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JUN 20 2012

**CLERK, U.S. DISTRICT COURT
DISTRICT OF MONTANA
MISSOULA**

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4 Plaintiff

5

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7

UNITED STATES DISTRICT COURT

8

MISSOULA, MONTANA

9

MISSOULA COUNTY DIVISION

10	Jason Christ, Pro Se,)
) Case No.: _____
11	Plaintiff.)
) Department: _____
12	vs.)
) PLAINTIFF'S APPLICATION FOR
13	City of Missoula Police) TEMPORARY RESTRAINING
) ORDER, PRELIMINARY AND
14	Department, Colin Rose,) PERMANENT INJUNCTION, AND
) ORIGINAL VERIFIED COMPLAINT
15	Stacy Lear, Missoula County)	FOR DAMAGES
)
16	Attorneys Office, Andrew)
)
17	Paul, Paul Van Valkenberg,)
)
18	Missoula County 911,)
)
19	Officers John Does 1-12;)
)
20	Defendants)
)

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COMES NOW, Jason Christ, pro se, and files this complaint against the defendants listed above and would show the court as follows:

THE PARTIES

1. Plaintiff, Jason Christ, is a resident of Missoula County and had a business in Missoula with it's primary place of business in Missoula.
2. Defendant, City of Missoula Police Department, is located in and it's primary location for business is in Missoula County, Montana.
3. Defendant Colin Rose is a resident of Missoula County.
4. Defendant Stacy Lear is a resident of Missoula County.
5. Defendant, Missoula County Attorney's Office, is located in and it's primary location for business is in Missoula County, Montana.
6. Defendant, Andrew Paul, is a resident of Missoula County.

1 7. Defendant, Paul Van Valkenberg, is a resident of
2 Missoula County.

3 8. Defendants Officers 1-12 are various Missoula City
4 Police and Missoula County Law Enforcement
5 employees.

6
7 JURISDICTION AND VENUE

8 9. Subject matter jurisdiction over this cause is
9 conferred upon and vested in this court under the
10 laws of the United States.

11 10. Personal Jurisdiction over the Defendants is
12 vest in this Court under the laws of the United
13 States.

14 11. All relevant conduct between the plaintiff and
15 the defendants occurred in the United States in
16 general, venue is proper in this court.

17
18 INTRADISTRICT ASSIGNMENT

19 12. This cause of action should be assigned to the
20 Missoula County Division of this Court because a
21 substantial part of the events or omissions which

1 gives rise to this lawsuit occurred in Missoula
2 County.

3
4 INTRODUCTION

5 13. In 2003, the citizens of Montana passed, by
6 voter initiative, the legalization of marijuana,
7 for medical use. It passed by 63% in 2003, and by
8 2009, 850 patients were signed up as patients with
9 the Montana department of public health and human
10 services. ("DPHHS")

11 14. Plaintiff began his business in 2009, in which
12 he provided a doctor to patients, organized classes
13 about the law and medical cannabis and participated
14 in the political arena with lobbying efforts.

15 15. By 2010, plaintiff's business had served over
16 15,000 patients, Montana State Court experienced
17 it's first jury nullification/mutiny with regards
18 to criminal marijuana possession, causing the
19 prosecution to lose cases.

20 16. In early 2010, plaintiff challenged the
21 validity of an ordinance that was put into effect

1 by an anti-medical marijuana city attorney, Jim
2 Nugent. This "law" was never passed by any due
3 process of passing laws. In other words, Nugent, in
4 his official capacity, prohibited patients and
5 caregivers from lawfully growing their own marijuana
6 within Missoula County. No law existed to this
7 effect and plaintiff filmed Nugent's verbal attempt
8 to excuse his mistake. It was put on the internet
9 and the "law" was redacted.

10 17. This kind of action by cities occurred on a
11 state-wide scale, as municipalities chose to enact
12 practices with the same weight and effect as laws
13 that prohibited patients from being able to access
14 and use medical marijuana, lawfully under state
15 law. Part of plaintiff's business during outreach
16 seminars, included educating the public about these
17 unlawful practices and how government is supposed
18 to operate and how to participate.

19 18. Law enforcement provided misinformation and
20 heavy lobbying efforts in 2010 and 2011 to
21 eliminate the medical marijuana act. As a result,

1 in 2010 the Montana Legislature passed a repeal
2 bill, the governor vetoed the legislature's bill,
3 and the legislature enacted a new medical marijuana
4 act that eliminated 75% of registered patients, 98%
5 of the business involved and frightened all but two
6 doctors from exercising their free speech rights -
7 to counsel freely a patient, without fear of the
8 government's intrusion.

9 19. But the results were clear: patients were
10 getting off of the many dangerous narcotic pills
11 that had been causing physical ailments which
12 affected the overall economy, in part, due to the
13 use of medical cannabis.

14
15 FACTS

16 20. Beginning in 2009, the Defendants named above
17 initiated a stream of actions that led to this case
18 being filed. This included the denial of
19 plaintiff's rights without due process, denial of
20 equal protection under the law and malicious
21

1 prosecution of criminal charges that were/are
2 frivolous and arbitrarily enforced.

3 21. The defendants instituted a frivolous charges
4 against the plaintiff - misdemeanors and felonies,
5 some based on a single phone call where the
6 plaintiff used the word "fuck". These calls were
7 charged against the plaintiff in various forms,
8 including an alleged bomb threat.

9 22. In the alleged bomb threat case, the plaintiff
10 was not in the jurisdiction of the trial court when
11 the offense was alleged to have occurred, in
12 violation of the Montana State Constitution,
13 Article II, §24. Missoula county does not have
14 jurisdiction, yet the defendants have continued to
15 press charges against the plaintiff. The trial
16 court has refused to dismiss the case, proceeding
17 under mistake of law, and the plaintiff has
18 appealed for writ of supervisory control, and has
19 been denied multiple times.

20 23. The plaintiff, the defendant in that underlying
21 case, interviewed the prosecution witnesses,

1 examined under oath. The investigating officers
2 interviewed the prosecution witnesses. In the
3 underlying case, the prosecution is aware that the
4 testimony that will be given by the witness will be
5 perjured, and the trial court has been made aware
6 of the same - yet the case is continuing to
7 proceed. The only way that the prosecution can with
8 its case, is if witnesses lie. Indeed all of the
9 allegations by the prosecution have already been
10 controverted several times by the plaintiff.

11 24. The defendants are proceeding in that criminal
12 case knowing that the witness will have to continue
13 to commit perjury.

14 25. The intended use of the justice system by the
15 defendants has been perverted in a design for
16 prosecution of non-crimes, such as complaining over
17 the phone, to police, to customer service
18 representatives, etc. While the underlying reason
19 for the defendant's prosecution of the criminal
20 cases are in retaliation for plaintiff's political
21 involvement and exercise of free speech.

1 26. Every other criminal case in the same district
2 where the charges are the same (felony
3 intimidation), has so much more of a story of
4 outrageous behavior, that, as one lawyer said it,
5 "are you serious?". The case against the plaintiff
6 by the defendant in these multiple criminal cases
7 are wholly unfounded, no proof exists, the
8 witnesses testimony has been perjured several
9 times, and they have been brought, solely for the
10 purpose to intimidate, harrass and annoy the
11 plaintiff - to remove his ability to participate in
12 the political arena, to have a business that hires
13 doctors who counsel patients to use marijuana. The
14 actions are designed to also stop his ability to
15 conduct seminars throughout Montana - educating
16 people about their rights, beyond medical cannabis.

17
18 27. For over three years, the defendants have
19 engaged in denying equal protection to the
20 plaintiff, in various forms and levels.

1 28. When the plaintiff contacted the defendants for
2 police protection due to a theft at his residence
3 in 2010, for several thefts and assaults in 2011,
4 and thefts, assault, battery and police misconduct
5 in 2012, the defendants did not respond properly.

6 29. Instead, the defendants 1) ignored the
7 plaintiff's requests, 2) declined to prosecute 100%
8 of every complaint, 3) threatened the plaintiff
9 with arrest if he continued to complain about the
10 complete lack of equal police protection, and 4)
11 filed criminal charge after criminal charge against
12 the plaintiff - for using the word "fuck" over the
13 phone.¹

14 30. Plaintiff has been forced to file civil actions
15 against those who have harmed him, rather than
16

17 ¹ The context of which was, "what the fuck?", or "this is fucking shitty", as
18 opposed to an insult such as "f**k you!" The allegations of every criminal
19 charge are the same - they don't allege insults, they are charges solely
20 based on the use of the word "fuck", or another similar word like it. And
21 neither a stream of them - a single act forms the basis of multiple felonys
and misdemeanor charges against the plaintiff.

1 prosecution being a part of the right of the
2 plaintiff to police protection. After all, it is
3 the tax-payers - the citizens, who pay for police,
4 and it is their duty to provide those services,
5 equally to all.

6 31. So the Court, because of the many pleadings
7 filed by the plaintiff, has labeled the plaintiff a
8 difficult litigant and "hard to deal with." Which,
9 if true, would not be agreed upon by the clerks of
10 that same court - those who do the actual "dealing"
11 with the plaintiff.

12
13 32. In early 2012, as a result of the ongoing
14 harrassment by the police and their affirmative
15 actions to deprive the plaintiff from equal
16 protection, the plaintiff was forced to leave
17 Missoula county.

18 33. Plaintiff moved out of his home. Over a course
19 of several evenings, after many thefts had already
20 occurred, and no police protection or prosecution,
21 plaintiff called the police because at night

1 someone was pointing a red laser into his kitchen,
2 living room and dining room. This occurred for
3 several weeks, the police did not investigate, but
4 they wrote a "silly" report, designed to make the
5 plaintiff look bad so that they would not take him
6 serious.

7 34. Within two weeks, plaintiff's car windows and
8 tires were shot out, items were stolen, and other
9 things occurred that caused plaintiff to fear for
10 this life.

11 35. The police refused to investigate any
12 allegations by the plaintiff, dismissing every call
13 to 911 as frivolous.

14 36. The plaintiff moved from his home and did not
15 notify the lower trial courts in the criminal cases
16 because the defendants would use that against him
17 to lock him in jail, not because plaintiff was
18 violating any court orders or state laws, but
19 because that's how things are done in Missoula
20 County District State Court.

1 37. Plaintiff moved out, to camp in the woods.

2 38. Plaintiff was camping near Lolo Hot Springs,
3 about 20 miles into Mineral county, down a vast
4 network of random unimproved dirt roads, near the
5 end of one of them, in the middle of nowhere.

6 39. On May 2nd, 2012, the plaintiff was supposed to
7 interview a prosecution witness at 9AM.

8 40. Plaintiff did not appear to interview her
9 because he thought it was scheduled for two days
10 later and indeed had set it as such in his
11 calendar.

12 41. One of many strangest and most frightening
13 interactions with law enforcement occurred.

14 42. At 5PM on that day, Missoula County sheriff's
15 deputies, without warrant or permission, entered
16 Mineral county, and went directly to plaintiff's
17 vehicle, in which he was sitting, working on a
18 legal paper.

19 43. The plaintiff heard a knock on his window, he
20 looked out of his car, saw guns pointed at him and
21 was instantly frightened.

1 44. The deputies had their guns drawn and pointed
2 at the plaintiff as they made the plaintiff exit
3 his car, talk to them. They requested his
4 identification, and while he was retrieving it from
5 his car, another officer pointed his gun at the
6 plaintiff.

7 45. When plaintiff was asked why he was there, he
8 responded that he liked camping, was working on
9 some "legal stuff", and had a US field guide army
10 manual.

11 46. The plaintiff asked if he had done something
12 wrong (to find out why they were there) and the
13 deputies responded that someone had called about a
14 person camping. This call, somehow prompted the
15 Missoula county sheriff's department to cross
16 county lines, point their guns at plaintiff, and
17 harass him about his personal business.

1 47. There exists no laws for the actions taken by
2 the defendants, and there are no laws prohibiting
3 what the plaintiff was doing - camping.²

4 48. There was no probable cause or court order for
5 the intrusion on plaintiff's peace and quiet.
6

7 49. In May and June of 2012, the defendants
8 threatened the plaintiff with arrest and
9 prosecution for asserting his request to speak with
10 a supervisor regarding why the plaintiff was denied
11 equal protection when assaulted. The plaintiff had
12 caught the incident on camera, and was threated by
13 the police with criminal prosecution if he
14 complained to supervisors.

15 50. The plaintiff was charged with violating the
16 Privacy in Communcations Act (45-8-213, MCA) for
17 questioning why the desk officer did not forwarded
18 plaintiff's many requests to speak with a

19 ² Incidentally, plaintiff is vegan (vegetarian) and does not hunt, does not own
20 any weapons, but is not allowed to have any, to protect himself in the woods
21 - from bears and such.

1 supervisor. There was no probable cause for the
2 charges against the plaintiff and the defendants
3 intentionally did not record the phone call, and,
4 most importantly, the plaintiff was charged with a
5 crime for using the word "fuck" over the phone.³

6 51. The defendants attempted to subvert justice,
7 attempting to acquire a warrant for plaintiff's
8 arrest, without due process of law.

9 52. The defendants sent a copy of a ticket to the
10 plaintiff's P.O. Box, unregistered. They did not
11 attempt any kind of proper service. Defendants
12 charged plaintiff with the crime of using the "f"
13 word over the phone.

14
15 53. The defendants have not investigated the leads
16 or information provided by the plaintiff in
17

18
19 ³ Again, the context of which was, "what the fuck?", or "this is fucking
20 shitty", as opposed to an insult such as "f**k you!" Regardless, it was to a
21 trained police officer, specially educated to tolerate such expressions of
dissatisfaction with the government's actions.

1 criminal charges, or in complaints made to the
2 police, such as when the plaintiff was assaulted.

3 54. Instead, the defendants filed complaints
4 against the plaintiff. For over three years, the
5 defendants have continued improper proceedings
6 against the plaintiff. Some of the proceedings have
7 been dismissed, because there has been no probable
8 cause, or for improper venue, or because the
9 "victim's" testimony has been found to be made
10 up.

11
12 55. In the course of making false claims in
13 affidavits to magistrates, the defendants engaged
14 in a pattern of illegal searches and seizures of
15 the plaintiff, his person, places and effects.

16 56. Defendants made an illegal search and seizure
17 of an unauthenticated recorded phone call,
18 allegedly the plaintiff, cussing out a customer
19 service representative.

20 57. The plaintiff was charged with the crime of
21 cussing over the phone, by Information, outlining a

1 phone call, a bomb threat, and two (or three⁴)
2 counts of felony intimidation.

3 58. The plaintiff was another county at the time
4 the plaintiff was alleged to have committed the
5 crime of intimidation - based on an unrecorded,
6 alleged bomb threat.

7 59. No jurisdiction in Missoula county was proper,
8 yet the defendants maintained an illegal action
9 against the plaintiff, the defendants sought and
10 seized "evidence" without warrants - while
11 simultaneously lawfully obtaining evidence from the
12 same party.

13 60. The plaintiff was entitled to, and expected,
14 privacy of his persons, places and effects. Yet the
15 defendants ignored his rights and affirmatively
16 violated plaintiff's right to be secure in his
17 person, places and effects.

19 ⁴ The State (prosecution) has been threatening to add more felony charges for
20 the same act of the plaintiff for two years, in retaliation for the
21 plaintiff's filing of motions in the underlying case.

1 61. The defendants engaged in a series of
2 defamatory actions that caused others to have a
3 negative view of the plaintiff, causing the
4 material denial of plaintiff's rights.

5 62. The defamatory remarks were written, some by
6 hand, some in email, and some verbally.

7 63. The defendants contacted the news media just
8 before several situations in which the plaintiff
9 was searched, or arrested - the defendants used the
10 media to embarrass the plaintiff.

11 64. Those remarks were untrue, the defendants did
12 not have a privilege to disseminate that
13 information.

14 65. The Montana Fourth Judicial District Court has
15 been presiding over a case for the last 2 years in
16 which the plaintiff in the instant case has been
17 charged with two (or three) counts of felony
18 intimidation for complaining about his cell phone
19 service.

20 66. The State Court is proceeding under several
21 mistakes of fact (stipulated by the prosecution)

1 and law that are clearly shown to be incorrect by
2 documented evidence in the form of database
3 records, but the lower State Court has proceeded
4 under a number of procedural errors that, if
5 allowed to continue, will deprive the plaintiff in
6 the instant case, the right to a fair trial.

7 67. In the State criminal case against the
8 plaintiff, the Court has ordered the production of
9 evidence exculpatory and inculpatory in nature, for
10 the plaintiff's defense, yet it has refused to
11 enforce any of its orders.

12 68. Additionally, the State Court has not dismissed
13 the charges, even though the defendant was in
14 another county at the time of the alleged offense,
15 the State stipulates to this fact, and the US
16 Constitution states that the accused shall have
17 the right to a jury trial by his or her peers. In
18 the Montana Constitution, (Art. II, §24), the
19 accused shall have the right to a trial in the
20 county in which the offense is alleged to have
21 occurred.

1 69. The State District Court has independently
2 sought and found case law that weakly supports the
3 State's position, in order to keep the case in
4 Missoula County, which is not the definition of
5 "impartial judge" and does not lead to a fair
6 trial.

7 70. The State court has ordered that the plaintiff
8 gets only one lawyer - Katie Green, Esq., who is so
9 busy that in the last month, she has not had any
10 time to meet with the plaintiff and help with his
11 criminal charges. In fact, she was told by her
12 director, not to participate or help the plaintiff
13 as a defendant in the pending State criminal
14 charges against him.

15 71. The State Court, being briefed on this issue,
16 has ignored the plaintiff's plea for legal
17 assistance. These criminal charges against him have
18 cost him his business, reputation, freedom, right
19 to medical help, ability to get a job or rent a
20 home and position in the medical industry.

1 72. The Montana Supreme Court has refused the
2 plaintiff's repeated requests for writs of
3 supervisory control.
4

5 73. The plaintiff has been frightened away from
6 living in Missoula county, or in the surrounding
7 counties, based on the stream of continuous
8 harrassment from local law enforcement in Missoula
9 city and county. It has affected his bodily
10 functions.

11 74. The defendants have refused to allow the
12 plaintiff to make complaints through the
13 administrative process of the Missoula Police
14 Department.

15 75. The governor of the State of Montana has
16 refused to hear any complaints, and the attorney
17 general for the State of Montana was a defendant in
18 a case against the State, because the plaintiff
19 sued the State for not allowing the plaintiff
20 access to his medicine. The AG has never returned
21 the plaintiff's calls.

1 76. Due to the multiple criminal charges against
2 the plaintiff in the State criminal charge, the
3 plaintiff has been detained in Montana, unable to
4 travel, visit family, or manage his business
5 affairs. It has cost him relationships, both
6 business and personal and has cost him well over 7
7 million dollars in lost profits and costs. He
8 cannot respond to family emergencies.

9 77. Plaintiff is detained in Montana, without being
10 convicted of any crimes, and without Constitutional
11 due process of law.

12 78. Plaintiff has been denied many rights during
13 the pendency of the criminal charges against him.
14 He is not allowed to have alcohol, to own a weapon,
15 to use drugs, to travel, to enter bars, no contact
16 with Verizon and required to hire an attorney. But
17 there has never been any hearing on a restraining
18 order, any hearing whatsoever to determine if the
19 denial of the plaintiff's rights are lawful, or
20 even necessary.

1 79. The plaintiff has no criminal record, has
2 appeared at every hearing, and cannot get a cell
3 phone in Montana due to the denial of his rights.
4

5 80. The Missoulian, a Montana state newspaper with
6 strong political ties, has defamed the plaintiff in
7 its' many front page stories about the plaintiff
8 and his criminal charges, has labelled the
9 plaintiff a "jerk" and the biggest grower of
10 marijuana in Montana. But the plaintiff never grew,
11 did not sell or distribute marijuana. The plaintiff
12 did not have any ties, financial or otherwise, with
13 caregivers - those who legally grew marijuana. The
14 plaintiff owned a medical clinic that provided
15 outreach seminars and arranged doctor-patient
16 visits.

17 81. As a result of the newspaper's untrue
18 statements, statements that have not been verified,
19 the plaintiff has suffered law enforcement
20 retaliation everywhere in Montana - it is State-
21 wide.

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82. In May of 2012, the plaintiff was in Arlee, MT, and had pulled over to the side of the road in a sparsely populated area to use his computer. He was on the side of the road, parked legally, and no visible signs stated otherwise.

83. A Montana law enforcement officer, came out of a residential house, wearing plain clothes, without a badge or gun, approached plaintiff's car windows and attempted to enter and search the plaintiff's vehicle.

84. Plaintiff moved his vehicle down the street, and the officer went back into the house, put on a black vest and gun, got into an unmarked vehicle, and pulled behind the plaintiff's car, with police lights and siren blazing.

85. The officer got out of his car, went up to the plaintiff's driver door, opened the door and pulled plaintiff from his car. Plaintiff attempted to put on his bag (it has a shoulder strap) and the officer said, "you won't need that where you're

1 going", and put handcuffs on him. The officer began
2 to search the plaintiff's person, bag and car.

3 86. Plaintiff objected to the search and asked the
4 officer what he was doing and why. Officer
5 responded that he knew the plaintiff, and stated,
6 "so you like to be on the front cover of the
7 Missoulian, do ya?" The officer put the plaintiff
8 in the back of his unmarked police vehicle, and
9 began searching quicking and sporatically for
10 something. This caused plaintiff to fear that he
11 would be murdered because of what the officer said,
12 that the officer was looking for a potential
13 weapon, and that the officer did not follow any
14 kind of protocol commonly used by law enforcement.

15 87. The officer did not display any show of
16 authority to arrest the plaintiff, nor did the
17 officer follow procedure; instead, the officer,
18 unlawfully detained the plaintiff, without probable
19 cause, made statements designed to terrify the
20 plaintiff and make him feel like he was going to be
21 killed.

1 88. After 20 minutes, a supervising officer showed
2 up and the first officer let the plaintiff go
3 without mention of any crimes committed or why the
4 plaintiff was detained in the first place.

5 89. No charges were filed, the officer did not
6 inquire as to the plaintiff's status, what he was
7 doing, and was verbally and physically abusive with
8 the plaintiff. The officer never told the plaintiff
9 why he had arrested and detained him for 30
10 minutes, without probable cause for any crime.

11 90. The officer did not ask for the plaintiff's
12 driver's license.

13
14 91. In 2010, after allegations by former employees
15 alleging fraud by the plaintiff, the defendants
16 engaged in a search and seizure, highly publicized,
17 of plaintiff's business. As filmed and pictured in
18 the local, state and national news, they took
19 computers, contracts, bank information, tax
20 paperwork, medical records, and 28,000 patient
21 records, and more.

1 92. The Missoula county detectives contacted and
2 threatened plaintiff's doctors, patients, several
3 caregivers and other affiliates.

4 93. The detectives followed up with patients about
5 their medical conditions and why the doctors had
6 written certain things in the medical records.

7 94. Then, the detectives cross referenced this
8 information with the DPHHS in Helena, provided
9 information to Federal DEA and FBI agents, which
10 resulted in many of the raids and federal criminal
11 charges against many law abiding citizens of
12 Montana and the United States.

13 95. The case in Missoula State District Court was
14 opened so that the State would be able to acquire
15 that which could otherwise never have been
16 acquired: patient medical records and contacts of
17 the plaintiff and his doctors and affiliates.

18 96. The case was closed in Missoula State District
19 Court, without any charges against the plaintiff.

20 97. The plaintiff had to envoke court action to get
21 the defendants to return his items but they did not

1 return all of the items. Some of the items were
2 destroyed or otherwise lost.

3
4 REQUEST FOR INJUNCTIVE RELIEF AND PROTECTIVE ORDER

5 98. The actions by the defendants are not legal.

6 99. The plaintiff needs protection from Missoula
7 county sheriff's, the city of Missoula police, and
8 law enforcement in the State of Montana, because
9 they are breaking the law, violating the US and
10 Montana Constitutions, and the State Courts are
11 denying the plaintiff due process and equal access
12 to the courts. They have dismissed cases, solely on
13 the basis of his pro se status in court.

14 100. Between 2011 and 2012, a Missoula Court ordered
15 that the plaintiff be prohibited from access to the
16 only law library in Montana. (Actually, there is
17 one other, in Helena, about ¼ the size of the UM
18 Law Library.)

19 101. For over two months, the plaintiff was denied
20 access to any legal resources whatsoever. The
21 decisions were appealed to the appellate court, and

1 all of the cases with all of the judges in all of
2 the State courts, denied the plaintiff's 14 motions
3 for stay of proceedings and denied his requests for
4 extensions and continuances.

5 102. In 2012, the State Court dismissed civil
6 complaints against others, where the plaintiff was
7 pro se, solely because he was pro se. The judge in
8 that case told the plaintiff that he would have to
9 hire a lawyer if he wanted justice, barring
10 plaintiff's equal access to the courts, a US
11 Constitutional guarantee.

12 103. In 2012, the judge in another case announced
13 that the Missoula Fourth Judicial District State
14 Court was having problems with the plaintiff
15 because he filed many pleadings. The court called
16 plaintiff a "difficult litigant", based solely on
17 the number of pleadings, not on the merits of those
18 papers.

19 104. The plaintiff requests protection from Missoula
20 city and county public officials, including but not
21 limited to mayor, city attorney, county attorney,

1 city police and county sheriff from state police
2 from retaliation and revenge against the plaintiff
3 due to this complaint against the defendants.

4 105. Their actions, if not halted, will cause
5 irreparable harm to the plaintiff.

6 106. No remedy exists for the harm to the plaintiff
7 by the defendants.

8 107. The plaintiff requests that this court issue a
9 protective order against the defendants to stop
10 them from harassing and any malicious prosecution
11 against the plaintiff.

12 108. If the plaintiff uses "unclean" words over the
13 phone, he is charged with a crime by the State of
14 Montana, and this is unlawful because it is
15 directly against the freedom of speech.

16 109. The defendants have filed another complaint in
17 a state court against the defendant, but the
18 prosecution has not begun. The complaint is based
19 on an unconstitutional law: 45-8-213, MCA, which
20 allows law enforcement the arbitrary ability to
21 arrest anyone for using the word "fuck" over the

1 phone, internet, email, or text message. The
2 statute states that use of a profane word using any
3 kind of electronic communication is evidence of a
4 defendant's intent to harrass, annoy, offend, etc.,
5 another person, which is a misdemeanor crime.

6 110. The plaintiff tried to make a formal complaint
7 to the police, about the police, and they did not
8 allow him to make a complaint. Plaintiff complained
9 about it, making the statement, "what the fuck?",
10 and as a result, was charged with violating 45-8-
11 213, MCA, a misdemeanor.

12 111. The defendants did not serve the plaintiff with
13 the ticket. It was mailed to him, unregistered to
14 his PO Box.

15
16 CLAIM I - ABUSE OF PROCESS

17 112. The defendants had an ulterior purpose for
18 using legal processes;

19 113. The defendants committed willful acts in the
20 use of processes;

1 114. The defendants' willful acts misused or
2 perverted the intended use of the process; and

3 115. The plaintiff was damaged and harmed as a
4 result of the defendants' actions.

5
6 CLAIM II - DENIAL OF EQUAL PROTECTION UNDER THE LAW

7 116. The plaintiff was entitled to equal protection
8 under the law, from the defendants.

9 117. The plaintiff's involvement with the medical
10 marijuana program in Montana precluded and was the
11 cause of the class designation of the plaintiff by
12 the defendants.

13 118. The defendants were obligated to provide equal
14 protection to the plaintiff.

15 119. The defendants intentionally and maliciously
16 denied equal protection to the plaintiff.

17 120. The plaintiff suffered damages as a direct
18 result of the defendants' actions.

1 CLAIM III - MALICIOUS PROSECUTION

2 121. The defendants instituted and continued many
3 judicial proceedings against the plaintiff.

4 122. The proceedings were instigated and abetted by
5 defendants.

6 123. The proceedings terminated favorably for the
7 plaintiff.

8 124. The proceedings against the plaintiff lacked
9 probable cause.

10 125. The defendants instituted the proceedings with
11 malice and reckless disregard for the truth.

12 126. The actions by the defendants injured the
13 plaintiff.

14 127. The actions by the defendants caused damage to
15 the plaintiff.

16
17 CLAIM IV - INVASION OF PRIVACY

18 128. The plaintiff had a right to the privacy of
19 plaintiff's person, places and effects, and to be
20 free from unreasonable searches and seizures
21 without a compelling state interest. However, the

1 defendants were unreasonable in their search and
2 seizure of the plaintiff's persons and effects,
3 because without a search warrant it was *per se*
4 unreasonable.

5 129. The defendants did not have a compelling State
6 interest, and the unlawfully seized "evidence" was
7 not going anywhere, it had been preserved by the
8 "victims", defendants were aware of the
9 preservation.

10 130. The access to the plaintiff's private
11 information was unlawful.

12 131. The plaintiff suffered harm as a result of the
13 defendants' invasion of privacy because the
14 transcript of that phone call was put into the
15 public charging documents accusing the plaintiff of
16 cussing out customer service.

17 132. The plaintiff suffered harm to his reputation
18 and right to an impartial trial by his peers
19 because of the massive publicity that the
20 transcript produced.

CLAIM V - SLANDER

1
2 133. The defendants engaged in making statements
3 that were not true about the plaintiff to other
4 persons, in written form, in the charging documents
5 and other pleadings to the court, and in written
6 communication to the press, public and elected
7 officials, and departments entrusted in public
8 administration and order.

9 134. Others relied on that information.

10 135. The defendants knew or should have known that
11 the information was false.

12 136. The defendants accused the plaintiff of crimes,
13 falsely and without legal justification.

14 137. The information that the defendants provided to
15 others was false and the defendants did not have
16 any privilege to disseminate that information.

17 138. The plaintiff was damaged as a result of the
18 defendants' slander.

CLAIM VI - LIBEL

1
2 139. The defendants engaged in making statements
3 that were not true about the plaintiff to other
4 persons, verbally, including, but not limited to
5 the media and other departments engaged in law
6 enforcement and public administration.

7 140. Others relied on that information.

8 141. The defendants knew or should have known that
9 the information was false.

10 142. The information that the defendants provided to
11 others was false and the defendants did not have
12 any privilege to disseminate that information.

13 143. The plaintiff was harmed as a result of the
14 defendants' libel.

15
16 CLAIM VII - NEGLIGENCE

17 144. The defendants owed a duty to the plaintiff to
18 investigate the plaintiff's assertions of assault
19 and false testimony by witnesses and alleged
20 victims.

1 145. The defendants owed a duty to the plaintiff to
2 dismiss the claims against the plaintiff when they
3 learned that the victim / witnesses were biased and
4 providing false information to the defendants in
5 order to get the plaintiff in trouble.

6 146. The defendants owed a duty to the plaintiff to
7 provide equal protection under the laws.

8 147. The defendants owed a duty to the plaintiff to
9 follow the rules of criminal procedure and the
10 Montana and US Constitution, having made an oath to
11 support and defend the same.

12 148. The defendants engaged in prosecuting the
13 plaintiff in a court that was not the correct
14 venue, even after being notified of the issue, the
15 defendants brought more frivolous charges against
16 the plaintiff, instead of dismissing those charges.

17 149. The defendants owed a duty to the plaintiff to
18 investigate allegations of police misconduct and
19 for supervisor contact regarding complaints about
20 law enforcement response.

21

1 150. The defendants owed a duty to the plaintiff to
2 provide accurate information to the courts.

3 151. The defendants breached that duty of care.

4 152. The defendants' actions were the proximate
5 cause of the harm to the plaintiff.

6 153. The plaintiff suffered damages as a result in
7 having to defend allegations brought in an improper
8 venue and against charges that were brought without
9 probable cause.

10 154. The plaintiff has suffered reputation,
11 emotional and economic damages.

12
13 CLAIM VIII - INTENTIONAL INFLICTION OF EMOTIONAL
14 DISTRESS

15 155. The defendants' conduct was extreme and
16 outrageous;

17 156. The defendants acted intentionally and
18 recklessly;

19 157. The plaintiff suffered severe emotional
20 distress; and

1 158. The defendants' conduct was the proximate cause
2 of the emotional distress suffered by the
3 plaintiff.

4
5 CLAIM IX - FALSE IMPRISONMENT

6 159. The defendants deprived the plaintiff of his
7 liberty by bringing charges that could not be
8 brought in this jurisdiction and venue, were
9 brought without probable cause and deprived the
10 plaintiff of his liberty by denying him the ability
11 to travel freely, to be free from court obligations
12 and to be free from the social and financial
13 burdens placed upon the accused if criminal charges
14 are brought.

15 160. The deprivation of liberty was done without the
16 plaintiff's consent.

17 161. The deprivation was done without legal
18 justification.

1 CLAIM X - UNLAWFUL ARREST AND DETENTION

2 162. The defendants deprived the plaintiff of
3 federally protected rights, privileges, and
4 immunities;

5 163. The defendants took action under the color of
6 state law.

7
8 CLAIM XI - USCA §1983 VIOLATION

9 164. Deprivation of a federally protected right,
10 privilege, or immunity.

11 165. Action by the defendant under color of state
12 law.

13
14 CLAIM XII - INTENTIONAL INTERFERENCE WITH A PROSPECTIVE

15 BUSINESS ADVANTAGE

16 166. The defendants were aware of, and actually
17 interfered with, the plaintiff's existing or
18 reasonable expected relationship with a third
19 party, relationships which were likely to provide
20 future economic benefits to the plaintiff.

1 167. The defendants intended to interfere and acted
2 with the sole purpose of harming the plaintiff, and
3 the defendants employed wrongful methods in
4 effecting the interference.

5 168. The defendants' interfering conduct was not
6 justified or privileged.

7 169. The plaintiff suffered actual damages that, but
8 for the defendants' interference, would not have
9 occurred.

10 170. The plaintiff suffered punitive damages and
11 attorney's fees.

12
13 CLAIM XIII - OUTRAGE

14 171. The defendants conduct was so extreme and
15 outrageous that the plaintiff is entitled to
16 recovery.

17 172. The emotional distress suffered by the
18 plaintiff is in such extreme degree that the law
19 must intervene because the distress inflicted is so
20 severe that no reasonable person should be expected
21 to endure it.

1 CLAIM XIV - FALSE LIGHT INVASION OF PRIVACY

2 173. The defendants engaged in a search of
3 plaintiff's business, without probable cause, took
4 all of the major tools used by his business and his
5 15+ employees, held them for two months, and then
6 would not release it without the plaintiff's having
7 to petition the court and obtain court orders.

8 174. On the way to the plaintiff's business, the
9 defendants contacted the Missoulian and the entire
10 search was captured on TV and in the newspaper,
11 because reporters showed up.

12 175. There were no charges filed, but the publicity
13 generated caused a drop in plaintiff's business
14 because it harmed his credibility.

15
16 CLAIM XV - SEARCH AND SEIZURE VIOLATIONS

17 176. The plaintiff had the right to be secure in his
18 person, places, and effects according the 4th, 5th,
19 6th, and 14th Amendments to the US Constitution.

20 177. The defendants repeatedly violated the
21 plaintiff's right to privacy when they conducted a

1 search at plaintiff's business, obtaining 30,000
2 patient medical records and database information,
3 in violation of HIPPA. The records were not
4 included in the search warrant because it would
5 have been unlawful for any Court to order their
6 disclosure.

7 178. The harm to plaintiff's business because his
8 patients could no longer be certain that their
9 medical history would remain confidential can
10 hardly be measured.

11 179. The harm to the plaintiff's clients and
12 patients, and to the reputation of the plaintiff
13 with his doctors cannot be measured. The police
14 took patient medical records without a search
15 warrant, outside of the law, illegally, and then
16 used it to conduct raids and searches on those
17 patients.

18 180. The defendants continued to violate the
19 plaintiff's rights to privacy when the defendants
20 searched and seized his account information at his
21 cell phone carrier, without a warrant. Nor was the

1 item seized in plain view, it was private and held
2 behind firewalls and highend technical barriers.
3 Nor was the item mentioned in the return, nor was
4 the item obtained by any other party, lawfully.

5 181. The State Court refuses to suppress this
6 illegally obtained evidence, and the Appellate
7 Court has refused to grant the plaintiff a writ of
8 supervisory control.

9 182. The plaintiff cannot exhaust any more remedies,
10 he has filed over 1,300 pleadings in the 25 civil
11 and 1 criminal case in which he is involved. Not
12 one of his pleadings or causes have been deemed
13 frivolous in the 3 years he has been litigating.
14 Even after filing multiple motions for
15 reconsideration, because the court is proceeding
16 under plain error, the lower State Courts continue
17 to refuse to reverse their orders, depriving the
18 plaintiff of due process, equal access to the
19 courts and the general deprivation of his civil
20 rights in violation of §1983, U.S.C.

1 WHEREFORE,

2

3 Plaintiff demands a trial by jury, injunctive
4 relief in form of stay of proceedings in the State
5 Court, pending this Federal action and that the court
6 finds judgment against the defendants as follows:

7

8 1.Damages from time lost in pursuing this action to
9 make the plaintiff whole, as the plaintiff is pro
10 se and entitled to be compensated for time spent in
11 the amount of \$26,850.00;

12 2.Damages from the lost business from industry
13 relationships in the amount of \$1,568,000.00;


14 3.Damages from having to hire legal counsel to defend
15 himself in the underlying frivolous lawsuits in the
16 amount of \$34,000.00;

17 4.Punitive damages in the amount of \$50,000,000.00,
18 for defendants' willful and malicious actions in
19 misusing and perverting process, for it's
20 intentional infliction of emotional distress and
21 for punitive damages for the other claims.

- 1 5. Costs of the suit to be taxed to Defendants;
- 2 6. Interest to the date of the payment at the lawfully
- 3 allowable percentage rate per annum; and,
- 4 7. Such other and further relief as the court
- 5 considers just and proper.
- 6

7 Dated this 20th day of June, 2012.

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Jason Christ, Pro Se

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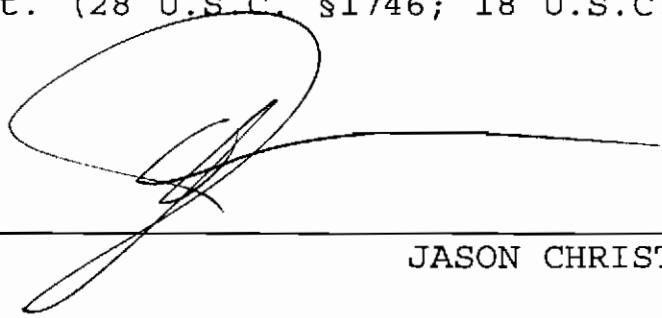
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VERIFICATION

State of Montana)
) ss.
County of Missoula)

I, Jason Christ, after being first duly sworn on oath do depose and say: that I am the Jason Christ, referred to this foregoing Verified Complaint, that I have read the foregoing, know the contents thereof, and that the facts and matters therein contained are true, accurate and complete. I further declare under penalty of perjury that I am the plaintiff in this action, I have read this complaint, and the information set forth herein is true and correct. (28 U.S.C. §1746; 18 U.S.C. §1621.)



JASON CHRIST

SWORN to and subscribed before me, this the 20th day of June, 2012.

NOTARY PUBLIC

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My Commission Expires:
