

CASE NO. 13LF-CV00461

William M. Windsor	§	IN THE CIRCUIT COURT
	§	
Plaintiff,	§	
	§	
v.	§	
	§	15th JUDICIAL CIRCUIT
Allie Loraine Yager Overstreet.	§	
Mark Supanich, Brenda Williamson	§	
And John Does 1-1000,	§	
	§	
Defendants	§	LAFAYETTE COUNTY, MISSOURI

PLAINTIFF'S RESPONSE TO DEFENDANT MARK SUPANICH'S
MOTION FOR AN ALL WRITS INJUNCTION

Comes Now, William M. Windsor ("Windsor" or "Plaintiff") and files this PLAINTIFF'S RESPONSE TO DEFENDANT MARK SUPANICH'S MOTION FOR AN ALL WRITS INJUNCTION. PLAINTIFF shows the Court as follows:

1. In DEFENDANT MARK SUPANICH'S MOTION FOR AN ALL WRITE INJUNCTION, DEFENDANT SUPANICH presents matters outside the pleadings. This should cause DEFENDANT MARK SUPANICH'S MOTION TO DISMISS to be denied.

A motion to dismiss must be based solely on matters contained in the pleading at issue. If matters outside the pleading are presented, it must be considered to be a motion for summary judgment. "...any oral or written evidence not already "in the record" — public or court, physically or by reference — is regarded as "extrinsic" and will spur a conversion." (See *Bryant v. Avado Brands, Inc.*, 187 F.3d 1271, 1278 (11th Cir. 1999).)

2. When matters outside the pleadings are presented with a motion to dismiss, the court must notify the parties that it intends to treat the motion as one for summary judgment. (*Counts v. Morrison-Knudsen, Inc.*, 663 S.W.2d 357, 363 (Mo. App. 1983); *Lee v. Osage Ridge Winery*, 727 S.W.2d 218, 224 (Mo.App. 1987).) Under Rule 55.27 (b), "on a motion for judgment on the pleadings, matters outside the pleadings are presented to and not excluded by the court, the motion shall be treated as one for summary judgment and disposed of as provided in Rule 74.04, and all parties shall be given reasonable opportunity to present all materials made pertinent to such a motion by Rule 74.04."

3. At 5:00 am on July 9, 2013, the PLAINTIFF filed PLAINTIFF'S MOTION TO CONVERT DEFENDANT MARK SUPANICH'S MOTION TO DISMISS TO A MOTION FOR SUMMARY JUDGMENT, referenced and incorporated herein as if attached hereto.

4. When the trial court converts a matter into a motion for summary judgment, the court must place the parties on notice, and the parties must comply

with the procedural requirements of Rule 74.04. (*Mitchell v. McEvoy*, 237 S.W.3d 257, 259 (Mo. App. E.D. 2007).)

**DEFENDANT MARK SUPANICH'S MOTION FOR AN ALL WRITS
INJUNCTION IS BASED UPON FEDERAL RULES, AND FEDERAL
RULES ARE NOT APPLICABLE IN MISSOURI STATE COURTS,
SO THE MOTION MUST BE DISMISSED.**

5. DEFENDANT MARK SUPANICH'S MOTION FOR AN ALL WRITS INJUNCTION is wholly inadequate. It cites only a federal statute regarding the federal All Writs Act. This is a state court, and federal rules do not apply here.

6. The PLAINTIFF did a search for "all writs act" or "all writs injunction" or "all writs," using the Versuslaw legal research service, and there were no applicable appellate cases in Missouri on any of these keyword terms.

7. DEFENDANT MARK SUPANICH'S MOTION FOR AN ALL WRITS INJUNCTION makes outlandish comments about the PLAINTIFF that are absolutely false.

8. There is no provision in Missouri law for a defendant who has not filed a counterclaim to seek any form of injunction. DEFENDANT SUPANICH has no standing to seek any type of affirmative remedy.

SHOULD THIS COURT EVEN CONSIDER THIS SO-CALLED MOTION,
THE PLAINTIFF MUST BE HEARD,
AND A HEARING MAY TAKE WEEKS.

9. Should the Court even consider this so-called motion, the PLAINTIFF must be heard on this. The PLAINTIFF advises the Court that a hearing on this will be lengthy with a massive number of exhibits. The PLAINTIFF will present the full picture of the massive cyberstalking, harassment, libel, slander, threats that he is enduring. He will show the Court a series of videos produced to cyberstalk, harass, libel, slander, defame, and threaten the PLAINTIFF, including videos featuring the grossest images of bodily excrement that the PLAINTIFF has ever seen. The PLAINTIFF will play videos of DEFENDANT OVERSTREET publicly saying things about her daughter that DEFENDANT SUPANICH would like this Court to believe that the PLAINTIFF said or improperly reported. A hearing on this will firmly establish just how guilty the DEFENDANTS are and

convey how their actions played a significant role in causing the PLAINTIFF'S wife of 42 years to divorce him. She notified the PLAINTIFF just before he went to the hearing before Judge John Frerking in which DEFENDANT OVERSTREET had accused the PLAINTIFF of announcing that he planned to kill her and become a mass murderer.

10. WHEREFORE, PLAINTIFF prays that this Court enter an order denying DEFENDANT MARK SUPANICH'S MOTION FOR AN ALL WRITS INJUNCTION; and grant such other relief as the Court deems appropriate.

Submitted this 10th day of July, 2013,



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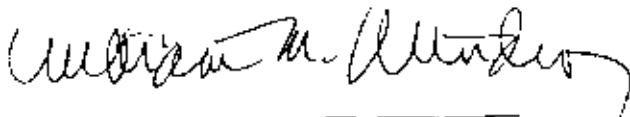
CERTIFICATE OF SERVICE

I hereby certify that I have served the foregoing by delivering a copy

by email to:

Allie Loraine Yager Overstreet – 1208 N Main, Higginsville, Missouri
64037 – loverstreet@yahoo.com and mjoc@workingforjustice.com
Brenda Williamson -- 210 Chestnut – Apartment A, Belton, MO 64012 --
brendaawilliamson@gmail.com
Mark Supanich -- 1826 Lucky Strike Road, Helena, Montana 59602 --
markamw@yahoo.com

Submitted this 10th day of July, 2013,



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