

2021CI19940

IN THE DISTRICT COURT OF BEXAR COUNTY, TEXAS
_____ DISTRICT

OSCAR STILLEY

PLAINTIFF

v.

Case No. _____

ALAN BRAID, MD

DEFENDANT

PLAINTIFF'S COMPLAINT

Comes now Plaintiff Oscar Stilley (Plaintiff) and for his complaint states:

JURISDICTION, PARTIES, VENUE

1. Plaintiff brings this action pursuant to Texas Senate Bill 8, which became effective 9-1-2021. The gravamen of this bill is a prohibition on any abortion after a fetal heartbeat is detectible, enforceable not by the state but by private citizens.

2. Senate Bill 8 provides in pertinent part:

Sec. 171.208. CIVIL LIABILITY FOR VIOLATION OR AIDING OR ABETTING VIOLATION. (a) ***Any person***, other than an officer or employee of a state or local governmental entity in this state, may bring a civil action against any person who:

(1) performs or induces an abortion in violation of this subchapter;
(Emphasis added)

3. Plaintiff is a disbarred and disgraced former Arkansas lawyer, residing at the address set forth at the bottom of this complaint.

4. Plaintiff is currently on home confinement, in the custody of the United States Department of Justice-Federal Bureau of Prisons, (DOJ-FBOP) serving the 12 year of a 15 year federal sentence on utterly fraudulent federal charges of “tax evasion” and “conspiracy,” all of which repeatedly changed and morphed away from the purported grand jury indictment, to whatever new theory the government chose to espouse at a given time. Even so, the final

judgment and commitment order was based upon false testimony, claimed evidence which was clearly contradicted by the record, etc., all of which the government steadfastly refuses to acknowledge and correct despite ethical obligations promptly so to do.

5. Plaintiff has consistently demanded due process, and continues his attack on the baseless felony conviction and sentence that has placed him in various federal prisons, and now on home confinement. Plaintiff periodically makes mention of these efforts at www.bustingthefeds.com, often but not exclusively on the blog at that website.

6. Plaintiff currently carries the appellation “federal felon,” but remains confident that he will eventually receive total exoneration of all counts of conviction.

7. Plaintiff despite all his legal troubles is **NOT** an officer or employee of any state or local governmental entity of the great State of Texas.

8. Senate Bill 8 confers a private right of action upon “any person,” without limitation as to residency or citizenship in the State of Texas, status as a felon, condition of “official detention,” disbarment from the practice of law, public disgrace, difficulties getting due process, etc.

9. Senate Bill 8 imposes no requirement of injury in fact.

10. Plaintiff is therefore a qualified and suitable plaintiff, within the meaning of applicable law.

11. Defendant Dr. Alan Braid, MD, (Defendant) is a doctor residing and practicing medicine within the geographical confines of Bexar County, Texas.

12. Therefore this Court has jurisdiction and venue with respect to the Plaintiff’s cause of action.

COUNT 1 - DEFENDANT HAS PERFORMED AN ILLEGAL ABORTION

13. On or about September 6, 2021, Defendant performed an abortion on a woman more than 6 weeks pregnant, but within the first trimester of her pregnancy.
14. The aborted fetus had a detectible heartbeat at the time of the abortion.
15. Defendant knowingly performed this abortion contrary to the clear and unmistakable provisions of Senate Bill 8.
16. On information and belief, Defendant is kind and patient and helpful toward bastards, but ideologically opposed to forcing any woman to produce another bastard against her own free will.
17. On information and belief, Defendant has some understanding of the cruelty and abuse heaped upon bastards and social misfits, in Texas prisons.
18. On information and belief, Defendant is ideologically opposed to cruelty and abuse of persons based upon their status as bastards or social misfits.
19. On information and belief, Defendant would willingly devote substantial parts of his own personal resources, to assist in improving the correctional outcomes of Texas state prisons.
20. On information and belief, Defendant is thoroughly convinced that his acts, which form the basis for this lawsuit, contribute mightily to human happiness and the advancement of human society.
21. On information and belief, Defendant believes that his Elohim (“mighty ones,” AKA “God” is entirely capable of giving a new body to replace a defective fetus, in the here and now, and not only “when you die bye and bye.”
22. On information and belief, Defendant believes that his Elohim (“mighty ones,” AKA “God” is not offended because he aborts a defective fetus, at the request of the pregnant woman.

23. On information and belief, Defendant has allowed his own personal ideology to cause him to violate the express provisions of Senate Bill 8, despite the potential consequences.

24. Therefore, Defendant has extended to Plaintiff (and logical extension all other “persons”) a complete and present cause of action for money damages and injunctive relief.

25. Plaintiff on the morning of September 20, 2021 placed a call to the office of Defendant, to inquire whether or not Defendant might repent of his ideology as well as his deeds, and agree never to perform another abortion contrary to the enactments of the Texas legislature in general, and the requirements of Senate Bill 8 in particular.

26. Plaintiff wasn’t able to secure any such agreement despite respectful efforts.

27. Plaintiff therefore brings this cause of action, for money damages and injunctive relief.

WHEREFORE, premises considered, Plaintiff requests that this Court order Defendant to pay to Plaintiff the sum of \$100,000, but in no case less than the statutory minimum of \$10,000; for an injunction prohibiting Defendant from performing any more abortions contrary to the terms of Senate Bill 8; should Plaintiff retain a licensed attorney to prosecute this action, for reasonable attorneys fees actually expended; for all costs and expenses reasonably laid out, in the prosecution of this action; and for such other and further relief as may be appropriate, whether or not specifically requested.

By: /s/ Oscar Stilley
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