

FILED
STATE OF MISSISSIPPI
LAFAYETTE COUNTY

IN THE CHANCERY COURT OF LAFAYETTE COUNTY, MISSISSIPPI

CHANCERY CLERK

MATTHEW OLIVER REARDON
PLAINTIFF/PETITIONER

BY: TS

VS

CAUSE NUMBER- CV2016-422W

PHYLLIS MARIE CROWDER-KESTER
DEFENDANT

**EMERGENCY PETITION FOR CITATION OF CONTEMPT, MODIFICATION OF CUSTODY
AND CHILD SUPPORT AGREEMENT AND PRELIMINARY INJUNCTIVE RELIEF**

COMES NOW the Petitioner/Plaintiff Matthew Oliver Reardon, and files this Emergency Petition For Citation of Contempt , Modification of Custody and child support agreement, and prayer for emergency injunctive relief against the Defendant, Phyllis Crowder-Kester and her attorney In support these requests there of your petitioner would respectfully show unto the Court the following:

1.

This Court has personal and subject matter jurisdiction in this matter.

2.

That the Defendant, Phyllis Crowder-Kester, is an adult resident citizen of Lafayette County, Mississippi, and may be served with process at her residence in Lafayette County or wherever she may be found.

3.

On May 22, 2018, This Court entered an Agreed Order of Modification regarding child visitation, a true and correct copy of **which is attached hereto as Exhibit "A"**

4.

That the defendant abruptly ceased communication between the plaintiff and his minor child in or around January 20th, 2020 and has willfully, maliciously, and contumaciously refused to abide by the orders of this court under the false disguise and repetitive assertion of it being at the advisement of Department of Child Services (DCS). Plaintiff would show that this bizarre behavior would amount to nothing more than further unsubstantiated, invoked lies by the defendant. The plaintiff would further show that this was yet again a false narrative that the defendant has chosen to run with all the way in a completely ridiculous, vile attempt to demonize the plaintiff. Defendant has refused to let the plaintiff even speak with his child and petitioner also alleges that the defendant has even gone out of her way to prevent the plaintiff from having eye contact with his minor child. Defendant has contumaciously breached this court's agreements established over and over again throughout the span of the minor child's life without care for the agreements established by this court as well as moral decency through intentionally preventing communication between the plaintiff and his minor child. The Defendants malicious, contumacious actions have resulted in mental anguish and emotional trauma on not only the plaintiff, but also on the plaintiff's spouse Madelyn Claire Reardon (MCR) as well as her 6 year old daughter whom was not only the half sister of, but also best friends with the petitioners minor child, LER. It is of the Plaintiff's impression that the defendant's jealousy of a new sibling being born was the willful cause of this contumacious action due to the defendant demonstrating the same harmful choices and malicious behavior in May of 2018 after the plaintiff's 2nd child was born on 4/30/18. The Defendant also chose to retaliate against the Plaintiff by her intentional act of keeping the minor child away due to her being arrested and booked in January 2020 on a warrant issued by Olive Branch Police Department in or around January of 2019 for the Defendant's intentional plot to falsely charge the

plaintiff with rape in November of 2018. Plaintiff would further show that the conduct of the Defendant as well as the Defendant's legal council have far surpassed self-assuming the role of Judge, Jury, and Executioner, and that the malicious, frivolous, and false claims not only have met but have exceeded the threshold required for Slander, Defamation of Character, Abuse of Process, and Malicious Prosecution. The plaintiff would further demonstrate to this court that by admission on a recorded phone call on July 20, 2019 the defendant admitted to conspiracy with her present husband in discussing the obnoxious attempt to falsely accuse the Plaintiff of raping her in November of 2018. As such, it is the absolute intent of the petitioner to bring separate tort causes seeking remedies to the damages inflicted in the appropriate courts for relief from such actions.

5.

The Plaintiff has demonstrated remarkable restraint despite the aforementioned and even more so with the Defendant attempting to falsely assert that the plaintiff molested the minor child a year before that, in September of 2017. The Defendant and her attorney have taken full advantage of this court and the legal process in turn creating not only a legal crisis under false pretenses, but a constitutional crisis under false pretenses. The petitioner would move this court for a hearing on said matters *if the Defendant wishes to contest that which is asserted*, but unlike the Defendants actions and behavior, the plaintiff respects this court's time as well as his own and will not further elaborate on the actions of the defendant and her attorney unless the Defendant wishes to contest the aforementioned, and/or a hearing on this matter is requested or granted by this court.

6.

The Proverbial Last Straw came August 26th of 2020 when the defendant filed yet again another petition of false allegations with this court in another vile attempt to manipulate the legal system

and further reduce the plaintiff's rights as father of the minor child by seeking to modify the custody order entered by this court. Said filing was a completely frivolous filing, and one that (at the time it was made) made no sense whatsoever. However, the Plaintiff realized the motive behind said filing allow the Defendant's second attorney Christi McCoy to further attack the character of plaintiff/petitioner, a US Marine Corps Veteran, in a completely vile attempt to defend her client against the charge levied by Olive Branch PD after her client's abhorrent, reputable, and downright disgusting false allegation of rape placed on the father of her child. An obvious attempt to characterize the defendant as somebody she clearly is not while she was pleaing out to making a false report of rape in an attempt to reduce the sentence levied. Plaintiff would assert that this likely is the main reason a summons was never sought on the petition for modification that the defendant filed with this court on August 26, 2020 because not only was it MOOT, but frivolous, slanderous, along with the defendant committing the crime of perjury through the lies alleged on her signed and sworn affidavit which is attached to the said filing *and is attached as EXHIBIT B*

7.

The Plaintiff would show unto this court that through multiple (recorded) phone calls with the Department of Children's Services, the plaintiff was advised that complaint (and all complaints for that matter) were dismissed as unfounded, and the defendant was and is well aware of that, to include her legal counsel.

8.

Plaintiff would finally bestow upon this court the attendance record of the minor child at Lafayette Elementary School which would show 11 absences for the minor child in the first month and a half of school being in session. For any child this should be completely unacceptable and shunned in any situation, particularly in this situation in which the minor child was born over three months

premature resulting in developmental delays. Plaintiff states to this court that it is for these reasons stated which would not only warrant a modification of the child custody order reverting primary custody of the minor child to the father and require assessment of child support on the defendant. For far too long the plaintiff has fallen victim, lost time he will never get back, and has suffered financially due to the lies asserted by the defendant. With the attached evidence Petitioner would move this honorable court for a trial at its earliest available time. Petitioner would also move this court to consider the bizarre occurrences that have occurred and to grant petitioner an emergency trial on said facts and additional evidence petitioner is prepared to present before this court.

WHEREFORE, PREMISES CONSIDERED,

The Plaintiff would pray unto this court to assess the seriousness of the allegations stated within this petition, take into consideration the complete disregard for human decency and care for the minor child demonstrated by the actions and decisions of the defendant, the extreme nature of the contumacious actions of the defendant and her continued lies invoking Child Protective Services as a reason to prevent plaintiffs access to his child as ironed out in the visitation agreement on file with this court, **AND TO AWARD SOLE PHYSICAL AND LEGAL CUSTODY TO THE PLAINTIFF** as the minor child has been unfairly and immorally held from the plaintiff for the majority of her life.

The Plaintiff/Movant Matthew O Reardon through his filing and affirmed under sworn oath and affidavit would also show that the Defendant Phyllis Crowder-Kester be required to pay to the Plaintiff Matthew O Reardon, a reasonable sum as to the costs, time, and mental anguish bestowed upon him at the malice hands of the Defendant for his having to compose and bring forth this action. As such and as appropriate pursuant to *Dunaway v. Busbin*, 498 So.2d 1218, 1222 (Miss. 1986) {emphasis added}; *Newell v. Hinton*, 556


So.2d 1037,1044 (Miss. 1990) that this court tax all costs associated with bringing this action to the Defendant Phyllis Crowder-Kester.

The plaintiff respectfully prays unto this court to direct sanctions or whatever means it deems appropriate to the defendant's council as a deterrent going forward for the untrue, frivolous, mentally exhausting, and time intensive legal procedures along with the intimidation tactics they brought about by way of the Defendant which in turn have not only burdened this court but have caused real damages by their continuation in abusing the legal system in place to directly harm the plaintiff's reputation and separate a loving and caring father from his child's life.

Finally, The Plaintiff prays upon this court to issue an emergency injunction and order of protection against the Defendant on behalf of the plaintiff, the plaintiff's wife (Madelyn Claire Reardon), the plaintiff's step-daughter (MGL), and the plaintiff's other two minor children (ACR and MRR). That injunction be made permanent and that the injunction also include the defendant's attorneys for the reasons listed within this petition

The Plaintiff formally submits this 7 page Emergency petition with exhibits and signed affidavit to the Chancery Court of Lafayette County on the 8th Day of October 2020

Respectfully Submitted this 8th Day of October

 10-8-2020

Matthew O. Reardon

Plaintiff/Petitioner

 10/8/20

Notary public



Under Miss. Code Ann. § 11-53-17 I, Matthew Reardon, do solemnly swear that I am a citizen of the State of Mississippi, and because of my poverty I am not able to pay the costs or give security for the same in the civil action which I am about to commence in chancery court regarding the above mentioned custody matter and that, to the best of my belief, I am entitled to the redress which I seek by such suit

 10-8-2020


Matthew O. Reardon

Plaintiff/Petitioner

STATE OF MISSISSIPPI

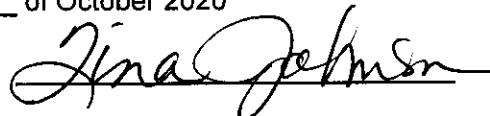
COUNTY OF LAFAYETTE

Before me, the undersigned authority in and for the aforesaid county and state, personally appeared the within named MATTHEW OLIVER REARDON, who states that he signed the above and foregoing instrument on the day and date therein mentioned, and that the facts and things contained therein are true and correct as therein stated.

 10-8-2020

MATTHEW OLIVER REARDON

SWORN TO AND SUBSCRIBED before me, this ^{8th} 8 of October 2020



Notary Public



Exhibit A

FILED
STATE OF MISSISSIPPI
LAFAYETTE COUNTY

IN THE CHANCERY COURT OF LAFAYETTE COUNTY, MISSISSIPPI

2018 MAY 22 PM 4:43

MATTHEW OLIVER REARDON

PLAINTIFF

CAUSE NO.: CV2016-422W

PHYLLIS MARIE CROWDER *PA*

PLAINTIFF

AGREED ORDER FOR MODIFICATION

THIS CAUSE having come before the Court on the Motion To Modify Prior Order Of The Court and the Court having been advised that the Parties have reached an agreement in this cause and the Court finding that said agreement is in the best interest of the child of the parties and therefore the Court adopts the Agreed Order as order of the Court and therefore orders as follows:

IT IS THEREFORE ORDERED AND ADJUDGED that there has been a material change in circumstances in this cause and accordingly the Petitioner, Matthew Reardon, is ordered and allowed visitation with the minor child of the parties, namely, Lydia Elise Reardon, as follows:

1. Beginning January 1, 2018, Matthew Reardon shall have visitation with the said minor child every other week-end from 5:00 p.m. Friday afternoon until 5:00 p.m. Sunday afternoon at his residence in Water Valley, Mississippi.
2. The Parties, Matthew Reardon and Phyllis Crowder, mutually agree to meet at the Water Valley Police Department, or some other mutually agreed upon location outside of Lafayette County, Mississippi, for exchange of the child for visitation purposes.
 - A. Summer
Matthew Reardon shall have visitation with the minor child for (4) four weeks during the summer to be exercised as agreed upon by Parties.

B. Holidays

<u>HOLIDAY</u>	<u>EVEN YEAR</u>	<u>ODD YEAR</u>
New Year's Day	Father	Mother
Easter Day	Mother	Father
Memorial Day	Father	Mother
July 4 th Day	Mother	Father
Labor Day	Father	Mother
Thanksgiving Day	Mother	Father

Father shall further have visitation on every even numbered year from December 25th at twelve o'clock (12:00) p.m. until December 31st at six o'clock (6:00) p.m.

On every even numbered year, Father shall enjoy visitation with the parties' minor child during Christmas holidays every odd numbered year from December 20th at six o'clock (6:00) p.m. until December 25th at 12:00 p.m.

For the Christmas holidays of December, 2017, the parties agree that Matthew Reardon shall have visitation as mutually agreed between the parties but no less than (4) four hours on Christmas Eve and/or (4) four hours Christmas Day and 3 other consecutive days during said holidays.

C. Special Days

1. Father's Day

That Father shall have visitation regardless of whose weekend it may fall on Father's Day from eight o'clock (8:00) a.m. until six o'clock (6:00) p.m.

2. Mother's Day

That Mother shall have visitation regardless of whose weekend it may fall on Mother's Day from eight o'clock (8:00) a.m. until six o'clock (6:00) p.m.

3. Child's Birthday

Each parent shall have one day of visitation with the minor child on or near her birthday, regardless of the visitation set out herein.

D. Other

Father shall have other reasonable visitation with the minor child as agreed upon by the parties.


3. That the restraining order entered by this Court on May 9, 2017, is hereby ~~cancelled~~ ^{dismissed} ^{Revised} as to Matthew Reardon and Phyllis Crowder and the above mentioned minor child of the parties.
4. All other matters and issues addressed and ordered by the Court shall remain in full force and effect.


SO ORDERED this the 22nd day of May, 2018.

Annelle Watkins
CHANCELLOR

AGREED TO BY:


MATTHEW REARDON


WILLIAM C. STENNETT,
Attorney for Matthew Reardon


PHYLLIS CROWDER

PRESENTED BY:
Stennett Law Firm
William C. Stennett
319 West Jefferson Street Suite A
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Telephone: (662) 842-5051
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Exhibit B

IN THE CHANCERY COURT OF LAFAYETTE COUNTY, MISSISSIPPI
STATE OF MISSISSIPPI
LAFAYETTE COUNTY

PHYLLIS MARIE CROWDER

PLAINTIFF

2020 AUG 26 AM 10:17

vs.

CAUSE NUMBER: CV-2016-422W

CHANCERY CLERK

MATTHEW OLIVER REARDON

DEFENDANT

BY: DC KC

PETITION FOR CITATION OF MODIFICATION AND OTHER RELIEF

COMES NOW the Plaintiff, Phyllis Marie Crowder, and files this her Petition for Modification and Other Relief against the Defendant, Matthew Oliver Reardon, and in support thereof would respectfully show unto the Court the following:

1.

This Court has personal and subject matter jurisdiction in this matter.

2.

That the Defendant, Matthew Oliver Reardon, is an adult resident citizen of Lafayette County, Mississippi, and may be served with process at his residence in Lafayette County, Mississippi, or wherever he may be found.

3.

That on August _____, This Court entered an Agreed Order of Modification regarding child visitation, a true and correct copy of which is attached hereto as Exhibit "A".

4.

That there has been a material change in circumstance that has adversely affected the minor child and therefore visitation with the Defendant has ceased. The Defendant abuses alcohol and/or other prescription or non-prescription drugs to the point that he no longer safely monitors the minor child while she is in the Defendant's care which has caused physical injury to the minor child at the hands of the Defendant's current wife at which point visitation with the Defendant ceased. The incident was reported to the State of Mississippi Child Protective Services and in the interim, the Plaintiff was advised to cease all visitation with the Defendant. The Plaintiff therefore requests the

Court and for a Guardian Ad Litem to be appointed for the minor child.

5.

Additionally the Plaintiff would show that the Defendant's behavior has become erratic both on social media and in person and the Plaintiff fears for the safety of the minor child for the Defendant to be exercising the current visitation in the midst of the pandemic.

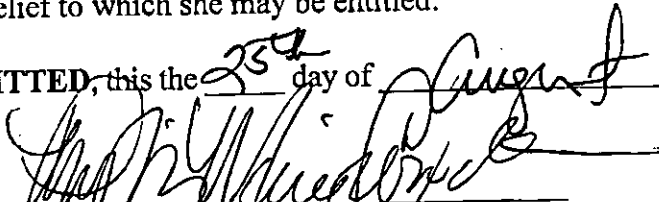
6.

Plaintiff would show that Defendant Matthew Oliver Reardon should be required to pay to the Petitioner, Phyllis Marie Crowder, a reasonable sum as attorney's fees for having to bring forth this action and that all costs of Court should be taxed to Matthew Oliver Reardon.

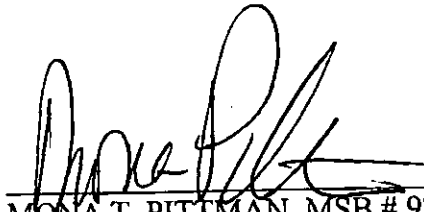
WHEREFORE, PREMISES CONSIDERED, Plaintiff Phyllis Marie Crowder respectfully requests that the Court grant unto her the following relief:

1. That the Court find that there has been a material change in circumstances which have had an adverse effect on the minor child and that visitation with the Defendant cease.
2. That Phyllis Marie Crowder be awarded reasonable attorney's fees and costs suffered in bringing this matter; and,
3. That if mistaken for the relief prayed for and entitled to, then the Plaintiff prays for such other, further, general, specific or special relief to which she may be entitled.

RESPECTFULLY SUBMITTED, this the 25th day of August, 2020.



PHYLLIS MARIE CROWDER

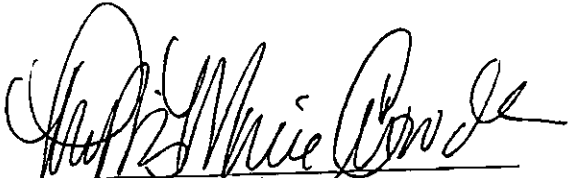


MONA T. PITTMAN, MSB # 9754
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Facsimile: (662) 234-9748 (Facsimile)
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STATE OF MISSISSIPPI
COUNTY OF LAFAYETTE

Personally appeared before me, the undersigned authority in and for the aforesaid County and State, the within named, Phyllis Marie Crowder, who, after being first duly sworn, states that the matters contained in the above and foregoing Petition for Citation of Contempt are true and correct as therein stated.

This the 25 day of August 2020.


Phyllis Marie Crowder

SWORN TO AND SUBSCRIBED BEFORE ME, this the 25 day of August 2020.


NOTARY PUBLIC

MY COMMISSION EXPIRES:

6/15/2024

