


**IN THE SUPREME COURT OF THE STATE OF NORTH DAKOTA**



Bradley C. Johnson & Karol M.  
Johnson, Defendants and  
Appellants  
vs.  
Barna, Guzy & Steffen, Ltd.,  
Plaintiff and Appellee  
Dale Kuhn, Patricia Kuhn,  
Amber Kuhn Buchman, Karin  
Kuhn Fritel, Samantha Kuhn  
Heyl, Western State Bank, and  
all persons unknown, claiming  
any estate or interest in, or lien or  
encumbrance upon, the real  
estate described in the  
Complaint,  
Defendants

Case No.: Supreme Court No.  
20170340

**APPELLANTS REPLY BRIEF  
TO APPELLEES BRIEF**

**DISTRICT COURT  
NUMBER:25-2015-CV-00093**

1. Truly Incredible: A licensed attorney is claiming that the Constitution of the United States of America does not apply when he decides it is not to his advantage. That Due Process is available only to what, his clients?
2. When did the People of the United States of America apply expiration dates to the Constitution, including the Bill of Rights?
3. **The Constitution including the Bill of Rights is not a perishable document. They endure as long as this Republic endures, which all of you have sworn to protect and defend. Now, attorney Hanson claims that the protections of the Constitution have expired for the Defendants.**

4. *Plaintiffs claim that an Appeals Court is not the correct venue for protection of Constitutional Rights. How many thousands, if not millions, of decisions and actions of lower Courts have been appealed, and vast numbers of such Reversed due to Constitutional and Due Process violations in the lower courts?*
5. *Be Assured: This matter will move on to the Federal Courts as an issue of Constitutional Rights if the NDSC determines for any reason that this family is not entitled to the full protection of the Constitution, including Due Process. Equal Protection of the Law will be established for this family. The idea that our disabled son's and heirs to the land at issue in this action are unprotected by the Constitution and Law in favor of enriching corrupt lawyers and judges is repulsive in the extreme.*
6. According to Licensed Attorney Mark Hanson, and his clients, Licensed Attorneys Bradley Kletscher and Tammy Schemmel, of the Law Firm Barna Guzy and Steffens, Bradley, Karol, Dustin and Shane Johnson are not entitled to Equal Protection of the Law, and the Rule of Law, and most important **Are not entitled to the protections of the Constitution of the United States of America!**
7. We suppose that is because:  

We are not lawyers.

We are honest.
8. Dustin and Shane are persons who happen to be classically autistic, and the Society they live in has long discriminated and harmed the Disabled. Why not steal from their parents

and guardians, and thereby steal from them? They have no intrinsic value according to the utilitarian value set of the legal community. Lawyers are much more deserving of others money, so it can be taken by corrupt courts and lawyers and transferred to the lawyers.

9. This must be a very novel argument by Mark Hanson, licensed attorney, sworn to uphold the Constitution. Subject to the Rules of Professional Conduct. Required by law to be honest to opposition and the Courts. Prohibited from engaging in criminal conduct. Required to report criminal conduct found or observed during his work.
  
10. Now claiming that the Constitution of the United States of America has an Expiration Date regarding the Defendants, Bradley, Karol, Dustin and Shane Johnson. Now claiming, completely falsely, that the Defendants did not repeatedly demand a return to Due Process in the District Court. That Judge Anthony Swain Benson did not repeatedly ignore or defy the demands for Due Process. That all evidence strongly supports that Judge Anthony Swain Benson was compromised by the Plaintiffs and by the attorney of co-defendants Kuhn's through attorney Michael McIntee to corrupt the process for the illegitimate financial gain of others, primarily lawyers.
  
11. Why are the Plaintiffs, law firm Barna Guzy and Steffen, and the attorneys Bradley Kletscher and Tammy Schemmel so terrified of having their conduct and services exposed to a full and fair trial. That theft via corruption of the legal system and process is good for society. That the North Dakota Supreme Court must protect him, his associates, his clients (licensed attorneys) from consequences of crimes and corruption. That it is just fine to corrupt District Courts to assure that his clients, lawyers, collect money they billed even if the billings have no relationship or reality to services provided.

12. Plaintiff continues to assert the claimed documents regarding note and mortgage and the affidavit of the CEO of BGS are evidence. They are not. And even if they were so, they do NOT prove that claimed advances on a Line of Credit authorized solely by the Plaintiff, not the Defendants, are true and correct, and absent of fraud and misconduct. Attorneys Kletscher and Schemmel solely controlled the billings and so-called advances on the line of credit. We did not and do not approve of the billings. Clearly a conflict of interest that can be sorted out only with a proper trial with a Jury of our Peers.

13. All the Law exists for is the enrichment of licensed lawyers. To claim that the legal process in North Dakota precludes Constitutional Rights and the Rule of Law should be as repulsive to the North Dakota Supreme Court as it is to us.

#### **14. PREAMBLE: A LAWYER'S RESPONSIBILITIES**

[1] A lawyer, as a member of the legal profession, is a representative of clients, an officer of the legal system and a public citizen having special responsibility for the quality of justice.

[5] A lawyer's conduct should conform to the requirements of the law, both in professional service to clients and in the lawyer's business and personal affairs. A lawyer should use the law's procedures only for legitimate purposes and not to harass or intimidate others. A lawyer should demonstrate respect for the legal system and for those who serve it, including judges, other lawyers and public officials. While it is a lawyer's duty, when necessary, to challenge the rectitude of official action, it is also a lawyer's duty to uphold legal process.

[12] The legal profession's relative autonomy carries with it special responsibilities of self-government. The profession has a responsibility to assure that its regulations are conceived in the

public interest and **not in furtherance of parochial or self-interested concerns of the bar**. Every lawyer is responsible for observance of these Rules. A lawyer should also aid in securing their observance by other lawyers. Neglect of these responsibilities compromises the independence of the profession and the public interest which it serves.

[13] Lawyers play a vital role in the preservation of society. The fulfillment of this role requires an understanding by lawyers of their relationship to our legal system. These Rules, when properly applied, serve to define that relationship.

15. At no time in the Process have the Rules of Evidence been applied to the documents submitted by the Plaintiffs that they claim have the full standing of evidence. At no time have the Defendants stipulated to any evidence. Are not the Rules of Evidence an integral part of Due Process?

**16. Conclusion:**

Only a finding of Fraud Upon the Court is just. A ruling reversing the Summary Judgment and remanding to District Court in a new venue is acceptable, simply not full justice.

Bradley C & Karol M Johnson  
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Dated this 30 of April 2018.



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Bradley C Johnson, Pro Se Karol  
M Johnson, Pro Se

**Supreme Court of North Dakota**  
**Office of the Clerk**

Barna, Guzy, & Steffen, Ltd., )

Plaintiff, )

vs. )

Bradley C. Johnson, Karol M. )  
Johnson, Dale Kuhn, Patricia Kuhn, )  
Amber Buchman, Karin Kuhn, )  
Samantha Kuhn, and all person's )  
unknown, claiming any estate or )  
interest in, or lien or encumbrance )  
upon, the real estate described in )  
the Complaint, )

Defendants

ND Supreme Court No.: 20170340  
McHenry County No.: 25-2015-CV-00093

**CERTIFICATE OF SERVICE**

I hereby certify that on April 30, 2018, the following documents:

**Appellants Reply Brief in PDF Format**

was served via email with the **North Dakota Supreme Court** at

Supreme Court -[supclerkofcourts@ndcourts.gov](mailto:supclerkofcourts@ndcourts.gov)  
Clerk of Courts  
State Capitol  
Judicial Wing, First Floor  
Bismarck, ND 58505-0530

And the following via email

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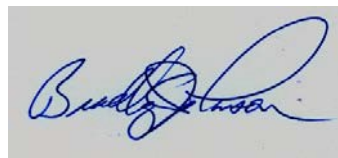
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30 April 2018



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