

Cause No. 352-248169-10

BAT WORLD SANCTUARY and
AMANDA LOLLAR,

Plaintiffs,

vs.

MARY CUMMINS,

Defendant Pro se

§ IN THE DISTRICT COURT

TARRANT COUNTY, TEXAS

§ 352nd JUDICIAL DISTRICT

DEFENDANT'S MOTION OBJECTING TO PLAINTIFFS' MOTION FOR CONTINUANCE

TO THE HONORABLE JUDGE OF SAID COURT:

Mary Cummins, Defendant Pro se, files this Objection to Plaintiffs' Motion for Continuance, and in support shows the following:

1.

Trial has been set in this case for the week of March 19, 2012.

2.

Plaintiffs filed a verified motion for continuance January 10, 2012. Plaintiffs' attorney Randy Turner stated "My paralegal, Kelly Bozeman, is due to have a baby on February 9, 2012 and will be out on maternity leave for a couple of months," and "One of the plaintiff's (sic) experts will be out of the country from March 14 through March 31. Another expert will be out of the country during April." Plaintiffs requested that trial be reset for May 2012.

3.

Defendant objects to this continuance for the following reasons.

- a. Kelly Bozeman is not the only paralegal at Turner's office. Shannon Taylor is his other assistant. She can easily do Bozeman's job while she is away on maternity leave.

1 b. Turner could also hire a substitute paralegal. Defendant finds it hard to believe that
2 Turner would shut down his entire office for two months because one of his
3 paralegals is on maternity leave.

4 c. Turner is capable of writing his own legal documents and trying this case in court by
5 himself. His paralegal has not appeared in court with him but once.

6 4.

7 Defendant requests Plaintiffs' motion for continuance be denied. There has already
8 been one continuance. Postponing the trial for two more months would cause undue
9 burden on Defendant. Defendant has had to temporarily shut down her animal rescue
10 organization Animal Advocates during this case because of the cost and frequent trips
11 to Texas. Approximately 500 animals could not be rescued within the last year because
12 Defendant could not afford to take them in. Defendant is one of only a handful of wildlife
13 rehabilitators in the area that takes in rabies vector species including bats. Defendant is
14 the only person in her group with the hands, eyes and willingness to feed orphaned
15 wildlife under 25 grams. Defendant also has to take time off of work to constantly
16 appear in Texas causing additional financial hardship.

17 5.

18 Defendant believes that Plaintiffs want this continuance so they may delay and
19 harass Defendant. Plaintiffs will continue to abuse the court system and file motion after
20 motion as Plaintiffs' attorney Randy Turner threatened in his December 7, 2011 email.
21 Turner stated that if Defendant did not sign an impossible injunction against Defendant
22 (yes, against herself), "the lawsuit will crank up into high gear again with endless
23 hearings, depositions, motions and, eventually, a trial. I am fine doing that. I litigate for a
24 living."

1 Plaintiffs' attorney Randy Turner has a history of abusing the court system. In Linda
2 Charles vs. Good Shepherd Rescue of North Texas Mr. Turner papered, lawyered the
3 Plaintiff until she could not afford to continue with the case. He abused the court system
4 so that he could help steal the dog of Katrina victim Ms. Charles who'd lost everything in
5 the hurricane. In the documentary movie "Mine" Ms. Charles stated "we lost everything
6 but our mind, " and "we walked out with nothing. That dog meant so much to us." Turner
7 is trying to do the same thing in this case, namely cause Defendant to run out of funds
8 and be unable to defend Defendant. Turner realizes that his case is frivolous and
9 meritless which is why he is hoping to cause Defendant to run out of funds and be
10 unable to defend Defendant. That is the only way he can win this case.


11 6.

12 WHEREFORE DEFENDANT RESPECTFULLY PRAYS this court will deny Plaintiffs'
13 motion for continuance.
14

15
16 Respectfully submitted,

17
18 Mary Cummins, Defendant Pro se
19 645 W 9th St, #110-140
20 Los Angeles, CA 90015-1640
21 Phone 310-877-4770
22 Email: mmmaryinla@aol.com


23 By:


Mary Cummins, Defendant Pro Se

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CERTIFICATE OF SERVICE

I, Mary Cummins, hereby certify that a TRUE COPY of the above **DEFENDANT'S MOTION OBJECTING TO PLAINTIFFS' MOTION FOR CONTINUANCE** was served on the Plaintiffs' Attorney of record by FAX and by FIRST CLASS MAIL at
Randy Turner
Turner & McKenzie
1800 N. Norwood Dr # 100
Hurst, Texas 76054
Fax: 817-268-1563
this 11th Day of January, 2012


Mary Cummins, Defendant Pro se
645 W 9th St, #110-140
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TARRANT COUNTY, TEXAS

352nd JUDICIAL DISTRICT

FIAT

Defendant's MOTION OBJECTING TO PLAINTIFFS' MOTION FOR CONTINUANCE was filed on 1/11/12. Defendant requests that the foregoing be set for hearing.

IT IS THEREFORE ORDERED that a hearing before this court on said Motion be set for the _____ day of _____ at _____ a.m./p.m. in the 352nd District Court of Tarrant County, Fort Worth, Texas.

Date _____.

Judge Presiding

1 WHEREFORE, Defendant respectfully requests that the Court grant this Motion for
2 Telephonic Hearing.

3 Respectfully submitted,


4
5 Mary Cummins, Defendant Pro se
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7 Los Angeles, CA 90015-1640
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9 Email: mmmaryinia@aol.com

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By:


Mary Cummins, Defendant Pro Se

CERTIFICATE OF SERVICE

1 I, Mary Cummins, hereby certify that a TRUE COPY of the above **MOTION FOR**
 2 **TELEPHONIC HEARING** was served on the Plaintiffs' Attorney of record by FAX and by
 3 **FIRST CLASS MAIL** at
 4 **Randy Turner**
 5 **Turner & McKenzie**
 6 **1800 N. Norwood Dr # 100**
 7 **Hurst, Texas 76054**
 8 **Fax: 817-268-1563**
 9 **this 11th Day of January 2012**

7 
 8 _____
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 11 Los Angeles, CA 90015-1640
 12 Phone 310-877-4770
 13 Email: mmmaryinla@aol.com