

IN THE CIRCUIT COURT OF THE FIRST
JUDICIAL CIRCUIT OF FLORIDA IN AND FOR
SANTA ROSA COUNTY
GENERAL JURISDICTION DIVISION
CASE NO 09-1432-CA-01

Carmen A. Reynolds,
unrepresented Plaintiff,

vs.

Charlie Crist, Governor, in his official capacity
The Capitol
400 S. Monroe St.
Tallahassee, FL 32399-0001

Bill McCollum, Attorney General, in his official capacity
The Capitol PL-01
Tallahassee, FL 32399-1050

Ana M. Viamonte Ros, M.D., M.P.H., State Surgeon General, in her official
capacity
2585 Merchants Row Boulevard
Tallahassee, Florida 32399
Defendants.

PLAINTIFF'S OBJECTION TO DEFENDANTS' MOTION TO DISMISS

Plaintiff Reynold's objects to the Defendants' Motion to Dismiss as follows:

1. The Plaintiff is not a licensed attorney nor a person representing an artificial entity. The Plaintiff, a free Floridian, is entitled to redress to the government and access to the courts as a matter of right. The change of venue to Leon County would be a denial of access to the courts. It would be a deliberate and oppressive burden upon the Plaintiff, who would be forced to travel and to pay additional expenses to pursue a basic right.

"All political power is inherent in the people. The enunciation herein of certain rights shall not be construed to deny or impair others retained by the people." Constitution, Article 1, Section 1.

"The people shall have the right peaceably to assemble, to instruct their representatives, and to petition for redress of grievances." Florida Constitution, Article 1, Section 5.

2. Plaintiff Reynolds objects to the assertion that she has no standing to challenge a law which allows the state to disregard her basic rights as a sovereign Floridian. A reading of the statute clearly assumes that the state may seize, incarcerate and forcibly medicate anyone it wishes. There is no due process before the denial of unalienable rights. Clearly, such actions could be taken by the state against anyone within Florida. Either the people of Florida are sovereign over their own bodies or not. If they are not sovereign over their own bodies, by what authority does the state claim ownership? By what authority does the state have the right to injure and possibly kill by forced medication and physically force a sovereign Floridian?

When we consider the nature and the theory of our institutions of government, the principles upon which they are supposed to rest, and review the history of their development, we are constrained to conclude that they do not mean to leave room for the play and action of purely personal and arbitrary power. Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but, in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts. And the law is the definition and limitation of power. It is, indeed, quite true that there must always be lodged somewhere, and in some person or body, the authority of final decision, and in many cases of mere administration, the responsibility is purely political, no appeal lying except to the ultimate tribunal of the public judgment, exercised either in the pressure of opinion or by means of the suffrage. But the fundamental rights to life, liberty, and the pursuit of happiness, considered as individual possessions, are secured by those maxims of constitutional law which are the monuments showing the victorious progress of the race in securing to men the blessings of civilization under the reign of just and equal laws, so that, in the famous language of the Massachusetts Bill of Rights, the government of the commonwealth "may be a government of laws, and not of men." For the very idea that one man may be compelled to hold his life, or the means of living, or any material right essential to the enjoyment of life at the mere will of another seems to be intolerable in any country where freedom prevails, as being the essence of slavery itself. *Yick Wo v. Hopkins*, 118 U.S. 356, 369-370 (1886). (Emphasis added)

Dated 8th of September, 2009.

Carmen A. Reynolds

Carmen A. Reynolds,
unrepresented Plaintiff
9621 Sunnybrook Dr.
Navarre, Florida
850-939-0150

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to George Waas on this 8th day of September, 2009, at the following address:

George Waas, Fla. Bar No. 129967
PL-01 The Capitol
Tallahassee, Florida 32399-1050

Carmen A. Reynolds

Carmen A. Reynolds,
unrepresented Plaintiff
9621 Sunnybrook Dr.
Navarre, Florida
850-939-0150