Appendix

A. Eighth Circuit Court of Appeals "Writ of Mandamus" Judgment dated June 16, 2022

B. Eighth Circuit Court Show of Cause Order dated June 3, 2022

C. United States District Court for the Western District of Missouri at Kansas City, Order dismissing cause of action dated April 20, 2022

D. Eighth Circuit Court of Appeals "Appellate Judgment" dated January 4, 2023

E. Eighth Circuit Court appellate opinion, dated January 4, 2023

F. Affidavit of Christy Fisher being served by process

Note: The petitioner was unable to download the Eighth Circuit Orders and had to copy and paste to reproduce as the 'transport room' prompt claim error message every time.

United States Court of Appeals
For the Eighth Circuit

No. 22-1873

Rick Lee Searcy

Plaintiff - Appellant

v.

Central Intelligence Agency; National Security Agency; George A. Pickett, Nina Pickett "The Estate of George Pickett"; Stephen K. Griffin, Former Clinton County Judge, 43rd Judicial Circuit; Werner A. Moentmann, Former Ray County Judge, Judicial Circuit 8; Peter Schloss, Excelsior Springs Municipal Court Prosecuting Attorney; Shawn Blair, Excelsior Springs Municipal Court Judge; Wayne Mitchell Elliott, Dorothy Sanborn Elliott, "The Estate of W. Mitchell Elliot", Former Clinton County Prosecuting Attorney; Christopher Herschel Pickett; James Michael Kennedy; Christy Lea Fisher; John Sales; Bob Griffin, Former Missouri Speaker of the House; The United States Army; Church of Latter Day Saints

Defendants - Appellees

Appeal from United States District Court

for the Western District of Missouri

Submitted: December 27, 2022

Filed: January 4, 2023 [Unpublished]

Before GRASZ, MELLOY, and KOBES, Circuit Judges.

PER CURIAM.

Rick Lee Searcy appeals the district court's1 dismissal of his pro se 42 U.S.C. §§ 1983, 1985, and 1986 action. After careful review of the record and the parties' arguments on appeal, we find no basis for reversal. See Plymouth Cnty. v. Merscorp, Inc., 774 F.3d 1155, 1158 (8th Cir. 2014) (Fed. R. Civ. P. 12(b) dismissal reviewed de novo); Moore v. Jackson, 123 F.3d 1082, 1085 (8th Cir. 1997) (Fed. R. Civ. P. 4(m) dismissal reviewed for abuse of discretion); Oden v. Shane Smith Enters., Inc., 27 F.4th 631, 633 (8th Cir. 2022) (recusal decision reviewed for abuse of discretion). Accordingly, we affirm and deny the motion for oral argument as moot. See 8th Cir. R. 47B.

1The Honorable Greg Kays, United States District Judge for the Western District of Missouri.

UNITED STATES COURT OF APPEALS

THE EIGHTH CIRCUIT

No: 22-1873

Rick Lee Searcy

Plaintiff – Appellant

v.

Central Intelligence Agency; National Security Agency; George A. Pickett, Nina Pickett "The Estate of George Pickett"; Stephen K. Griffin, Former Clinton County Judge, 43rd Judicial Circuit; Werner A. Moentmann, Former Ray County Judge, Judicial Circuit 8; Peter Schloss, Excelsior Springs Municipal Court Prosecuting Attorney; Shawn Blair, Excelsior Springs Municipal Court Judge; Wayne Mitchell Elliott, Dorothy Sanborn Elliott, "The Estate of W. Mitchell Elliot", Former Clinton County Prosecuting Attorney; Christopher Herschel Pickett; James Michael Kennedy; Christy Lea Fisher; John Sales; Bob Griffin, Former Missouri Speaker of the House; The United States Army; Church of Latter Day Saints

Defendants - Appellees

Appeal from U.S. District Court for the Western District of Missouri - Kansas City

(4:21-cv-00530-DGK)

JUDGMENT

Before GRASZ, MELLOY, and KOBES, Circuit Judges.

This appeal from the United States District Court was submitted on the record of the district court and briefs of the parties.

After consideration, it is hereby ordered and adjudged that the judgment of the district court in this cause is affirmed in accordance with the opinion of this Court.

January 04, 2023

Order Entered in Accordance with Opinion:

Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

RICK SEARCY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:21-CV-00530-DGK
	)	
CENTRAL INTELLIGENCE AGENCY, et al.,	)	
	)	
	)	
Defendants.	)	

ORDER GRANTING MOTIONS TO DISMISS AND DISMISSING REMAINING CLAIMS

Now before the Court are Defendants' Wayne Mitchell Elliot, George Pickett, John Sales, Shawn L. Blair, Peter W. Schloss, Christopher Herschel Pickett, Stephen K. Griffin, Werner A. Moerlmann, the Church of Jesus Christ of Latter-Day Saints ("LDS"), the Central Intelligence Agency ("CIA"), the National Security Agency ("NSA"), and the United States Army's ("Army") motions to dismiss pro se Plaintiff Rick Searcy's Amended Complaint.[1] ECF No. 47, 48, 49, 51, 52, 56, 57, 63. Plaintiff's Amended Complaint largely alleges that Defendants have engaged in "synthetic telepathy" in an attempt to either murder him or "recruit [him] for their own sexual gratification." Compl. at 5, ECF No. 1; Am. Compl. at 6–7, ECF No. 44. Plaintiff's Amended Complaint also incorporates a motion for injunctive relief. Because Plaintiff has failed to allege facts sufficient to state a cause of action, Defendants' motions to dismiss are GRANTED, and

[1] It appears that Plaintiff does not intend for the Amended Complaint to supersede his initial complaint. Instead, it appears that Plaintiff intends the Amended Complaint to incorporate allegations made in the initial complaint, adding "additional evidence" and additional respondents—namely the Army and LDS. Because the Court construes pro se complaints liberally, it considers allegations made in both Plaintiff's initial complaint and in the Amended Complaint in ruling on this motion to dismiss.

Plaintiff's motion for injunctive relief is DENIED. In addition, Plaintiff's claims against the remaining defendants are DISMISSED WITHOUT PREJUDICE.

Standard of Review

A claim may be dismissed if it fails "to state a claim upon which relief can be granted." Fed. R. Civ. P. 12(b)(6). In ruling on a motion to dismiss, the Court "must accept as true all of the complaint's factual allegations and view them in the light most favorable to the Plaintiff[]." *Stodghill v. Wellston School Dist.*, 512 F.3d 472, 476 (8th Cir. 2008). However, "the Court is not bound to accept as true a legal conclusion couched as a factual allegation." *Warmington v. Bd. of Regents of Univ. of Minn.*, 998 F.3d 789, 796 (8th Cir. 2021) (quoting *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)). To avoid dismissal, a complaint must include "enough facts to state a claim to relief that is plausible on its face." *Bell Atlantic Corp. v. Twombly*, 550 U.S. 544, 570 (2007). This is because defendant must receive fair notice of what the claim is and the grounds on which it rests. *Id.* at 565. "A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Iqbal*, 556 U.S. at 678. The Plaintiff need not demonstrate the claim is probable, only that it is more than just possible. *Id.*

In reviewing the complaint, the Court construes it liberally and draws all reasonable inferences from the facts in Plaintiff's favor. *Monson v. Drug Enforcement Admin.*, 589 F.3d 952, 961 (8th Cir. 2009).

Discussion

Plaintiff claims that the CIA, NSA, and the Army are engaged in the use of telepathic weaponry against United States citizens, and that all of the Defendants have conspired to engage in sexual abuse of children, drug smuggling, assassination attempts, sex trafficking, psychological

warfare, mind control, murder, rape, spouse-swapping, etc. Plaintiff makes no factual allegations which allow the Court to draw a reasonable inference that would support any such claims. Even if he did, Plaintiff fails to articulate a legal theory which would entitle him to relief. As such, Defendants' motions, ECF Nos. 47, 48, 49, 51, 52, 56, 57, 63, are GRANTED. Plaintiff's claims against these Defendants are DISMISSED WITH PREJUDICE.

The only remaining claims in this case are against Defendants James Michael Kennedy, Christy Lea Fischer, and Bob Griffin. None of these Defendants have been served. Under Fed. R. Civ. P. 4(m), the Court must dismiss without prejudice any claims against defendants who are not served within 90 days after a complaint is filed. While the Court may grant an extension of time for good cause, Plaintiff bears the burden to establish good cause. *Kurka v. Iowa City*, 628 F.3d 953, 957 (8th Cir. 2010). Plaintiff cannot establish good cause because his complaint does not state a claim upon which relief could be granted.[2] Plaintiff's claims against James Michael Kennedy, Christy Lea Fischer, and Bob Griffin are therefore DISMISSED WITHOUT PREJUDICE.

Plaintiff's motion for injunctive relief is DENIED.

IT IS SO ORDERED.

Date: April 20, 2022

/s/ Greg Kays
GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT

[2] Defendant Bob Griffin is deceased, so Plaintiff would not be able to serve him even if he were granted an extension. *See* Mot., ECF No. 68.

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MISSOURI WESTERN DIVISION

RICK LEE SEARCY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 4:21-cv-00530-DGK
	)	
CENTRAL INTELLIGENCE AGENCY, et al.,	)	
	)	
Defendants.	)	

JUDGMENT IN A CIVIL ACTION

____ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

__X__ **Decision by Court.** This action has been considered and a decision has been rendered by the Court.

IT IS ORDERED AND ADJUDGED that Defendants' Motions to Dismiss (Docs. 47, 48, 49, 51, 52, 56, 57, and 63) are GRANTED. All claims are DISMISSED WITHOUT PREJUDICE.

April 20, 2021
Dated

Paige Wymore-Wynn
Clerk of Court

April 26, 2021
Entered

/s/ Tracy Strodtman
(by) Deputy Clerk

Additional material from this filing is available in the Clerk's Office.