

CAUSE NO. 09-12891

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GARY FITZSIMMONS
DISTRICT CLERK
DALLAS COUNTY TEXAS
DEPUTY

MICHAEL L. WEINSTEIN and BONNIE
L. WEINSTEIN,

Plaintiffs,

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IN THE DISTRICT COURT

68th-C
JUDICIAL DISTRICT

v.

ELMER HARMON (JIM) AMMERMAN,
THE CHAPLAINCY OF FULL GOSPEL
CHURCHES, and GORDON
KLINGENSCHMITT,

Defendants.

DALLAS COUNTY, TEXAS

PLAINTIFFS' ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, MICHAEL L. WEINSTEIN and BONNIE L. WEINSTEIN, and file this Original Petition seeking a money judgment and an injunction against ELMER HARMON (JIM) AMMERMAN, THE CHAPLAINCY OF FULL GOSPEL CHURCHES, and GORDON KLINGENSCHMITT for the following reasons:

I.
DISCOVERY

The discovery in this matter is intended to be conducted under Level 3.

II.
THE PARTIES

1. Michael L. Weinstein is an individual residing in Albuquerque, New Mexico.
2. Bonnie L. Weinstein is an individual residing in Albuquerque, New Mexico.

3. Elmer Harmon (Jim) Ammerman is an individual residing in Dallas County, Texas. He may be served at his residence, 2721 Whitewood Drive, Dallas, Texas 75233-2713, or at his place of business, The Chaplaincy of Full Gospel Churches, 2715 Whitewood Drive, Dallas, TX 75233-2713.

4. The Chaplaincy of Full Gospel Churches is an organization organized under the laws of the State of Texas. It may be served by serving its president, Elmer Harmon (Jim) Ammerman, at his residence, 2721 Whitewood Drive, Dallas, Texas 75233-2713, or at his place of business, The Chaplaincy of Full Gospel Churches, 2715 Whitewood Drive, Dallas, TX 75233-2713.

5. Gordon Klingenschmitt, upon information and belief, is a resident of the State of Colorado. He has conspired with Texas residents, Elmer Harmon (Jim) Ammerman and The Chaplaincy of Full Gospel Churches to commit torts in the State of Texas. He may therefore be served by serving the Secretary of State with instructions to send the summons and citation to his last known address, P. O. Box 77077, Colorado Springs, Colorado 80970.

III. **JURISDICTION AND VENUE**

Michael and Bonnie Weinstein seek compensatory damages and an injunction falling within this Court's general subject matter jurisdiction. The incurred damages for which Defendants are liable are in excess of the minimal jurisdictional limits of this Court. Venue is proper in this county because Defendants Elmer Harmon (Jim) Ammerman and The Chaplaincy of Full Gospel Churches are residents of Dallas County.

IV.
FACTUAL BACKGROUND

A. THE PLAINTIFFS.

The Weinsteins are an Air Force family. Bonnie and Mikey are married. Plaintiff Michael Weinstein (“Mikey”) graduated with honors from the United States Air Force Academy at Colorado Springs in 1977. Both of their sons have graduated from the Air Force Academy. Their daughter-in-law graduated from the Air Force Academy. Mikey’s and Bonnie’s brother-in-law graduated with distinction from the Air Force Academy. Mikey’s father, however, graduated with distinction from the United States Naval Academy at Annapolis. But at that time, although the Air Force had been created as a separate branch of the military, the Air Force Academy had not yet been created. Mikey’s father transferred into the Air Force shortly after graduating from Annapolis.

While in the Air Force, Mikey received his law degree. After serving his country in the military, Mikey left the Air Force to serve his country as a legal counsel to the White House under President Reagan. He served for three years, and then went into private practice, working with law firms in Washington, D.C. and New York, and then taking a general counsel position with Perot Systems but his career path took a turn, when Mikey’s two sons and future daughter-in-law were at the Air Force Academy.

For example, as in all aspects in American life, there has been religious discrimination in the military. Catholics could not be chaplains until 1846. Jews could not be chaplains until 1862. Greek Orthodox priests could not be chaplains until World War II. Buddhists could not be chaplains until 1987 and Muslims not until 1993. But over the years, as American society has

changed, the military has changed and adapted and has done a fairly good job in addressing these issues. It has never been perfect (Mikey observed and suffered some religious discrimination when he was at the Air Force Academy in the 1970's) but over time, it has made efforts and achieved real results.

Therefore, when Mikey's and Bonnie's two sons and future daughter-in-law were at the Air Force Academy, they were surprised to find extreme religious intolerance. In thoroughly preparing to present his concerns to the administration of the Air Force Academy, to the degree of thoroughness which he applies to everything, Mikey was shocked to find out that in recent years things had gotten much worse after decades of gradual improvement.

Eventually, when his concerns were not adequately addressed by the Air Force Academy or by the Department of Defense, Mikey founded the Military Religious Freedom Foundation (www.militaryreligiousfreedom.org), a nonprofit, charitable organization devoted to protecting and preserving Constitutional religious freedom for our fighting men and women. Mikey believes they should have the same freedoms that they are fighting to preserve and protect for the rest of us.

While much of the work of the MRFF deals with policies and procedures of the Department of Defense, the majority is dealing with the problems of individual servicemen and women (and their families) who have been discriminated against, formally or informally, in the military. Although the Weinsteins are Jewish, and initially noticed anti-Semitic trends in the military, the vast majority of the servicemen and women who come to the MRFF for assistance are Christians, roughly 96%. A quarter of that 96% of Christians who come to the MRFF for assistance are Roman Catholics. It may be disappointing that minority religions in this country

still suffer discrimination; it is truly amazing that Roman Catholics and mainstream Protestants do.

Needless to say, since he founded the MRFF in 2005, the Weinstains have received hate mail, vandalism and even threats of physical violence. But they had seen nothing like what they would encounter when Mikey and the MRFF crossed paths with the Defendants.

B. THE DEFENDANTS.

Elmer Harmon (Jim) Ammerman is the founder and principal of The Chaplaincy of the Full Gospel Churches (hereinafter "CFGC"). The CFGC, amazingly, is an authorized "endorser" of chaplains to the Department of Defense. Gordon Klingenschmitt was dropped by his endorsing church and picked up by the CFGC just before he was court-martialed for wearing his uniform for personal purposes. He now serves as Ammerman's (and the CFGC's) henchman.

Despite its name, the CFGC is not a bone fide religious organization. Rather, it is a front for anti-government extremists to infiltrate the military and obtain information to use against the United States in advancing its extremist viewpoints. Ammerman has made his positions quite clear, in publically available speeches and articles. He believes that the United States government is planning to turn over sovereignty to the United Nations. He believes that there are secretly hidden throughout the United States, especially in inaccessible parts of National Parks, foreign troops ready to take over. He further believes there are anywhere from 400,000 to 1,300,000 foreign troops here, including a contingent of Russian tanks in the Great Smokey National Park, all of which are under United Nations control. He believes that Holloman Air Force Base in New Mexico has been given to the Russians; and that Fort Bliss in El Paso has been given to the Germans.

He believes all of this is under control of eight ruling families of the world, including the Rothchilds, Warburgs and Rockefellers, who own the United States Federal Reserve and who dictate who is elected in this country. Ammerman believes that he and his followers are slaves under a dictatorial state in an undeclared state of war. He believes that our highest government officials are traitors and has called for the hanging of President Obama, Vice-President Biden, Secretary of State Clinton and Senator Dodd of Connecticut. CFGC as an organization has done nothing to stop it.

But usually in his speeches, he is very careful not to actually advocate violence against the government. He knows to stop just short of that. Rather, by spouting all of this hatred and intolerance, he whips his crowd into a frenzy and then nods and smiles while members of the audience make the actual threats of violence.

C. MIKEY TAKES ON THE RELIGIOUS FRONT PUT UP BY THE DEFENDANTS.

If all Ammerman and his group were concerned about were “black helicopters,” they would not have in any way attracted Mikey’s or the MRFF’s attention, as potential domestic terrorists are not the MRFF’s concern. Even the virulent anti-Semitism of Ammerman and his group would not have been a concern if they had remained merely private citizens. The hatred that Ammerman and his group feel towards Roman Catholics, Muslims, and even mainstream Protestant groups (who they believe have been taken over by the vast conspiracy), would not have been the MRFF’s concern, if this hatred had stayed out of the military.

But Ammerman and his crowd chose the military chaplaincy as an inroad into the armed forces. Not only do they need another forum in which to express their anti-American ideals, but as Ammerman has repeatedly stated, he uses chaplains such as Klingenschmitt to gather

information to use in his crusade against the United States. It is through his chaplains that he knows that Fort Bliss has been given to the Germans and Holloman AFB to the Russians.

It was these activities, in the very chaplaincy of our armed forces, that led Mikey and the MRFF to first question and later challenge the right of CFGC to be an official “endorser” of chaplains. In turn, those actions by Mikey and the MRFF are what led to the Defendants to threaten Mikey’s life and the lives of his loved ones.

D. THE DEFENDANTS ISSUE A FATWAH AGAINST MIKEY.

Soon after the MRFF began to complain about some of the actions of the Defendants in the military, Ammerman began to include Mikey in his rants, along with the United Nations, the “eight ruling families,” and the various “traitors” running our government. He made speeches and statements attacking Mikey and his family and containing virulent anti-Semitic comments. He described Mikey as a madman, falsely stated that one of Mikey’s sons had renounced Judaism and said other hurtful and despicable things.

The hate mail (and hate e-mail) that Mikey and the MRFF regularly received increased due to Ammerman’s tirades, but Mikey was undeterred and continued pursuing the MRFF’s mission.

In April of this year, and again in May, Defendant Klingenschmitt, on behalf of Ammerman and the CFGC, issued a “fatwah” against Mikey (and the Reverend Barry Lynn of the Americans United for Separation of Church and State). In other words, Klingenschmitt called upon his followers to commit violence against, or even kill, Michael Weinstein, and even his family (as well as the Rev. Lynn).

These “fatwahs” are hidden in terms of imprecatory prayers. Imprecatory or “curse” prayers, in mainstream Christianity and Judaism, are prayers for the Lord to protect the weak and faithful from the strong and wicked. While they may be infrequently used in mainstream Christianity and far less if at all in Judaism, they are recognized as part of Judeo-Christian tradition.

But make no mistake; Klingenschmitt is not appealing to the Lord. He is appealing to the Defendant’s followers, using Biblical quotes as a code, urging the Defendant’s followers to acts of imminent violence. Plaintiffs will put on expert testimony, by recognized experts in domestic terrorism, that that is what the Defendant intended by these fatwahs.

Since these fatwahs were issued, the threats and hate mail have increased exponentially. Plaintiffs justifiably live in fear of imminent violence against their person and their family.

V.
CAUSES OF ACTION

1. Terroristic Threats.

Defendants have made terroristic threats against Plaintiffs and their family in violation of Texas Penal Code Sec. 22.07. These threats were made with the intent to and did cause Plaintiffs to be in fear of imminent physical violence.

2. Intentional Infliction of Emotional Distress.

Defendants’ conduct was intentional and reckless, their conduct has been extreme and outrageous, and Plaintiffs have suffered severe emotional distress as a result of that behavior. Accordingly, Defendants should be held liable for intentional infliction of emotional distress.

3. Conspiracy.

Defendants acted in concert to accomplish an unlawful purpose and Plaintiffs suffered damages as a proximate result. Each had a specific intent to injure Plaintiffs. Accordingly, Defendants are liable for civil conspiracy. CFGC is vicariously liable for the acts of the other Defendants.

4. Injunction.

Defendants should be enjoined from making further terroristic threats and should be enjoined from encouraging, soliciting, directing, abetting, or attempting to induce others to engage in similar conduct or to harm Plaintiffs or their family.

VI.

APPLICATON FOR TEMPORARY RESTRAINING ORDER

Plaintiffs would show the Defendants, and others with whom Defendants are acting in concert can, and likely will, cause irreparable harm to Plaintiffs' ability to prove their case if Defendants are not enjoined from destroying, secreting, altering, amending, or deleting documents, either in hardcopy form or stored electronically on hard drives, CDs, DVDs, or any other media or memory devices, including, but not limited to, e-mails, text messages, digitally-stored photographs, video and images, social networking website entries and any other form of electronic communication and data storage. Accordingly, Plaintiffs seek injunctive relief on the grounds that there is a threat of imminent harm and irreparable injury to Plaintiffs' interests as described herein for which there is no adequately remedy at law pursuant to Tex.Civ.Prac. &

Rem. Code §65.011(1). Plaintiffs will post the necessary reasonable bond to facilitate the injunctive relief requested.

VII.
REQUESTS FOR DISCLOSURE

Plaintiffs request that the Defendants provide all information responsive to Texas Rules of Civil Procedure 194.2(a) through (l) in accordance with such rules.

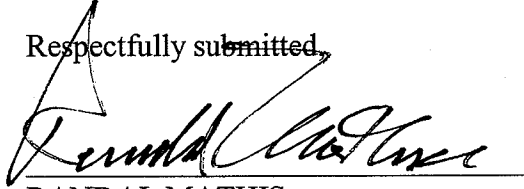
VIII.
REQUEST FOR PRODUCTION

Plaintiffs request that the Defendants produce all correspondence, e-mails, written documents of any nature, and video/audio referring in any way to Plaintiffs or the MRFF.

IX.
PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiffs MICHAEL L. WEINSTEIN and BONNIE L. WEINSTEIN respectfully pray that Defendants ELMER HARMON (JIM) AMMERMAN, THE CHAPLAINCY OF FULL GOSPEL CHURCHES, and GORDON KLINGENSCHMITT be cited to appear to answer herein and that upon final hearing that the Court enter a judgment in favor of Plaintiffs for actual and exemplary damages against Defendants in an amount in excess of the minimal jurisdictional limits of this Court, for an injunction, for pre and post judgment interest of the highest rate allowed by law, for costs of court, and for such other and further relief to which he may be justly entitled at law or in equity.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Randal Mathis", is written over a horizontal line.

RANDAL MATHIS

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