

Case 2:24-cv-00576 Defendant Scott's, **THE DEFENDANT'S COMPLAINT OF SELECTIVE PROSECUTION BY THE UNITED STATES FEDERAL ATTORNEYS AND THE FLORIDA STATE ATTORNEYS DID NOT CHARGE A WOMAN WHO ATTACKED THIS DEFENDANT AND THREE OTHERS ON MAY 12, 2022 to be NOTICE TO A COUNTER LAWSUIT, 09/23/24** Page 1 of 8 , plus Defendant's Exhibit Fed #48 and Fed #50 specifically clips D on the Disc that shows the woman attacker that was not prosecuted, because State Attorney John Duryea wouldn't.

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA FORT MYERS DIVISION

UNITED STATES OF AMERICA)	CASE NO.: 2:24-CV-00576
)	
Plaintiff,)	
v.)	
)	
Calvin Zastrow, <u>Kenneth Scott</u> ,)	<u>COMPAINT</u>
Chester Gallagher, Eva Zastrow)	before:
And Katelyn Sims AKA Katelyn)	Federal Judge John L. Badalamenti
Velasco)	Federal Magistrate Kyle C. Dudek
Defendants and Defendant)	

THE DEFENDANT COMPLAINT'S OF SELECTIVE PROSECUTION BY THE UNITED STATES FEDERAL ATTORNEYS AND THE FLORIDA STATE ATTORNEYS DID NOT CHARGE A WOMAN WHO ATTACKED THIS DEFENDANT AND THREE OTHERS ON MAY 12, 2022, TO BE

NOTICE TO A COUNTER LAWSUIT

Comes now, Kenneth Scott , (Ambassador of the Lord Jesus Christ for the Unborn) recognizes the Court's authority on earth. The defendant asserts that there is a Higher law, God's law, which is not frivolous unlike man's law it's unchanging and eternal. Man put his law (anti-Law) above God's laws and this is where the problem is society disintegrates. So, it might seem

Frivolous, but in Proverbs 14:12 says, “There is a way *that seems* right to a man, But its end *is* the way of death.”

EXAMPLE OF SELECTIVE PROSECUTION

1. The defendant was holding a large Sign of an aborted baby and a pole with a Banner on it on the day of May 12, 2022, on a street corner with three others individuals.

2. This was two and 1/2 blocks away from the Fort Myers Planned Parenthood Abortion Mill at the busy intersection of Daniels and Metro. The defendant had a restraining order from the Court to stay away from Planned Parenthood Mill at the Commerce Park Drive, in Fort Myers.

3. A woman drove her car off the street on to the sidewalk at the defendant and the three other people there that day and she missed us. She backed up several times and then drove at us trying again and again to hit us. Of course, we moved behind the pole at the intersection and then we returned to our spots on the sidewalk. Then SHE PARKED THE CAR PART ON THE SIDEWALK AND PARCIALLY IN THE TURN LANE OF THE STREET. She got out of her car and came at us screaming and yelling and trying to grab our signs to try to destroy them.

4. One of the other proliferers, when she parked her car, then started taking video of what she was doing to get a record for the police evidence. Proving, for our protection, that we were not the attacker.

5. A EMT vehicle leaving the hospital next to this drove corner and he drove up and saw what was happening to us and he called the Sherriffs Department to report the attack on us.

6. The woman hit this defendant who is 75 years old in his face, mouth and knocked his hat off his head while pulling a sign out of his hand.

7. One of the Sheriff's deputies told the defendant that it is a felony in Florida when someone attacks a person that is over 65 years old and wanted the supervising officer to also put a charge on this case as a felony.

8. Many police officers came, probably 10 total Officers. They waited for a supervisors to come and then 3 different detectives came later to do the police report.

9. There were several of the same Sheriff Officers that were at the Planned Parenthood Abortion the day of the arrest for the rescue on Jan. 27, 2022.

10. The defendant and 2 others filled out complaints that day. Later 2 detectives came and we wait for the last detective to come with photos 6 woman, with 6 photos almost alike, especially two, so he said we should say not sure. But we had the video on the phone of Rick Carter and they wouldn't let us look at our video footage. That strategy has worked by other police officers so that Prolifers don't get to charge attackers across the country. This could possibly be the case here but there wasn't ever any reason for her not being charge told us.

11. Rick Carter took the video of her attacking us and her license plate to her Car for evidence with defendant's Exhibit Fed # 50, number D on the Disc submitted on last Motion, **"THE DEFENDANT REQUEST THE JUDGES TO RECUSE THEMSELVES BECAUSE THEY REFUSE TO HEAR THE DEFENDANT'S MOTION TO DISMISS AND THE REQUEST FOR THE EVIEDNTIARY HEARING."**

12. One of the Officers call the person on the phone with that license plate and she admitted to being the person involved in the incident. Then that Sheriffs Deputy said he was going to talk to the woman before writing up the ticket to hear her side of the story first.

13. This Federal Defendant now wants the court to know that he called the police department many times to follow up to find out about the charges against the woman. He was continually put off.

15. Months later the Federal Defendant here found out from a Sheriff Deputy that a Florida State Attorney John Duryea was not charging the woman with any crimes. One of the Sheriff's deputy on the day of the crime told this defendant that the woman would also be charged with reckless driving at the scene of the attack, that charge against her never happened either.

16. **See Defendants Federal Exhibit F #50, number D on the VIDEO** on the disc already submitted on Sept. 20th, 2024 of **THE DEFENDANT REQUEST THE JUDGES TO RECUSE THEMSELVES BECAUSE THEY REFUSED TO HEAR THE DEFENDANT'S MOTION TO DISMISS AND THE**

REQUEST FOR THE EVIDENTIARY HEARING.

17. **See now Defendant's Exhibit Fed # 48,**

DEFENDANT'S REQUEST TO STOP STATE ATTORNEY JOHN DURYEA FROM HAVING ANYTHING TO DO WITH THIS CASE BECAUSE OF HIS SELECTIVE PROSECUTIONS AND DISCRIMINATION

18. With-in the motion filed in the **Defendant's Exhibit Fed # 48,** included in Florida State Trial 22-020313 with the Planned Parenthood abortion mill added, **Dec. 29th, 2022, see included with defendant's Exhibit F#-26 of 20 pages**

“FBI Arrests Two Pro-Life Advocates for Protesting Abortion, Ignore 160 Attacks on Pro-Lifers”. Because during the time of this defendant's trial a example is woman attacker not being charged. The defendant was told that State Attorney stopped all the charges on the woman attacker. This defendants Request was to exclude STATE ATTORNEY JOHN DURYAE from having anything to do with the Defendant's Discovery from the State Attorney's office.

19. The Second Florida Judges Zackary Gill in the criminal case ignored the Defendant's Motion and wouldn't look at the Motion and acted like it was joke.

20. The State Attorneys wouldn't respond to Defends Questions for Discovery.

21. There were 3 different State Judges, and many different State Attorneys, Different Parts of Discovery and never getting the full Discovery. This has happened in several past cases with this defendant and his wife also, to know it is possible. Plus knowing there are two cameras at the most important location.

22. The Defendant requested the videos of the two cameras at the front entrance to the Planned Parenthood on every Discovery request and never received them.

23. The Defendant had a Motions Hearing to Quash on Subpoenas to the Fort Myers Planned Parenthood Abortion mill that Planned Parenthood's Attorney Margerat Good attended and she testified to Judge Zachary Gill that Planned Parenthood had given all the video tapes to the State Attorneys Office. Which this means that the defendant didn't get the two video tapes at the front entrance.

24. That means that Florida State Attorneys didn't provide the Lawyers for the other defendants or this defendant those videos!

25. There was a mistrial for the other defendants in the middle of jury selection. Because this defendant had showed in the hallway the two tapes given him from the State Attorneys the other defendants attorneys hadn't seen at lunch break:

1. A Church rally the night before
2. A sidewalk counselor videoing from the street location and putting somethings on Youtube.

26. Likewise this defendant didn't get their two videos in each of their Discovery information. None of the videos were from the two cameras at the front entrance in the inside covered area before the doors to enter where those two cameras were at. That is where all other defendants were arrested and couldn't see how Eva Zastrow was hand cuffed and injured by Deputy Brown's and his unnecessary treatment for the first person arrested within the first minute at the front door.

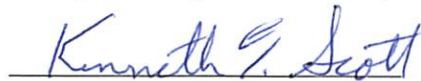
Wherefore defendant shows:

1. How there is Selective Prosecution by the Fort Myers State Attorney's Office with this Florida State Criminal case and hidden Discovery, after trying to follow up on it, for what charges were to be filed on a woman attacking 4 Pro-lifers during the criminal case already done. After several Months, it was found out the State Attorney John Duryea didn't give her any charges. There is a double Standard in the Court System and this defendant wants to expose that.

2. How the Federal Court doesn't want to hear the Challenge of the Unconstitutional Freedom of access to Clinic Entrances Act (FACE) 18 U.S.C. ss 248 with a Evidentiary Hearing and the Motion to Dismiss.

Federal Sentencing • Originalism • Statutory Interpretation • Textualism

Respectfully submitted,



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Dated: Sept. 23, 2024.

CERTIFICATE OF SERVICE

I here by Certify that on Sept 23, 2024, this defendant physically filed **THE DEFENDANT'S COMPLAINT OF SELECTIVE PROSECUTION BY THE UNITED STATES FEDERAL ATTORNEYS AND THE FLORIDA STATE ATTORNEYS DID NOT CHARGE A WOMAN WHO ATTACKED THIS DEFENDANT AND THREE OTHERS ON MAY 12, 2022 to be NOTICE TO A COUNTER LAWSUIT**, In THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA FORT MYERS DIVISION and sent emails- electronically for Pro Se, Kenneth Tyler Scott, Case No: 2:24-CV-005676 to the following:

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