

472.060. No judge of probate shall sit in a case in which the judge is interested, or in which the judge is biased or prejudiced against any interested party, or in which the judge has been counsel or a material witness, or when the judge is related to either party, or in the determination of any cause or proceeding in the administration and settlement of any estate of which the judge has been personal representative, conservator, or guardian, **when any party in interest objects in writing, verified by affidavit; and when the objections are made, the cause shall be transferred to another judge**, in accordance with the provisions of section 478.255, who shall hear and determine same; and the clerk of the circuit court or division clerk shall deliver to the probate division of the circuit court a full and complete transcript of the judgment, order or decree made in the cause, which shall be kept with the papers in the office pertaining to such cause.

Presiding Circuit Court Judge Timothy Perigo has likewise violated RSMo 478.255 in refusing to remove and sanction Judge Kevin Lee Selby for violation of RSMo 472.0 60. Both of these lawless and treasonous judges should be removed permanently from the bench and prosecuted for malfeasance for violation of their oaths to obey, much less uphold the laws of the State of Missouri.

Presently a case is now before the 8th Circuit Court of Appeals, Church of Jesus Christ Christian / Aryan Nations of Missouri, et. al. v Newton County Missouri et. al. 13-CV-05020 and has been briefed by Pastor Lindstedt and by the Missouri Attorney General's office and awaits decision. The Missouri Attorney General argues that Judges Kevin Lee Selby and Timothy Perigo have "absolute immunity" due to the fact that they are judges; Pastor Lindstedt argues that these judges have no jurisdiction given that they violated and continue to violate Missouri law, specifically RSMo 472.060 and 478.255, and therefore should be subject to civil action and criminal prosecution for these treasonous violations of the very State laws they are deliberately foresworn to protect and uphold.

Judges should obey the laws of the State which makes them judges. These two judges have consistently refused to obey Missouri law.

There was a will leaving the Missouri property in Newton County to Martina Lindstedt's surviving children. Upon the agreement of all survivors – Pastor Martin Lindstedt, Michael Lindstedt and Susan Lindstedt-Rodhe, Susan Rodhe was appointed personal representative of the modest estate of largely real property worth less than \$40,000. On Oct. 21, 2015, Judge Kevin Lee Selby removed the unnecessary bond requirements. On 22 March 2016, Pastor Martin Lindstedt received a call from a law firm in Pierre South Dakota. Apparently Mike Lindstedt wanted to settle probate in South Dakota before the three-year limit of the anniversary of Martina Lindstedt's death on April 5, 2013. Pastor Lindstedt e-mailed the law firm the May 1972 last will of Richard and Martina Lindstedt – the same will which was submitted to this Court on April 3, 2014. There is supposedly \$20,000 left of the roughly \$300,000 (\$153,000 upon settlement of the Jennie Samuelson Estate from 1999 and another \$150-200 thousand from rental of Martina Lindstedt's life estate over 14 years.) Thus Mike Lindstedt embezzled roughly \$200,000-250,000 as Martina Lindstedt's guardian. The law firm in South Dakota apparently was simply leading Mike Lindstedt along until the 3d Anniversary of her death on April 5, 2013 as they didn't want to deal with litigation and bad publicity from Pastor Lindstedt dealing with their part in Mike Lindstedt's embezzlement of Martina Lindstedt's estate and her death while under Mike Lindstedt's "guardianship" any more than this Newton County Court wishes to have discussed the Newton County Sheriff's Department and Judges Selby and Perigo giving Michael Lindstedt and Crystal Courtney "permission" to loot Martina Lindstedt's estate and

kill her off by abuse and neglect in Mike Lindstedt's house in Midland South Dakota. After all, the purported purpose of law enforcement and these corrupt courts is supposedly to protect the weak and elderly, not to enable their embezzlement and murder by favored insiders working against their political enemies like Pastor Lindstedt.

On March 30, and on May 19, 2016 Judge Kevin Lee Selby refused to rule on his refusal to step down and obey RSMo 472.060 but rather whined that he wouldn't step down for Cause of his own lawlessness. The Court personnel now want Pastor Lindstedt to "ask nicely" for a "change of judge" so that Selby and Perigo can't be sued for their part in the killing of Martina Lindstedt. Thus this Fourth and now Fifth Motion for Removal for Cause under RSMo 472.060 and 478.255 to where they can be sued for civil damages of \$2.3 million in federal district court because they never did have jurisdiction and thus have lacked absolute or qualified immunity since their consistent refusal since May 2014 to obey Missouri law removing them from this probate case.

Michael Lindstedt asked Pastor Martin Lindstedt in early May 2016 for this matter to be settled without further ado and that he will disclaim his funeral expenses in favor of the previous agreement. Pastor Lindstedt told Mike that it don't work that way. There is a federal lawsuit and claim against Newton County, the Sheriff's Department and two crooked judges who cannot and will not obey the law for \$2.3 million and that these regime criminal defendants be imprisoned. Therefore, under no circumstances can Pastor Lindstedt allow Judge Kevin Lee Selby to decide the settlement of even \$40,000 or so from the farm as their parents' Will of 1972 provides for when there are bigger matters now at the federal appellate level. Besides,

the Newton County judges and lawyers are claiming that Martina Lindstedt died intestate even given that her and Richard Lindstedt left a will in May 1972 leaving the farm and her estate to the surviving children and not any grandchildren. There is also the matter of the nearly \$300,000 that Michael Lindstedt and Crystal Courtney embezzled from Martina Lindstedt's estate. One third of that is \$100,000, not a mere \$7000 of the \$21,000 that Mike didn't steal yet. What with the federal lawsuit for \$2.3 million against Newton County if the federal appeals court decides to uphold the threadbare fiction of "Rule of Law" and the probability of getting to liquidate thousands of regime criminals and attain billions of their estates before a Revolutionary Tribunal if not, Pastor Lindstedt would far rather wait to inherit his third of the farm.

Susan Lindstedt-Bessman is seeking a divorce from her husband and has moved back to Missouri to be with her youngest son living in Stella Missouri. She said that she was under pressure to sell the farm. She discussed this matter with her attorney Andrew Wood and Andrew Wood stated that his fees so far were under \$1,000 and she has forwarded a Motion to Resign as Administrator on July 14, 2016, which cause should be granted. Nor does Attorney Wood wish to proceed further.

Therefore, the only claim upon Martina Lindstedt's estate in Newton County is the division of the farm worth \$35,000 into thirds of Susan Lindstedt-Rohde, Michael Lindstedt, and Pastor Martin Lindstedt according to the Will of May 1972, and disposition of some vacant lots with derelict buildings worth around another \$2,000 or so. A separate motion covered Martina Lindstedt's burial expenses, which should be \$3,000 to be split three ways by the heirs as by prior agreement. The attorney's fees of \$1,000

or less can also be split three ways – but NOT with a corrupt judge who cannot obey Missouri probate law hearing the matter. With a judge from outside the judicial circuit hearing this case with the only three heirs coming to an agreement to split the remaining farm into equal thirds and the funeral expenses and attorney fees as well, this matter can be settled within fifteen minutes by mutual agreement. This matter cannot and will not be settled by Judge Kevin Lee Selby with the back-stopping by Judge Timothy Perigo.

Wherefore, Pastor Martin Lindstedt, as a party to this matter by virtue of being a heir, does hereby object for the fifth time to Judge Kevin Lee Selby remaining on this probate case in violation of RSMo 472.060 and demands that this case be removed to a judge outside this circuit by the Presiding Judge Timothy Perigo acting under RSMo 478.255. With an outside neutral judge from outside this circuit in place, as should have been done initially over three years ago this estate can be settled with minimal further expense and litigation by the three remaining heirs under a lawful will, Pastor Martin Lindstedt, Michael Lindstedt and Susan Rohde-Lindstedt.

Hail Victory!!!



Pastor Martin Lindstedt
338 Rabbit Track Road
Granby, Missouri 64844
(417) 472-6901

VERIFICATION

State of Missouri)

County of Newton)

No 14NLW-PR00054

Pastor Martin Lindstedt

, being first duly sworn under oath, and under penalties of perjury, presents that he is the Petitioner and drafted this Petition to Remove Judge for Cause, and that he knows the contents of this Petition is true to the best of his knowledge and belief.

SUBSCRIBED AND SWORN TO before me this 15th day of August 2016.

Sarah Cornett
Notary Public
3/8/2020
My Commission Expires



Certificate of Service

Pastor Lindstedt certifies that he presented a copy of this pleading/affidavit via mail or personal delivery on 1 August 2016 to the following:

Michael Lindstedt's attorney James Paul, P.O. Box 277, Neosho, Missouri 64850 (preferably by personal delivery to Paul's law office in Neosho)

and by postage to Michael Lindstedt, 378 Rabbit Track Road, Granby Missouri, 64844

and to Andrew Wood, Johnson and Wood, LLC, 119 South Wood Street, P.O. Box 276, Neosho, Missouri 64850 (and preferably by personal delivery to Wood's law office in Neosho)

And to Susan Lindstedt-Rodhe via e-mail or personally.