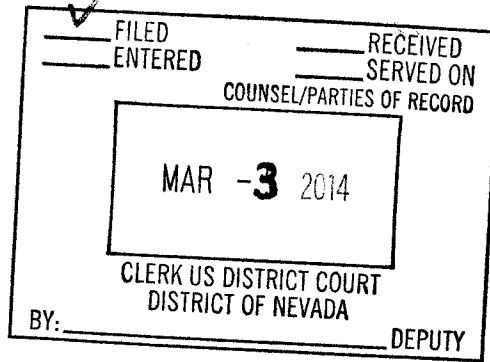


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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
2:12-cv-02040-JAD-PAL

MARC J. RANDAZZA,
Plaintiff

v.

Crystal L. Cox
Defendant

Objection to Emergency Motion for Reconsideration
of Order Granting Cox's Counterclaim
AND
Motion to Appoint Cox Counsel

Pro Se Defendant / Counter Plaintiff Objects to this Motion.

Even though this court and Plaintiff SLAMS Cox every time she files anything, then condemns Cox for not filing a response or reply, Cox is attempting to REPLY though Cox assumes her words will be unheard, considered frivolous and simply dismissed as the yammerings of a lost child, as usual. But here Goes anyway, Keep in mind COX again requests to be appointed non-conflicted counsel.

This court is FORCING me to REPLY, threatening contempt or a default of around \$3 Million even though I have no idea how to at this point, as nothing thus far has worked. If I do not REPLY I am taken as abandoning my own defense and this court threatens a default which is around \$3 Million Dollars give or take, so I shall try and whip up a REPLY though I Clearly can NOT represent myself and do not have the ability to defend myself in this case whatsoever. I have gave it my best SHOT for 16 months.

So, I, Cox am Replying under duress and extreme stress. Because this court is making me REPLY to Randazza's motions though I don't have a clue how to do it effectively and do not

know the LAWS that even apply. I have tried, but I have FAILED miserably.

I have no way to defend myself. Randazza knows all the tricks, has massive connections, is a lawyer (officer of the court), has endless resources and I have none, and am a creative writer not a legal writer. I cannot defend myself in this matter.

Marc Randazza sued Cox and took domain names related to Randazza Legal Group, such as RandazzaLegalGroupSucks.com and others, stating that he had a trademark, therefore Cox assumes that Marc Randazza is Randazza Legal Group and sued Cox on behalf of Randazza Legal Group as well as herself or why would the alleged copyright infringement address Randazza Legal Group too. Cox consider's Randazza Legal Group a Plaintiff in this case as Marc Randazza is Randazza Legal Group and stated in his complaint that he had a right to those sites because he owned, or had right to the name Randazza Legal Group allegedly.

Also Randazza Legal Group represented Cox and is involved. Cox moves this court to force Randazza Legal Group to seek outside council in all matters in this case.

Randazza has violated ALL of Cox's civil rights, due process rights and constitutional rights in this case from the start. Randazza has committed fraud on the court and made a mockery, and for what reason? Simply to remove online speech that spoke badly of him?

As Cox has no Money. So why bother? Randazza already has the domains, and Cox could care less about them now, they have no value to Cox whatsoever.

Plaintiff States there are 3 open claims against them by Cox.

First of all Cox has no verification that this court even received her counterclaim, therefore Cox has no way to know if this claim is open, was accepted, stricken or what is happening with this claim. Cox assumes the claim will be stricken or dismissed as has been the case over 16 months.

As to Cox v. Carr. That case is Over.

Case 2:13-cv-00938-APG-GWF, Cox v. Carr is Closed as far as Cox knows.

Document 8 States, "IT IS HEREBY ORDERED that Plaintiff's Application to Proceed in Forma Pauperis (#1) is denied without prejudice. Plaintiff either shall pay the \$400.00 filing fee or file a proper Application within 30 days of the date of this Order." 60 days has passed, Cox has no money and did not file new forms as there is no reason, this case was improperly moved to Nevada, it is a Civil Suit against the New York Times and should never have been moved back to Nevada. This case was improperly filed as a 28:1332 Diversity-Account Receivable, Contract when it had nothing to do with that and Cox filed a property civil cover sheet.

Case 2:13-cv-00297-MMD-VCF, Cox v. Randazza is Closed as far as Cox knows.

Cox views Docket Entry 25 as Dismissing all of Cox's claim. And Cox sees this case as closed, dismissed and over, to the best of her knowledge. Randazza did not accept service in this complaint, nor answer complaint though he knows it exists, was electronically served and is now mentioning Cox v. Randazza here, yet Randazza never actually entered that case as a party to the case.

So there are no open claims as far as Cox knows at this time.

Contrary to Plaintiffs statement, Cox will suffer and has suffered extreme prejudice, discrimination, violation of rights and denial of due process in this case.

As to not asking the court to reverse, well again I throw my hands up, I have no idea how to REPLY to this motions, these perjured statements and falsehoods. I am replying because this court chastised me for not REPLYING, however I have no idea how to further defend myself against the dark, lawless, unconstitutional forces of Randazza Legal Group.

Everything in this case has prejudiced Cox. Allowing Cox to counterclaim does not prejudice the unlawful, perjuring, lying, fraud on the court Plaintiff Marc J. Randazza.

Randazza falsely and perjuringly claimed Cox extorted him. Randazza flat out lied that Cox offered to remove content online for money. Nothing I can do about it, the court believes this LIAR over me and I have no rights. He has no proof only his word as an attorney. Cox as Pro Se and telling the 100% absolute TRUTH has no rights, and is taken as over the top and frivolous.

No such blog on Randazza's child ever existed but his stated word is taken as fact. Randazza swore to flat out lies to this court, WIPO and the Ninth Circuit against his former client, and all to seek revenge, to retaliate, to threaten and SILENCE a woman who stands up to him, exposes him and has the nerve to FIGHT BACK.

Randazza's actions constitute the crime of perjury, but his mafia connected ass is above the laws of the United States of America.

Plaintiff's bring this action for Abuse of Process in order to compensate for the damage caused by Counter Defendant Marc J. Randazza, however Marc Randazza uses the courts, amicus briefs, false subpoenas, WIPO complaints, emails and phone calls every single day somehow to defame, threaten, commit hate crimes, stalk, harass, ruin, conspire, slam, scare, humiliate, paint in false light and gang up on Defendant Crystal Cox

Randazza's sworn statements were false, fraudulent, and perjurious and he is above the law and his word is taken as FACT, though it is not Fact in any way.

A false, fraudulent, and / or perjurious sworn state to the court, misuses the power of the court, it is an act done in the name of the court and under its authority for the purpose of perpetrating an injustice. Marc Randazza has a pattern and history of this behavior and Cox is entitled to compensation for the harm he has CLEARLY done to her, me, I.

Counter Defendant Marc Randazza, acting with the imprimatur, authority of the court, committed an intolerable act against Cox, and Cox has a right to financial compensation.

Marc Randazza misused the legal process by making a false sworn, perjurious statement before a Ninth Circuit Judicial panel regarding Cox.

The requisite element of malice or ulterior motive should be inferred from the Marc Randazza's willful abuse of the process. If such inference fails, malice specifically exists in that Randazza acted with malice and conscious disregard for the rights of Cox in that his ulterior purpose in misusing the legal process was to silence Cox's speech, steal Cox's search engine placement, scare intimidate and threaten Cox, ruin Cox's life and business, and gain commercially from Cox's intellectual property.

This action was taken with conscious intent to harm Cox and Cox is entitled to compensation and all allowable relief by this court.

It is Crystal Cox's Constitutional right to counterclaim Randazza. If not then why did this court allow a counter claim over a year later? Cox is confused, head spinning over all this, and can no longer represent herself in these matters. Cox is stressed and cannot be her own attorney any longer and yet has a right to defend herself and a right to counterclaims. Defendant Cox requests this court appoint her an attorney as is her legal right.

Case 2:12-cv-02040-GMN-PAL Document 102 Filed 03/25/13, Motion to Appoint Counsel was Stricken from the Record, Cox has tried her best to get an attorney and cannot.

The district courts have been authorized to request counsel to represent indigent litigants in non-frivolous actions. See 28 U.S.C. §1915(e).

Cox was sued by Randazza and asked this court repeatedly to appoint her a non-conflicted attorney.

Cox, again moves this court to appoint her a non-conflicted attorney.

I, Defend Cox, as an Indigent Civil Litigants have the Right to Appointed Counsel and the Demands of Due Process. I can not represent myself in this matter, I do not have the qualifications nor the the strength. I do not have the money, and I can no longer fight back or defend myself. **Please do not make me REPLY to any further Motions. I plead with this**

court to appoint me counsel as I can no longer do this. I cannot competently REPLY to any further motions in this case.

The United States Supreme Court has held that the right to effective assistance of counsel, guaranteed by the sixth amendment and incorporated by the fourteenth amendment, requires states to provide counsel to indigent criminal defendants before imprisoning them.¹ In *Gideon v. Wainwright*,² the Court overturned *Betts v. Brady*, which held that, in some cases, due process might not require appointed counsel for indigent criminal defendants. The decision rested on the important liberty interest each person has in his own physical liberty, due process, and fundamental fairness.

Protecting these interests requires that the accused have counsel before the state deprives him of his liberty. In subsequent decisions involving juvenile proceedings, parole revocation, and the termination of parental rights," the Court indicated that the right to appointed counsel could, in certain circumstances, **extend to civil proceedings**. In such cases, **the right to appointed counsel is grounded not in the sixth amendment, but in the due process clause of the fourteenth amendment**.

Defendant Cox hereby invokes the "**due process clause of the fourteenth amendment**" and demands her rights to due process and right to counsel as an Indigent Civil Litigant.

Defendant Cox moves this court to appoint her non-conflicted counsel.

Cox is under extreme duress, and has a right to freedom, to live a life free of this constant duress that she has been under due to Plaintiff for 16 months. Cox has a fourteenth amendment right to counsel. In *re Gault*,² a civil proceeding, the Court indicated that the defendant's interest in his personal freedom, and not simply the special sixth and fourteenth amendment right to counsel in criminal cases, triggered the right to appointed counsel. The Court indicated that the right to appointed counsel could extend beyond criminal cases to civil cases. Defendant Cox hereby invokes her right to the due process clause of the fourteenth amendment and moves this court to appoint her non-conflicted counsel.

Defendant Cox's civil rights have been violated in this case and Cox has a right to be appointed counsel. Cox has a right to equal protection clauses of the Constitution.

The United States Court of Appeals for the Seventh Circuit acknowledged that under 28 U.S.C. § 1915(d) the district court has broad discretion to appoint counsel and that the denial of counsel "will not be overturned unless it would result in fundamental unfairness impinging on due process rights." *Randazza v. Cox* is highly unfair as the Plaintiff is an attorney and has superior knowledge of the law and Cox cannot defend herself.

Randazza was Cox's attorney and has used confidential information and confessed personal weaknesses against her, in which he gained in confidence as her attorney.

Randazza v. Cox is "impinging on due process rights" and has been for 16 months, with no end in site. Cox no longer has the ability to represent herself. Cox is accused of extortion, contempt of court and fears she will incriminate herself somehow unknowingly in this civil case. Randazza has an unfair advantage over Cox and has put her under extreme, constant, discriminating prejudice duress for over 16 months.

This court RULED that Cox must Reply to Randazza's motions or be given a default for not defending herself. **However Cox, cannot defend herself in this case**, and Randazza being an attorney with Superior knowledge of the law and having several other attorneys in his law firm, has a serious UNFAIR advantage over Cox. Cox has a legal right to be appointed counsel.

Plus Cox cannot get an attorney even if money fell from the sky, as No one will represent a litigant that is sued or suing another attorney. This is an extreme circumstance and Cox MUST be appointed counsel.

The district court should consider the capability of the plaintiff to present his case. The court of appeals quoted Gordon v. Leeke: "If it is apparent to the district court that a pro se litigant has a colorable claim but lacks the capacity to present it, the district court should appoint counsel to assist him.' "" The court said that, in contrast, when the plaintiff appears competent to present the claim, courts have declined to appoint counsel."

In Randazza v. Cox, the Plaintiff is **Vastly more capable** to present his case and defend himself, in every way, including financial, influence over the courts, knowledge, access to legal filings, electronic filing and he himself is an attorney and represented by his own law firm.

Cox has rights, Cox's counter claim and defense has merit, however, Cox "lacks the capacity to present it".

Therefore the district of Nevada, this court should appoint counsel to Cox in this case. Cox is not competent to present the claim nor defend herself. Cox has tried to the best of her ability and simply lacks the capacity.

The district court should consider the complexity of these legal issues the claim raises. Justice will be better served if both sides are represented by persons trained in legal analysis, familiar with court rules and this will save the court time and money and STOP the confusion and chaos of this case.


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Certification of Service

On February 28th, 2014, Counter Plaintiff Crystal Cox certifies mailing a copy of this counter complaint to:

Attention: **Judge Jennifer A. Dorsey**
Las Vegas Courts
333 Las Vegas Blvd. S.
Room 3071
Las Vegas , NV 89101

Crystal Cox
PO BOX 2027
Port Townsend, WA 98368

A handwritten signature in cursive script, appearing to read "Crystal Cox", is written over the printed name and address.

SavvyBroker@Yahoo.com