



1. The cause of action and relief sought is purposefully narrow in this complaint as to survive a motion to dismiss on judicial immunity and the preemption of 42 U.S.C. 1983 where statutorily created declaratory relief is available.
2. There is a fact section following, which shall be incorporated herein as if set forth in full, to withstand a motion to dismiss based upon “Iqbal/Twombly”.
3. The fact section, while illustrative of the bad acts and motivations of the conspirators, does not raise causes of action on which this complaint is brought. Relief from those bad acts described must be obtained through the trial court in the underlying case or the appellate court.
4. The parties are: Plaintiff Laura Hammett (“Hammett” or “Plaintiff”), an individual residing in Faulkner County, Arkansas, which is in the Eastern District of Arkansas. Hammett was named “Laura Lynn” until she had a legal name change after marrying Mr. Hammett;
5. Susan Kaye Weaver (“Judge Weaver”), an individual residing in Van Buren County, Arkansas, which is in the Eastern District of Arkansas. Susan Kaye Weaver is a Judge of the Circuit Court of Searcy County;

6. Jana Perry (“Perry”), an individual Plaintiff believes lives in Greenbrier, Arkansas, which is in the Eastern District of Arkansas. Perry is a certified court reporter for the Circuit Court of Searcy County; and
7. William Z. White, aka “Zac” White, (“White”), an individual residing in Van Buren County, Arkansas who acted in concert with Judge Weaver and Perry under color of law. White is an attorney licensed to practice in the State of Arkansas.
8. Plaintiff does not know the true names, legal capacities or exact nature of the involvement of the separate Defendants sued herein as DOES 1-99, inclusive, and therefore sues said Defendants by such fictitious names.
9. This Court has jurisdiction pursuant to 28 U.S.C. § 1331 because it is a civil action arising under the Constitution and laws of the United States of America. Also 28 U.S.C. § 1343 (3) and (4), which give district courts jurisdiction over actions to secure civil rights extended by the United States government.
10. This Court has supplemental jurisdiction over the state law claim of outrage pursuant to 28 U.S.C. 1367.
11. Venue is proper in the Eastern District of Arkansas pursuant to 28 U.S.C. § 1391(b)(1) because the defendants each reside in the judicial district, and all defendants are residents of the State in which the district

is located; and (b)(2) because it is a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred.

12. This Court has personal jurisdiction over all parties, as each is a citizen of the Great State of Arkansas.
13. Perry provided transcription of a Zoom hearing in state court on August 4, 2021, under color of state law, for the case Micheal Pietrczak v. Rural Revival Living Trust and Laura Lynn, 65CV-21-20 (*"Pietrczak II"*)<sup>1</sup>. ("The Hearing")
14. Judge Weaver presided and White represented the plaintiff.
15. Perry purposefully reported inaccurately in order to remove several unprofessional and abusive comments by White, unflattering comments by Judge Weaver and to give credibility to a false claim of Judge Weaver and White.
16. The "False Claim" was that Judge Weaver granted orally an oral motion made by attorney White, allowing him an extension of time to serve summons on Rural Revival Living Trust ("The Trust"). Such an order violates Ark. R. Civ. Pro. Rule 4(i)(2), which makes a written motion mandatory. And it was not granted orally during the Hearing.

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<sup>1</sup> "Micheal" was misspelled on the transcript and on most documents in Pietrczak. Micheal Pietrczak was born in Germany and the German government did not allow the spelling "Michael", or so his father said.

17. During the Hearing Weaver left the bench and returned some minutes later. Weaver said she spoke to the Administrative office of Courts and they told her the motion must be in writing and Hammett must have an opportunity to respond.
18. Hammett ordered a copy of the transcript on August 4, 2021, but Perry did not deliver it until August 24 at 11:42 PM (almost midnight).
19. On August 18, 2021, White filed a written motion to extend time in which he wrote “Michael Pietrczak made an oral Motion for Extension of Time to Perfect Service during the August 4, 2021, hearing, which was granted by the Court.”
20. White also filed a proposed order in which he claimed Hammett had dodged service.
21. On August 19<sup>th</sup>, before Hammett could file her opposition, Judge Weaver granted the proposed order after telling White to remove the paragraph about Hammett dodging service.
22. Hammett objected in writing on August 19<sup>th</sup> to the lack of opportunity to respond.
23. Judge Weaver wrote a letter dated August 19<sup>th</sup> and filed August 20, 2021 at 4:25 PM that said in part, “The motion to extend was an oral motion, made on August 4th, and the Defendant was present. It has been

over 10 days since the oral motion was made and to date, Defendant failed to file any motion or response opposing the oral motion to extend.”

24. Perry left the instruction of the AOC in regards to rule 4(i)(2) out of the transcript and added several lines in which Weaver said “normally, I require it to be a motion in writing” – and then granted the oral motion.

25. Hammett will address the erroneous ruling on appeal.

26. Convincing the Court Reporter to do her administrative, non-discretionary job improperly is a personal offense against Hammett, the deprivation of her fundamental right under the United States Constitution, Amendment 5 and 14. It is not a discretionary act. It is administrative. And it is not the job of the Judge to tell the court reporter what was said in the hearing or what she wishes was said in the hearing.

27. The details surrounding the purposefully inaccurate transcript show that White and Judge Weaver were more likely than not communicating about the case without including Hammett in the discussion.

28. Judge Weaver’s only motivation to ask Perry to report inaccurately could be a deep seated disfavor of litigants who could not afford attorneys, or want to represent themselves, and an apparent favoritism toward White, trying to funnel money to White’s clients and White by way of attorney fees. (Pietrczak II is not the only case where Judge



Weaver made blatant errors in White's favor, like granting default judgment where no summons was served.

29. There were immediate and irreparable damages to Hammett. A violation of Constitutional rights carries an implied emotional distress, and in this case there was an actual emotional distress that caused Hammett to take medication, lose sleep and speak to her therapist.
30. Hammett had no personal relationship with Judge Weaver.
31. The lack of personal motivation and repeated derogatory comments by White that Hammett is pro se lead Hammett to believe she was singled out because of her class, one who cannot comfortably afford to hire an attorney.
32. Hammett is asking for compensation for the emotional distress caused by the deprivation of her Constitutional Rights and outrageous conduct by White when the defendants conspired to and in fact did cause an inaccurate transcription of a legal proceeding.
33. Hammett also asks for reasonable attorney fees, costs, punitive damages where available and any other relief a jury finds appropriate.

### **Some Supporting Facts**

34. This section is incorporated into the prior section and vice versa, as if set forth fully therein. It is for evidence that the above cause of action was done and done maliciously. It is not as a claim for relief for these particular acts. Hammett is only seeking damages for the purposefully inaccurate transcription.
35. Perry has a reputation of being honest. But she probably feels Judge Weaver has power over her and her ability to continue with steady work.
36. Judge Weaver has a reputation of “picking favorites”, so much so, that Hammett offered to pay five attorneys to represent her in the underlying case and none would take the work. One said it was because he has to go the fact it was said, not the truth of his statement.)
37. White had his license suspended once and settled a malpractice suit against him. He also was convicted of a traffic violation in which the officer involved said White lied to him, saying it was another car making the illegal maneuver.
38. If Perry claims she made the inaccurate transcription for fear of Judge Weaver, Hammett will believe her. But it was not accidental, and therefore the conduct was malicious, with disregard for the truth.



39. Hammett has a bachelor's degree in journalism and wrote about judges and lawyers in California. Though she was threatened several times, she was never sued for defamation, because she always wrote the truth to the best of her knowledge and belief, was not malicious and took good notes.
40. Hammett was instrumental in removing more than one judge from the bench, she has powerful enemies who used the Los Angeles County Sheriff Department to investigate her thoroughly, yet she has never been arrested and has never been found in contempt of court.
41. Hammett took good notes during the Hearing. Several words and phrases she put in quotations did not appear in the transcript, such as Judge Weaver saying "My court" and White saying Hammett was "running and hiding" from process servers.
42. It is probable Perry missed some words unintentionally, but unlikely that every word she missed was something White and Judge Weaver should not have said.
43. It is possible, though not likely, Judge Weaver made a verbal order granting the verbal motion for extension of time to serve summons on the Trust, and Hammett did not hear it because of a glitch in the Zoom sound. But it is highly improbable that Hammett heard Judge Weaver say the

AOC told her the motion must be in writing and Hammett must be given an opportunity to respond if that was not said.

44. Even the inaccurate version of what was said has Judge Weaver admitting it is not “normally” allowed. (The appellate court should overturn her ruling.)

45. The whole summons excuse for a continuance was part of a ruse. White did not have a summons issued on Hammett. Hammett just happened upon it. This was the second time White filed the same complaint against Hammett and it was dismissed without prejudice for lack of prosecution the first time by a different judge. Hammett was checking to see if the statute of limitations had expired when she saw *Pietrczak II*.

46. There was no summons issued for the Trust at all.

47. A trust is not a proper party, but there was no summons issued for the trustee of the Trust either.

48. As of this writing, there is still no summons issued for the Trust.

49. In the State of Arkansas, a plaintiff does not need to serve the defendant in person. A certified letter return receipt will do. There is no evidence that White sent certified mail that was refused.

50. Hammett believes White did not prepare and ask the clerk to issue summons on the Trust and did not serve summons on Hammett because he intended to file for default judgment.
51. White did this before in a case with Judge Weaver presiding. Judge Weaver granted default judgment without a summons served. (The trustee in that case had a lawyer get the judgment reversed.) *71PR-19-91, Zelda Harrell Walls*.
52. Also, there is caselaw that supports a dismissal of a malicious prosecution suit and an abuse of process suit if the summons was not served.
53. White, on behalf of the plaintiff, never responded to the counterclaim. Hammett filed a motion for default judgment on July 13, 2021.
54. On August 20, 2021, Judge Weaver made several orders, all against Hammett. One was a denial of the motion for default judgment and dismissal without prejudice of Hammett's counterclaim, sua sponte and with no specific reason given. Judge Weaver wrote only: "In review of Defendant/Counter-Plaintiff's Counter-Claim, it is evident is it not in compliance with Arkansas Rules of Civil Procedure Rule 8. Therefore, said motion is denied and Counter-Claim is dismissed without prejudice."

55. Judge Weaver granted a motion for default judgement in *Zelda S. Walls Living Trust Dated July 25, 2019, Donna Bryant v. Richard Gawenis*, case no. 71CV-20-119, in which White represented Gawenis, and the response to the complaint was filed untimely.
56. Hammett made a motion for continuance on June 10, 2021, the same day she filed the Answer and Counterclaim.
57. Judge Weaver did not grant or deny the motion before August 2nd.
58. Hammett prepared for the jury trial that was set for August 4<sup>th</sup>. She gave copies of her exhibits to Perry 47 hours in advance of the hearing.
59. On July 30<sup>th</sup>, White filed an opposition to the motion for continuance.
60. The opposition did not get posted until August 2<sup>nd</sup>.
61. Hammett immediately replied and said she withdrew her motion, because she was prepared for trial.
62. White did not submit any exhibits to Perry.
63. At the hearing, White asked for a continuance, to serve summons, because Hammett had “dodged service” and was “running and hiding”, words that did not make it into the transcript.
64. Judge Weaver granted the continuance but not the extension of time to serve summons on the Trust. There were still 17 days left to serve.

65. This is just some of the oddities and errors that make it plausible that Judge Weaver is working with White to throw the case. Hammett hopes it is enough to get to discovery so the Zoom tape of the hearing can be played.
66. Hammett filed a motion to settle the record and a motion for recusal in *Pietrczak II*. The motion for recusal was denied a day later, September 24, 2021. The motion to settle the record is pending. Eventually Hammett will ask the appellate court to settle the record.
67. But even if the court reporter's tape is played and has not been edited yet and all the orders are overturned in *Pietrczak II*, Hammett will not be made whole.
68. Perry, White and Judge Weaver conspired to and did deprive Hammett of her Constitutional right to due process and equal protection under the law. Under color of law, the defendants maliciously impacted Hammett's mental health, her finances (because she must hire an attorney to represent her – assuming she can find one brave enough to do so) and wasted so much of her time and energy that should have been spent on prosecuting her consumer protection cases.
69. Judge Weaver presides on two of those cases. Hammett has no expectation of a fair adjudication on either.

Respectfully Submitted,

Laura Hammett  
16 Gold Lake Club Road  
Conway, Arkansas 72032  
Bohemian\_books@yahoo.com  
Plaintiff in Pro Se

Dated September 27, 2021

A handwritten signature in cursive script, reading "Laura Hammett", written over a horizontal line.

Laura Hammett

#### VERIFICATION

I, Laura Hammett, swear under the laws of the United States of America and the Great State of Arkansas that the forgoing complaint is the truth, the whole truth and nothing but the truth, so help me God. It is written in complete compliance with FRCP Rule 11.

Dated September 27, 2021

A handwritten signature in cursive script, reading "Laura Hammett", written over a horizontal line.

Laura Hammett