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Candi-Lee:Weeks
c/o 175 Hutton Ranch rd #103-231,
Kalispell Montana near [59901]

U.S. District Court District of Montana
201 E Broadway St,
Missoula Montana 59802

Attn: (Defendants, Court)

"Candi-Lee:Weeks")
CounterPLAINTIFF,) CASE NO. 9:16-cv-00161-DLC-JCL
v.) In RE: TK162305
)
"CITY OF WHITEFISH et al.") CounterMOTION TO REPLACE
) ORIGINAL CLAIM &
CounterDEFENDANT) CIVIL COVER SHEET, &
) REPLACE WITH AMENDED
) COUNTERCLAIM & CIVIL COVER
) SHEET
)

I, Candi-Lee:Weeks A living Man/Woman, in this court of record **28 U.S. Code § 132 (a) Claim & Declare:**

This Motion, and It's Attachments, are being filed in accordance with the rules of a "Court of Record". In a Court of Record, it is standard procedure that the Plaintiff, present all evidence and testimony to the court that they have access to, at the time of filing, and furthermore as you will see below, and in the Defendant's documents, the Defendants want to see "Material and Substantive Changes", and claim that they have "no sufficient knowledge or information" of the events mentioned. Therefor this Motion and it's Attachments, satisfy the court and the Defendants in accordance with the rules of Courts of Record.

The original Court
Whitefish Municipal Court Case No. TK162305
275 Flathead Ave

1.
2. Whitefish, MT 59937
3. Phone number: (406)863-2440
4. Fax number:(406)863-1259
5. Email: court@cityofwhitefish.org
6.

7. **This CounterMotion is in response to the motions filed by**
8. **the Defendants:** where the Counter Defendants said that the case
9. should be dismissed due to "failure to state a claim for relief".
10. In **Document 1 Filed 12/30/16 pages 21 and 22** relief was
11. requested. The moving Defendants filed a response [**Document 19**
12. **Filed 03/27/17**] in opposition to Weeks' motion asking it be
13. denied, because in their view the proposed amended complaint did
14. not differ in any **significant or material** respect from Weeks'
15. original complaint. Therefore I as the Counter Plaintiff, a
16. living woman, **I have attached replacement documents, that do**
17. **differ significantly from the original complaint, have**
18. **significant changes, and state specifically what relief (the**
19. **Prayer) is requested, along with proposed orders.**

20. **In Document 22 Filed 04-06-17** by Attorneys for Defendant
21. **Brian Carter, Document 22** makes several claims that Defendant
22. Carter has "*no sufficient knowledge or information*" of the events
23. mentioned in **Document 1 Filed 12/30/16 & Document 16-1 Filed**
24. **03/16/17**, where Defendant Carter violated the rights of Candi-
25. Lee:Weeks, despite having access to police reports, dashcam
26. footage, and other officers who were present at the time. In
27. response to this, and in accordance with the rules and laws of
Courts of Record, I am now filing complete transcripts, of the
audio and video evidence that I Candi-Lee:Weeks have possession
of presently, and the sworn testimony of others who were present
during any said situations that Defendant Carter claims that he
does not remember.

The Original Claim, and Civil Cover Sheet have errors that I
Motion to Vacate Original Complaint... - U.S. DISTRICT COURT OF MONTANA
Item # 03202017/MTVOC/CLW-001 Page 2 of 5 Signed Cfw Date 4-5-2017

1.
2. was not aware of. I have recently received education, and have
3. been made aware of errors in both content and format of my
4. original documents. **I no longer require or want a Jury, but I do**
5. **not waive any rights.** I request therefore that the court should
6. vacate those original documents "**Document 1 Filed 12/30/16**",
7. "**Document 16-1 Filed 03/16/17**", and any **Civil Cover Sheet** that
8. May exist.

9. And that the Court should **replace or Amend the above said**
10. **Documents**, and parts of Documents **with the documents that I have**
11. **included and attached to this CounterMotion, as they are**
12. **significantly different (see Document 19 Filed 03/27/17)**
13. Otherwise it would seem best that this case be dismissed, and a
14. new case filed in it's place. If it would please the court, I
15. would like to save valuable time and resources, by simply
16. replacing my original documents with the ones attached here.

17. Furthermore for Clarification, it appears there are only two
18. Law Firms involved, representing all CITY parties, Brian Carter
19. at this time, other than Bill Hill Hills Brothers towing... and
20. Brian Carter Moonlighting Bail Bonds.

21. So I should only need to send copies of court documents to:

22. HAMMER, QUINN & SHAW, PLLC
23. 110 Financial Drive, Suite 100
24. PO Box 7310
25. Kalispell, MT 59904-0310
26. toddhammer@attorneymontana.com,
27. marcelquinn@attorneymontana.com,
benjaminhammer@attorneymontana.com,

and to:
GARLINGTON, LOHN & ROBINSON, PLLP
350 Ryman Street • P. O. Box 7909

1.
2. Missoula, MT 59807-7909

3. Telephone (406) 523-2500

4. Telefax (406) 523-2595

5. rclukes@garlington.com

6. takeller@garlington.com

7. Attorneys for Defendant Brian Carter

8. Bill Hill (aka) Hills Brothers towing in Private Capacity

9. 5845 Highway 93 South,

10. Whitefish MT, 59937

11. **Lastly**, upon filing the testimony and transcriptions, I
12. believe it would be in the best interest of all parties involved,
13. to reach a settlement agreement before going to trial; as it is
14. very clear from the evidence that there was never any probable
15. cause to pull over Candi-Lee:Weeks, the officer(s) made it clear
16. that they knew Candi-Lee:Weeks was traveling and not driving, and
17. the law is very clear about these issues. This also shows that
18. there was never any Jurisdiction or foundation for any action
19. against Candi-Lee:Weeks, and that the Defendants are guilty
20. beyond a reason of a shadow of a doubt, cognizable to a Jury of
21. Peers, of violating the rights of Candi-Lee:Weeks, and taking
22. actions against Candi-Lee:Weeks without cause or jurisdiction,
23. and causing multiple injuries to her, and her family. I am open
24. to discussing a settlement, that would grant the people our right
25. to travel, & compensate me for injury.

24. The following documents are attached, and are incorporated by
25. reference, as being fully stated herein:

26. 1. **Civil Cover Sheet**

27. 2. **CounterClaim 03202017/MTVOC/CLW-101 & it's attachments**

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I have personal knowledge of the foregoing facts and am competent to testify as to the truth of these facts if called as a witness. I declare under penalty of perjury under the laws of the United States that the foregoing facts are true and correct. So Help Me God. May Jesus bless all who read this.

I reserve all rights to make amends to this document to make it more clear, precise, and on point if needed.

Executed without the Federal United States (DATE) April 5-2017

Under necessity, I do not consent to any matters against myself or CANDI LEE WEEKS, other than that I, a Man may be compensated, that Justice may be restored as I have requested, & the discharge of any liability that you may allege I have herein.

Sincerely,

All Rights Reserved And Waiving None Candi Lee Weeks

Candi-Lee:Weeks

'Errors and Omissions are Consistent with Intent'

