

STATE OF CONNECTICUT  
TORRINGTON GA 18

STATE OF CONNECTICUT	)	
Plaintiff	)	
	)	CRIMINAL COURT
Vs.	)	
	)	L18-CR19-0181768-S
KENT JOHNSON	)	June 7, 2020
	)	
Defendant	)	

DEFENDANT’S MOTION TO DISMISS

Defendant Kent Johnson hereby seeks an Order of the Court to dismiss all charges with prejudice under Rule 41 of the Connecticut Practice book

- 1) Failure to prosecute
- 2) Insufficiency of process
- 3) Insufficiency of service of process
- 4) Insufficiency of cause to justify placing defendant on trial
- 5) Other grounds.

Memorandum of Law

**1) Failure to Prosecute.** The apparent prosecutor of this case who introduced herself in court as Sarah Fallon has represented to the court that it is not common practice for the State’s Attorney to notify Pro Se defendants of anything. However she represented to the court that the defendant was advised to file an appearance, which I did the very day of court.

When I noticed that the appearance had not appeared at the judicial web site a few days later I came to the courthouse and filed another. I

mailed and faxed a third and fourth copy of the appearance with my Motion to Compel Discovery April 17, 2020. I am enclosing a fifth copy with this Motion to Dismiss.

The State's Attorney sent a single mailing dated May 19, 2020 claiming not to have received the appearance. The Motion to Compel Discovery was not mentioned. I am enclosing a fourth copy of that motion in the event Ms Fallon claims not to have received it. I sent copies of both filings in answer to the May 19th letter as well.

It appears the State Prosecutor, if that is what she is, prefers to bully and bluff over prosecuting this case. Where is my notice of the State's appearance? Is there a specific prosecutor planning to appear? The Practice Book, I was told in this court should be used, was found on the Connecticut Judicial website. I consulted that book for the purposes of writing this motion. It was not difficult to find. I submit that Ms Fallon should have referred to that Practice Book to learn how to prosecute this case. I urge the court to show her that now it is too late and dismiss this case with prejudice.

Regardless the defense will not claim a technical foul but rather the moral foul this Deputy Assistant State's Attorney Sarah Fallon knows she is prosecuting without the benefit of the Practice Book.

Unlike Ms Fallon I insist facts, evidence and fairness be considered in the case. She has apparently chosen to prosecute without such things, or even notifying me. The State is responsible to the taxpayer for the discovery of truth to the extent that is possible. This prosecutor is interested in a win and shows disregard for prosecuting anything at all on behalf of the people of the State Connecticut who pay her salary.

**2) Insufficiency of Process.** I have received nothing from the State's Attorney except the bogus claim they need an appearance from me.

**3) Insufficiency of Service Process.** I have received nothing from the State's Attorney except the bogus claim they need an appearance from me.

**4) Insufficiency of cause to justify the placing of the defendant on trial.** Dismissal of this criminal action against me can find foundation in the vagueness of charges and the absolute inexistence of any specific action or inaction attributed to me, even by insinuation. We have five words characterizing this case against me “breach of peace, interfering / resisting”.

Further consider the expense the Connecticut taxpayer must pay to find me guilty of a charge which the purported prosecutor thought \$50 was sufficiency of punishment. Without quoting a dictionary as to the meanings of the words I should not have to argue further about “insufficiency of cause”.

**5) Other Grounds.** Prosecuting this case is an immoral and otherwise unethical means to bully me into being thankful I am alive after another encounter with Torrington Police. Implication being this is going to be much worse for me if I don’t just pay my \$50 and walk away. That I am not capable to stand in the courtroom of my government and argue I am allowed by law to live and work and own a business. I should not face violence for asking “why” an officer needs information. I should also see justice, evidence and intelligence when dealing with the courts. This court has seen bullying and cheating as proof of the lack of prosecution of this case by Deputy Assistant State’s Attorney Sarah Fallon.

The case is reprehensible and a clear example of all that is wrong with the Justice Industry in Connecticut. For these reasons the Defendant asks for dismissal of all charges with prejudice.

THE DEFENDANT,  
Kent Johnson, an individual

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Kent Johnson  
233 East Main St  
Torrington, CT 06790

A copy of this motion is mailed this date to the only address I have for Sarah Fallon who appeared in the courtroom for this case to prosecute me. For that reason alone I assume she is the Prosecutor appearing on behalf of the people of the State of Connecticut.

Sarah Fallon, Deputy Assistant  
Care of Supervisory Assistant Jonathan Knight  
Connecticut State's Attorney  
Torrington Court House  
50 Field Street  
Torrington, CT 06790