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January 21, 2016

Judge Jennifer Rymell Court
County Court 2

RE: 2015-002259-2 Amanda Lollar v Mary Cummins
Hearing date needed ASAP for Motion to Dismiss per Defamation Mitigation Act, Citizen Participation Act.

I am indigent out of state pro se Defendant Mary Cummins. I just received the order on the Motion to Recuse Judge Rymell. Please, give me a hearing date asap for my Motion to Dismiss per Defamation Mitigation Act and Citizen Participation Act. If you won't give me a date, you must tell me why and let me know my options as I am a pro se.

Plaintiffs admitted under oath they never contacted me after I left Texas in June 2010. They legally had to send me a cease and desist with list of alleged defamatory items. They never did this. I requested the list and proof that any items were defamatory and received nothing. Every word I said is the absolute truth.

Plaintiffs filed this suit to prevent me from reporting Plaintiff to authorities and from alerting the public to this deadly threat to public safety. A toddler was bitten by a rabid bat directly adjacent from the "sanctuary." Rabies is fatal. This complaint is a violation of the Citizen Participation Act.

The main item which they stated was "my" defamation was an email written by the main bat vet from USDA written over five years ago in Colorado. I didn't even write that email. It is beyond the statute of limitations of defamation. The other item is a video Plaintiff instructed me to make of Plaintiff in 2010. Plaintiff admits the video is what it is. The main bat vet for the USDA saw the unaltered original video and stated Plaintiff committed "animal cruelty" by causing bats "pain, suffering, death" and "violating the Animal Welfare Act." Animal cruelty is a crime in Texas.

Plaintiffs have filed a forged document in this case. The supposed email from the head of USDA does not exist as per multiple FOIA requests to the USDA.

I will be filing another Motion to Dismiss due to lack of jurisdiction. Plaintiffs admitted under oath that everything I allegedly posted was after I left Texas when I was in California. The

breach of contract claim was thrown out of the 352-248169-10 case. Therefore there is no forum clause for Texas.

I will also be filing for perjury, fraud and failure to state a claim. Plaintiff claims I reposted everything which I was ordered to remove. Even though I could do this legally I never did this. Every item from the void order is still down. Their complaint is perjury and fraud besides meritless and frivolous.

I will be appearing by phone. The Second Court of Appeals has already ruled that I may appear by phone as I am an indigent, out of state and now physically disabled Defendant. I have a negative net worth of \$6,000,000. Plaintiffs, court, state can never get a penny from me. This frivolous case will just cost the state thousands.

I am a pro se party. Please, advise me of all of my rights at every step of this case. That is your legal duty. You must notify me of my legal options at every step, e.g. file writ, appeal.... Please, give me a referral to pro bono and/or pro se legal help. Because I am a pro se you must consider this in your rulings and give me the benefit of the doubt when it comes to knowing Texas law. I am not an attorney. I will never agree to a visiting judge or a retired judge. I demand prior notice of any and all changes which the court must provide.

Sincerely,

A handwritten signature in cursive script that reads "Mary Cummins".

Mary Cummins

cc: Randy Turner