

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**
Civil Action No. 09-CV-00309 MSK-KMT

SUZANNE SHELL
Plaintiff

v.

AMERICAN FAMILY RIGHTS ASSOCIATION, et. al.
Defendants

**DEFENDANT HENDERSON'S REPLY TO PLAINTIFF'S Doc #235-3
PLAINTIFF'S AFFIDAVIT IN SUPPORT OF RESPONSE
TO DEFENDANT ANNE TOWER'S MOTION TO DISMISS**

I swear before God all I say is true and factual.

COMES NOW Defendant Leonard Henderson (hereafter "I", "me", or "my"), stating that I am responding only in relation to those items specifically addressed to me, or that I have the specific knowledge of. It is not appropriate for Anne Tower to be called to answer for me or things she would hardly know about.

Plaintiff Shell states:

2. Anne E. Tower is Assistant Executive Director of American Family Rights Association.

Henderson states:

When people volunteer for leadership roles in AFRA, they are perfectly free to create whatever title they wish.

Shell states:

8. At no time did any Board of Director member or Leonard Henderson ever publish that Anne E. Tower did not have the authority to do the acts described above nor did they ever publish that she did not hold the position(s) advertised above.

Henderson states:

Shell's assertions about things published is a worn out old saw, as she has demanded that I publish various things on the AFRA website for years- which I have REFUSED TO DO, which gave rise to Shell's original disaffection from AFRA (Doc #95 ¶¶ 2, 43, 51, 317, 322). I do not see such things as NEWS, and I don't see the need to create a website of continuous denials of everything under the sun, let alone such silliness as this.

Anne Tower's appearance on yahoogroups hardly constitute "advertisements".

Shell states:

9. Anne E. Tower is and/or was a member and moderator on AFRA groups and defendant's groups and online forums. This gave her the authority to correct or prevent copyright infringement on those groups. She never exercised her authority to prevent or correct copyright infringement of my copyrighted content.

Henderson states that this is the very CRUX of Shell's absurd case. This arises from an email sent to AFRA HelpLine on Saturday Jun 5, 2004 by Linda Weston. (See Exhibit 1)

Linda Weston had used a form letter that I doubt she knows where it came from, and relates that it caused her court-appointed attorney to immediately resign from the case.

It is apparently Shell's contention that this email was forwarded by others on various yahoogroups. Thus, her basis for the fabrication of a huge portion of Shell's conspiracy theory.

As the judges examined Defendant Brenda Swallows' exhibits per Shell's contention that Swallow's exhibits contained "Trade Secrets",

Defendant Henderson would like for the judges to examine the contents of the attached Exhibit 1 for anything that would constitute copyrightable work.

Shell states:

12. AFRA has an express published policy to infringe my copyrights.

Henderson states that Shell is referring to a statement made by Dennis Hinger on Tue Sep 26, 2006 7:10 am, which says the exact opposite that Shell claims it does. Henderson refers the court to his Doc #95, Exhibit 4.

Shell states:

15. As a moderator on AFRA's online groups and forums and the groups and forums of the defendants, Anne E. Tower had the ability and authority to insure the accuracy of advertisements published there. She did not correct or prevent false advertising.

Henderson replies: Shell has worn out the use of "advertisements". Messages that individuals send to yahoogroups cannot possibly be construed as advertisements. Holding yahoogroup moderators responsible for the "accuracy" of information in emails sent by group members is preposterous, and again tells of Shell's mindset that leadership should control others as a tyrant.

In Shell's paragraph 17, Leonard Henderson becomes the focus.

Henderson replies that he is not sure that he ever called himself "president".

a. For a period of time in 2005-2006, Leonard Henderson certainly was too ill to participate. Since my death(s), I have somewhat recovered and once again engaged in my hobby of AFRA. Bill Tower certainly does keep Leonard Henderson informed on a daily basis.

Shell states:

c. On December 23, 2005, revealing he had just had a near-death experience, Leonard Henderson contacted me by phone purportedly because he was obsessed with guilt about me. He stated he believed that we had communicated via email and had reconciled. This belief was a delusion and I could not convince him that it did not happen. As I was on the phone with him, he searched his email archives and could not find any emails proving the reconciliation had happened, either. The reconciliation he insisted had occurred never happened.

Henderson states that Shell's construction of this event is highly creative, self-serving, dishonest, and another Character Assassination attempt constructed from half-truths.

Unfortunately for Shell, the LIE is put to this Character Assassination attempt by her previous Character Assassination attempt, which is the TAPE RECORDING of that conversation, published on Shell's bizarre and slanderous Bad Advocates website at (<http://badadvocates.com>)-

From Their Own Mouths - their own words, their own voices. .what are they really like?

July 17, 2008, [Leonard Henderson on December 23, 2006](#), at 9:11 am Mountain Time. His post-death fears of the wrongs he committed against Suzanne Shell and his bizarre fixation and delusions about having peace talks with Suzanne.. . [Leonard's apology](#), but he doesn't know what he's apologizing for??? And yet again. . . [sorry for what???](#) He has no idea! [He admits he doesn't get it](#), and [he doesn't understand](#) why a "man apology is never accepted - the pig.

Henderson invites the court to go listen to that recording (5 edited snips) to hear how different reality is from Shell's constructions.

I did not call Shell. Kay Henson and I were talking and I said that I wished this stupid war could just get over. Immediately Kay Henson dialed Shell and put us on a 3-way. Shell demanded an apology. I said ***"Whatever you think I did wrong, I apologize for it"***. Shell said that wasn't good enough because I didn't know what I was apologizing for.

Shell then snottily asked why I called her. I said I didn't call her. Kay pipes in and said she (Kay) had called Shell. By the way, I never called Henson- Kay always called me.

Shell's fabrication that I was "obsessed with guilt", or had "post-death fears of the wrongs he committed against Suzanne Shell" are total prevarication. I believed that I had gotten emails from SOMEBODY about "peace talks" with Shell, and I believed that they were from her. My exact words about it were "That's spooky".

At that time, I was receiving about 600 emails a day. I am sure that it would be a great disappointment to Shell to learn that she wasn't very high on my list of "important" things. So my having "bizarre fixation and delusions" may be a tad overstated.

Shell's parting shot at me:

d. Henderson holds other unshakable delusional memories about me and my associates as evidenced by his submissions to this court.

Henderson responds that his "unshakable delusional memories" are proven quite accurate by the recording of me on Shell's own Bad Advocates page, and the mountain of EVIDENCE, much of it Shell's own words, that I have submitted to this court, which remain Undisputed Facts

Which put a huge question on exactly WHO might have "unshakable delusional memories".

All statements herein are truthful, sworn testimony, before God, as stated.

Respectfully submitted July 26, 2009

A handwritten signature in blue ink, reading "James Leonard Henderson". The signature is written in a cursive style with a long horizontal flourish at the end.

James Leonard Henderson, Sui Juris
4773 Salmon River Hwy, Otis, OR 97368

Exhibit 1

Finally found the infamous Linda Weston letter

----- Original Message -----

Subject: Finally found the infamous Linda Weston letter
Date: Wed, 22 Jul 2009 05:33:58 -0700
From: Leonard Henderson <leonard@familyrights.us>
To: Wm Tower <wmtower@yahoo.com>

Since Shell keeps bitching about it, I went through the HelpLine files one-by-one from January 2004.

This is the one Shell continuously misidentifies as Message 4181

So this is the one everybody is supposed to magically know is Shell's. Shell is saying that this is what your wife was supposed to know about as a moderator of a yahogroup.

How the hell are we supposed to know that? I did not know what was in this letter until July 22, 2009 at about 4am.

I still do not know if it really is based on something Shell wrote. I remember seeing something like this a long time ago being forwarded around. How are we supposed to know her secret stuff? I am not about to go to her site and try to find it. Spooky place with nasty warnings all over.

If I never knew this was Shell's, how the hell is everybody else supposed to know? It is still all according to her say-so.

By the way, Shell herself says she didn't know about this message until October 2008. But she blames that on us denying her membership so she could "supervise".

I am going back over her Doc 1 and at paragraph 111

c. I discovered my copyrighted 4th amendment letter from my web site published on the AFRA web site on November 13, 2005. **I still find no such thing**

d. I discovered my copyrighted Letter to Lawyer from my web site impressibly published on the AFRA web site on November 13, 2005. **I now find it in the bin/forms, named "To_Lawyer-Instruction_work_to_be_done.txt". It is dated 2000**

So she says not a single word to me about it, including that October 5, 2008 email exchange, and now she brings it up in a lawsuit? And can't even be bothered to name it. I don't see how this can fly. Especially in accusing Anne as a moderator of a

frikking yahoogroup. Shell says yahoo refused to remove the message or nuke the group based on this stupid piece of shit.

OR MAYBE THEY DID! Message 4181 is definitely missing. I went through the log files and there is nothing said about messages being nuked. I even sent out a TEST message and then went and nuked it to see if it shows up in the log files. A deleted file does NOT show up in the Moderator Activity or anyplace else I could find. SO who the hell knows what happened to #4181? At any rate, whoever nuked it got the wrong one. 4181 had to have been a far down the line reply to 4159. And there are several of them.

I think what grinds Shell's grits is Linda Weston was given accolades for it.

I just went to see if Linda Weston was on the defendant list. She is not. WHY NOT, since Shell is making such a huge deal out of it? In fact, it's about 1/4 of her case.

Leonard

=====

http://groups.yahoo.com/group/AFRA_HelpLine/message/4159

Message #4159 of 20448

letters to public prentenders

Sat Jun 5, 2004 8:12 am

"Linda Weston" <lindacweston@yahoo.com>

II am posting this for everyone that KNOW their public prentenders do not want to work for them. i did give this to mune. And she did file motion to be removed from my case but I happened to get a decent one that wants to burn dcfs. if we do not stand up for our rights we will never get anywhere with these bimbos.

Linda

Linda Weston

Address 1312 N Wasson St

Streator

Il. 61364

Date: Febuary 2,2004

Elizabeth Rice, Esquire

Attorney-at-Law

760 Etna Rd

Ottawa:

Il:

61350

RE: instruction of work to be done

Dear Ms. Rice:

As my court-appointed defense attorney. I expect a diligent and vigorous

defense to be presented on my behalf and that you competently pursue an adjudication . I am stating for the record that I am innocent of the charges against me. I am aware that a large percentage of child abuse convictions occur not because the defendant was guilty, but because the defense attorney did not do his job properly and/or because the defense attorney sold his client out. Consequently I require that you comply with the following instructions to insure I receive an adequate defense (these instructions are not negotiable) If you do not believe I am innocent, I require you to inform me of that fact immediately so you can be replaced by the court. You will request the court to replace you based on your inability to adequately defend me. If you do not believe you can adequately defend me, I require you to inform me of that fact immediately so you can be replaced at your request to the court based on your inability to adequately defend me. If you have a personal bias against me for any reason, including but not limited to race, heritage, religious beliefs, personality, or any other reason, I require you to inform me of that fact. Otherwise I will expect to be treated with respect and courtesy. As my lawyer you are to keep these comments as privileged communications between you as my lawyer and my self. Since I have not abused/neglected my children, I do not see the need to comply with a case case plan/treatment plan is punishment without due process. At this time I wish to provide you with the information you will need to help prepare my defense as my lawyer. I expect you to object on the record to all ex parte hearings that excluded me. If any are held over your objections, you must appeal right then and there. I will not sign any releases of confidential information, as it is a violation of my right to privacy and my right against self-incriminations. You must protect those rights. If you are overruled - appeal the ruling

right then and there. I demand that any treatment/plan that I do approve have a clearly defined termination point - either a specific time frame or the completion of specific acts and that upon the completion of the plan, it is put in writing that my children are returned and CPS intervention must cease. Regardless of the fact that this situation is classified as a civil matter, I expect you to demand that all my rights be protected as if it were a criminal matter.

If the substance (meaning the consequences and punishments) of these proceedings hold comparable detrimental results as a crime, then the protections must also be applied the same. I require you to insist on my presumption of innocence. I require you to expose every lie by the agents of the state during hearings. I also require you to establish that these people are biased against me and my family during hearings. I require you to demand that my child be returned home. If you don't ask for it, we won't get it. If it is denied, appeal the ruling. I require you to return each of my phone calls 24 hours in which you have refused to do so, but now have my notice of this matter. I require you to keep me apprized of the status of my case and any new developments as they arise.

As my attorney, I do not give you the authority to sign anything on my behalf, including any documents filed with the court. All documents will require my signature along with the purpose and nature of said document, you will explain it to me so that I can understand it.

I do not give you the authority to speak with the judge, prosecutor, social workers, GAL, or anyone else connected with this case outside of my presence where I cannot hear and participate in the discussion. This includes sidebar conferences in the courtroom, conferences with prosecutors/county attorneys and conferences in the Judge's chambers. In the event that I cannot be

physically present I require that I be included via a speakerphone or conference call, and that you do not discuss my case with any of the principles unless I am able to participate in and listen to every communication. In the event that Judge orders you to participate in a discussion outside of my presence, I will view it as unethical behavior and

act accordingly. I require you to object often and effectively during hearings and trials. I require you to raise appealable issues at every opportunity, regardless of whether you think the judge will rule against you or not.

In the event I lose and, if you have raise sufficient appealable issues, I will not have to appeal based on in effective assistance of counsel or sue you for malpractice or file a professional complaint against you.

Such issues include the use of hearsay evidence, speculation, manufactured diagnoses by unqualified witnesses, violations of due process based on

constitutional issues, violations of constitutional rights, improper jury instructions, introduction of evidence that you have not had the opportunity

to examine, et. al. I require you to diligently attempt to impeach all

prosecution witnesses. I require you to diligently examine all prosecution evidence and witnesses prior to trial, and use your findings to impeach

them. I require you to present expert witnesses and other witnesses who can benefit my case.

If you have any questions about this agreement you may ask me and if I

cannot get an answer, you should contact _Karissa Anne Lowell_ Illinois

family Rights familyrightsadvocate@msn.com </ym/Compose?To=familyrightsadvocate@msn.com >

phone number 1 773-274-6001

. Be advised, I have outsiders monitoring your progress and actions. While I

may not be literate in the area of juvenile law. I have many advocates who are and who are watching out for my rights and my families best interest. I declare

this document to be privileged communications between me and you as

my attorney and you are specifically prohibited from disclosing the fact of this document's existence or its contents to anyone else, including any associates, partners or supervisors, and/or any judges. I assert that I am not asking you to do anything illegal or unethical in my defense. If I am demanding something that you cannot do, you are required to explain to me why it can't be done and you must offer an acceptable alternative that will achieve the same results. If at any time you do not feel you can fulfill these requirements, you are required to notify me immediately in writing. Once again it is my position that I have not abused/neglected my children. Further, I need to have these false and malicious presumptions rebutted now. I need you to actively establish legal issues during hearings. I intend to appeal the results of these proceedings, and that will require that you bring all the legal issues up in court regardless of how you think that judge will rule on them. I need you to use every legal tool at your disposal to help me get my son, Adam Joseph Bockhol back including all relevant State/Federal statutes and case law, and appeals, motions, writs, etc. to effectively defend me. So much water has passed under the bridge that it will be hard to introduce these tactics at this late date when they should have been used from the very beginning. It is my contention that my children were removed from MY custody for reasons that are not supported by statute and that all proceedings since then are also illegal. I need you to fight that laws that are a) unconstitutional/or, and b) applied unconstitutional. They have fabricated to court about me as means to further keep my child from me. I have been trying to satisfy all their requirements and jump through all their hoops, and it's never good enough. You must help me to convince the court

that
their requirement have no valid point, either in a time frame or the
completion of requirement, that I can count on to secure the return
of my
child. and I am counting on you to help me to help me bring my son,
Adam home to me.

Respectfully,
Linda C Weston

_____ Feb 2 / _____, 2004
I need to have you to reply to this instrument as reaches it you and
your office today.

Certificate of Service

I hereby certify that on the 27rd day of July, 2009, I served a true and correct copy of this **DEFENDANT HENDERSON'S REPLY TO PLAINTIFF'S Doc #235-3**

AFRA – via e-mail to William O. Tower	Anne and William O. Tower – via e-mail
Dee Contreras -via email	Susan Adams Jackson – via e-mail
Cletus Kiefer – PO Box 52, St. Charles, MO 63301	Families at Risk Defense Alliance – via United States Mail to PO Box 52, St. Charles, MO 63301
Francine Renee Cygan – 329 Cornell Ave., Apt. D, Villa Park, IL 60181	Mark Cygan – 329 Cornell Ave., Apt. D, Villa Park, IL 60181
Illinois Family Advocacy Coalition – c/o Renee Cygan	Dorothy Kernaghan-Baez – via e-mail
Georgia Family Rights, Inc. – via e-mail	Dennis Hinger – via e-mail
National Association of Family Advocates via e-mail	Aimee Dutkiewicz – 40 Landry St., #2, Bristol, CT 06010
Thomas Dutkiewicz – by e-mail	Connecticut DCF Watch – by e-mail
William Wiseman – via e-mail	Wiseman Studios – via e-mail
Ann Durand – via e-mail	Brenda Swallow – via e-mail
Kathy Tilley – 800 Gibson Dr., #322, Roseville, CA 95676	Randall Blair – via e-mail
Lloyd Phillips – 14220 SW 29 Court, Ft. Lauderdale, FL 33330	Ringo Kamens – via e-mail
Cheryl Barnes – via e-mail to Daniel Slater, Esq.	CPS Watch, Inc. – via e-mail
Desere' Clabo aka Howard – via e-mail to Daniel Slater, Esq.	Sarah Thompson – via e-mail to Daniel Slater, Esq.

and upon the Plaintiff, Suzanne Shell, via U.S. Mail

Suzanne Shell
14053 Eastonville Rd.
Elbert, CO 80106

Dated: July 27, 2009



Leonard Henderson, Sui Juris
4773 Salmon River Hwy
Otis, OR 97368