.000 for the benefit of the Plaintiffs. So not only is this Defendant penniless, but the Plaintiffs are attempting to obtain a double judgment against this Defendant based on the same facts, a total waste of judicial resources. Again basis fairness and due process require this case be dismissed.
- (6) In the event the Court does not dismiss this case, then this Defendant requests that this Defendant be granted an order of habeas corpus and released to the custody of the Court in order to be able to confront witnesses at trial.

Keeping this Defendant in the case is a total waste of judicial resources. The damages Plaintiff seeks have already been awarded to Plaintiffs.

WHEREFORE, this Defendant prays this honorable Court issue its order dismissing this case with prejudice to this Defendant or in the alternative grant the Defendant the basic fairness and due process rights set out above if such dismissal is not granted.

DATED THIS 25 DAY OF July, 2014.

RESPECTFULLY SUBMITTED,


Brent D. Cassity, Defendant Pro Se

CERTIFICATE OF SERVICE

Please deliver copy to Judge Webber and all other parties as I am incarcerated and have no ability to do so.

⇨ 38224-044 ⇨

Brent Cassity
PO BOX 1000-
Leavenworth, KS 66048
United States

KANSAS CITY 640

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Attn. Judge Webber

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