

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

Cause No.: 8:12-cv-02519-EAK-AEP

HOWSE <i>ex rel. alia</i> v. PLANNED PARENTHOOD, <i>et al.</i> ,)	Class Action Complaint
Plaintiffs and Defendants,)	
)	Injunctive Relief Sought
<i>and</i> ,)	
)	Constitutional Challenge
HOWSE and <i>ex rel. alia</i> v. UNITED STATES,)	
Cross-Plaintiffs and Cross-Defendant.)	Demand for Jury Trial

**Relator-Plaintiff’s Motion for Belated Filing Acceptance of
Directed Amended Complaint, or Relief in the Alternatives**

Comes now Relator-Plaintiff *ex rel.* the fifty (50) State and Commonwealth Plaintiffs, moving under good cause for briefly belated acceptance of his First Amended Complaint as directed by this Court, or for any corresponding relief in the alternatives, as follows:

1. On 6 November 2012, the undersigned *pro se* Relator-Plaintiff filed his initial complaint package, consisting of numerous different individual filings, including about one (1) dozen substantive filings in “parallel” to the original Verified Complaint, et seq., another ten (10) or so procedural papers, and another dozen-plus various required items.

2. On 7 November 2012, this Court **correctly** designated this case as a “Track Three” case, i.e., as complex litigation, with imminent public interest, and class parties included.

3. On 26 November 2012, this Court directed filing of an amended complaint within fourteen (14) days, and pursuant to time computation under the Rules, with the automatic three (3) days added for response after mail service, the deadline was 13 December 2012.

4. Relator-Plaintiff's initial filing package totaled approximately nine (9) to ten (10) months of consistent work in physical preparation, production, and assembly for filing, beginning in January this year, and was the culmination of literally years in the making.

5. Relator-Plaintiff was stunned by the Court's direction for amended complaint to be filed, for two main reasons: (a) the sheer brevity of only fourteen days allowed for filing of an amended complaint; and (b) for apparently holding Relator strictly liable to Rules.

6. Allowance of only a mere 14 days to practically reinvent and reproduce literally months of work following years of development was perceived as terminally impossible.

7. Further, this Relator is but a *pro se* Plaintiff, has not the superior resources or skill of licensed professional attorneys, does not have other advantages that licensed counsel typically have, and also duly provided this Court with various binding authority regarding the processing and treatment of his filings, i.e., that they are *not* to be held strictly liable to the various technical requirements of the Rules in manners that licensed counsel are.

8. Indeed, the binding authority of the United States Supreme Court is such that the Relator-Plaintiff's filings are *not* supposed to be scrutinized in any elevation of substance over form, that the Court is supposed to accept the submissions despite the Relator's any failure to cite proper legal authority, confusion of legal theories, poor syntax or sentence construction, or his unfamiliarity with particular rule requirements, and Relator-Plaintiff also provided binding and/or instructive case law from other federal courts that this Court is required to use its own common sense to determine what relief that party either desires, or is otherwise entitled to, and that the federal courts will even go to particular pains to **protect** *pro se* litigants against consequences of any technical errors if injustice would

otherwise result. *See*, Relator-Plaintiff's initial Notice of Special *Pro Se* Rights, filed on 6 November 2012, and incorporated herein by reference as if the same was fully set forth.

9. Nevertheless, the Relator is quite sympathetic and sensitive to the Court's natural desire to work within a more "linear" fashion of proceedings, and so valiantly attempted to reinvent and tender a more acceptable First Amended Complaint, included herewith.

10. The brevity of 14 days' allowance was further exacerbated by Relator's perceived equally-important need to timely file his Returns of Service upon all parties – a feat that itself was rather involved, including online USPS verifications of numerous deliveries to the various dozen-plus named recipients before and around the Thanksgiving holidays, and then also properly itemizing, tabling and assembling all of the required Exhibit proof.

11. Taking a cue from the Court's direction of amended complaint, the Court will be pleased to learn that Relator has removed and dispensed with all smaller, less-important discussions and requests, for things like individual criminal prosecutions, dissolution of a particular federal agency, removals of particular politicians from office for supporting openly the destructive birth rate loss issues at bar, and so forth and so on, streamlining all things down to just the major "systemic" issues involved, because they are the priority.

12. If the Court would, in any way, deem the submitted First Amended Complaint as still somehow unacceptable, Relator would ask for relief in the following alternatives:

- a) Grant and direct a reasonable time allowance of 30-45 days in which Relator can then develop, craft, assemble and submit a Second Amended Complaint; or,
- b) Appoint counsel from the bar of this Court to takeover and represent the Relator, further directing the time and manner for such counsel to engage this case.

13. And, finally, if the Court would either now accept the Relator's First Amended Complaint as satisfactory, or direct said additional time allowance for development and filing of his Second Amended Complaint, then Relator would also therefore move this Court for related *pro se* single-case access to the Electronic Case Filing (ECF) system.

14. Relator fully believes that the "systemic" issues streamlined down to are, indeed, fully meritorious claims of such significance that they are literally as *res ipsa loquitur*, and that, with the entire world – not just America – suffering heavily from an economic recession of historical proportion, the public is very well served by the merits of this case.

WHEREFORE, Relator-Plaintiff *ex rel.* the fifty sister (50) State and Commonwealth Plaintiffs now moves this Court for belated acceptance of his First Amended Complaint as was previously directed, or for correspondingly substantive relief in and by any of the alternatives described, and further moves for all other relief the Court may deem proper.

Respectfully submitted,

/s/ Tom Howse

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