

mandate that stalkers be arrested and punished for their harassing behaviors, which can include: violence, *threats*, *invasion of privacy*, burglary, vandalism, and trespassing. *Id.* (emphasis added) Further, Colorado state law provides criminal punishment for someone who:

“[r]epeatedly follows, approaches, **contacts**, places under surveillance, or **makes any form of communication** with another person, a member of that person's immediate family, or someone with whom that person has or has had a continuing relationship in a manner that would **cause a reasonable person to suffer serious emotional distress** and does cause that person, a member of that person's immediate family, or **someone with whom that person has or has had a continuing relationship to suffer serious emotional distress.**”

Id.

Recently, individuals in Colorado have been found guilty of multiple counts of criminal felony stalking for behavior such as texting, calling and following a victim (*see People v. Wagner*, 434 P. 3d 731 - Colo: Court of Appeals, 1st Div. 2018; *see also People v. Chase*, 2013 COA 27, ¶¶ 53-54, 411 P.3d 740 (concluding that several emails containing "implicit and explicit threats" was sufficient evidence of credible threats when victim considered the emails serious and undertook self-protective measures as a result). For civil stalking, a lower standard than that for criminal stalking, repeated approaches, contacts or forms of communication that causes a reasonable person to suffer serious emotional distress are sufficient to impose liability.

Severe emotional distress, under Colorado caselaw, may be shown in various ways. *See People v. Carey*, 198 P.3d 1223 at 1233 (Colo. App. 2008) (victim's testimony "that she was 'very fearful' and 'very distressed' because she realized that defendant could easily act on his threats" and that she "increased her level of awareness of her surroundings" was sufficient evidence of serious emotional distress); *People v. Cross*, 114 P.3d 1, 6 (Colo. App. 2004) (sufficient evidence of serious emotional distress when victim testified that the defendant's behavior caused her to change her work schedule, feel nervous, and have trouble sleeping) (citations omitted); *People v. Sullivan*, 53 P.3d 1181, 1185 (Colo. App. 2002) (sufficient evidence of serious emotional distress when victim testified that she changed her routines, was afraid, felt she was constantly being watched, and had trouble sleeping). All of these elements are apparent in Mr. Goode and his family's lives due to the acts of Alyssa Montalbano.

FACTS

1. The First TRO/Stalking Application

This is the second time that Mr. Goode has had to pursue protection against Alyssa Chrystie Montalbano ("Montalbano") due to her repeated stalking, threats, and invasion of Mr. Corey Goode's privacy. Montalbano has stalked Mr. Goode by incessantly and repeatedly contacting and attempting to contact him with the sole purpose of coercing him into some fictitious and fanciful relationship that she has

concocted in her mind. In Mr. Goode's first application for protection order, filed with this Court in June of 2018 and granted in July of 2018, Mr. Goode laid out a particularly terrifying and threatening communication she sent to him:

"Alyssa sent an email after she agreed to cease contact with me on February 2, 2018. In it she references the Conference we forbade her to attend that I was presenting at due to her 400 emails and repeated calls, letters, etc. In her email she says "did something occur in Hawaii? I ask because of a couple dreams. One, you may not be aware of anything... in the dream you were playing (yes in a disguise) **and I scooped you up so the sniper on the hill wouldn't shoot you and eat you. I took you and placed you somewhere safe.** You seemed oblivious the entire time. In the next dream (disguise again) you seemed to have caught a cold or had something occur that reminded me of my trip to Hawaii as a kid with my bff when she got sucked into the undertow by the shore and when she got back on shore she puked this clear mucally type bile vomit onto the sand. We promptly buried it and moved to the next cabana. ::grin:: Something similar to the bile - vomit was seen in the dream but with shuffles like a really bad cold and you were having a hard time breathing. I helped keep you breathing. Did you have any kind of ocean incident or catch a cold or have any kind of breathing issues?"

(emphasis added).

This incident premised Mr. Goode's Stalking/TRO filed and granted in 2018, but the underlying threats to life and body still loom, especially in light of her reaction to the most recent ruling on her lawsuit filed in Mesa County dismissing the action.

Montalbano has sent him, since as early as 2017, messages, emails and letters with incomprehensible, made up legal-sounding language (as outlined in Mr. Goode's previous TRO filed with this Court in June of 2018) threatening Mr.

Goode with a lawsuit and/or criminal charges (Montalbano is not, nor has she even been, a government attorney or anyone that may bring criminal charges on behalf of the state) unless and until he engaged with her.

Mr. Goode respectfully requests this Court take judicial notice of his prior TRO/Stalking Application in June/July of 2018 and the materials contained therein.

2. The Retaliatory Mesa Lawsuit

In retaliation to Mr. Goode's Stalking/TRO lawsuit filed on or around June 15, 2018, Montalbano opened a lawsuit in Mesa County against Mr. Goode on June 25, 2018. As explained in the attached verified Complaint for Protection Order. Attached to this Brief in Response are the Register of Actions of the Mesa Action prior to removal, showing **thirty-six filings in less than three months.** (Exhibit 4). These filings are replete with Montalbano's fanciful ideas of being married to Mr. Goode in another dimension, having romantic meetings through astral projection, and other disturbing stories as well as a painstakingly detailed review of Mr. Goode's career and personal life details. The detail of her musings over Mr. Goode show the massive amounts of hours **every day** she spends obsessing over Mr. Goode. The thought of this attention causes severe emotional

distress to Mr. Goode and his family and is something that horror movies are premised on.

Due to the nature of Montalbano's claims seeming—to Mr. Goode's counsel's best analysis of the purported claims—to be of the nature of copyright, Mr. Goode removed the action to federal court on or around September of 2018. After the case was removed, Montalbano amended her claims—at the urging of Judge Moore and after Magistrate Gallagher recommended dismissal of the action—and the case was sent back to state court on or around December of 2018. (Exhibit 5). In the **just over two months** that the case was in federal court, the docket entries totaled **eighty docket entries**. *Id.* The vast majority of filings in both cases were by Montalbano, most stricken and/or ignored by the judges due to their sheer unfounded (in legal or reason), baseless and innocuousness nature. The amount of filings mounted after removal, and has doubtless reached over a hundred. All have been sent to Mr. Goode. All have caused repeated and continuing emotional distress. For two years now Mr. Goode has dealt with Montalbano's repeated harassment, defamation and unwanted affections and attention. He has suffered physical stress due to the ongoing fear he endures.

Now, after years of Montalbano's ongoing and repeated harassment, stalking, and unwanted contact and attention, Mr. Goode has reached the point where he fears an impending attack of Montalbano's intense focus resulting in

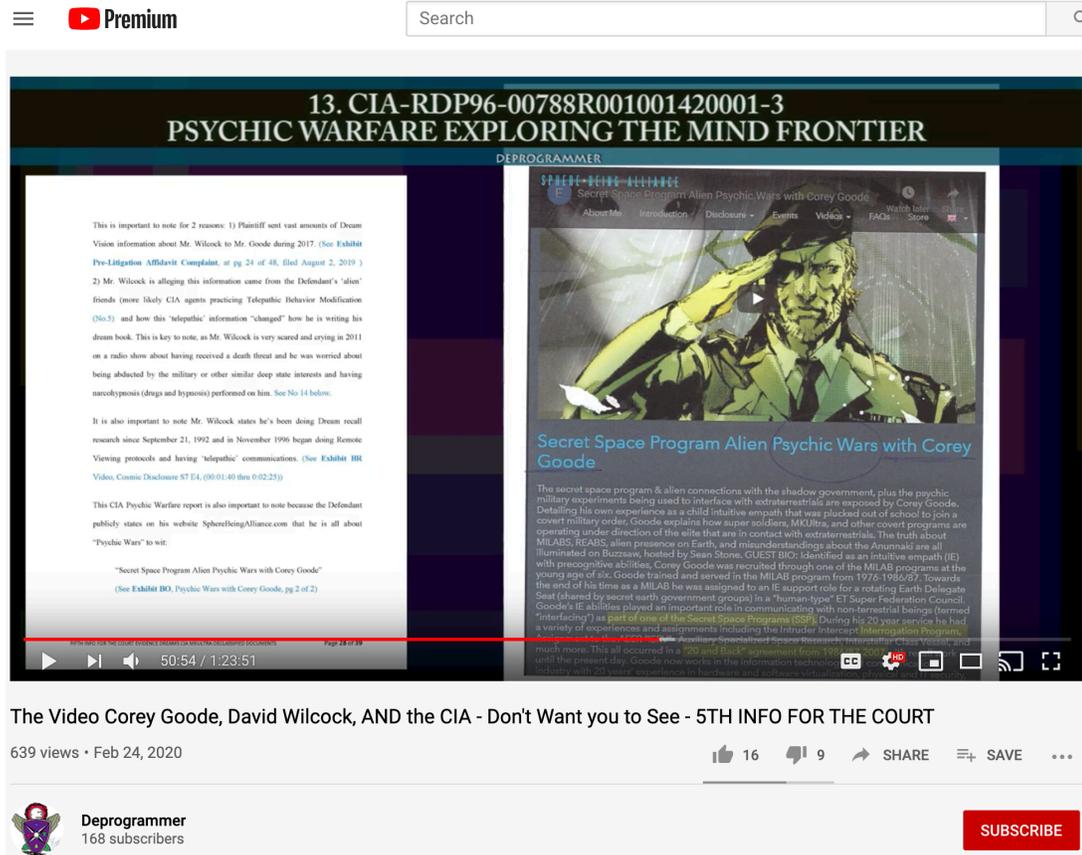
harm to himself and his family. Last year, Montalbano received a report and recommendation from a Federal Magistrate Judge calling her “delusional” (*see* Exhibit 1, *see also* Exhibit 3 (someone who has met Montalbano stating that when she met her “she was missing a few screws even back then”) in addition to a dismissal of her case against Mr. Goode by a State Court Judge, her response to both being inflammatory and a huge outlash. An excerpt reproduced below:

Plaintiff asserts the violation of a legal interest that clearly does not exist or facts that do not support an arguable claim for relief. The complaint(s) lack coherent factual allegations or claims. They describe what seems a **delusional scenario** of use of supposed dreams emailed to another party. The nonsensical allegations do not support an arguable claim for relief, and a more specific pleading would not cure the failure of the purported claims nor place them in a position to clear the hurdles of Rule 8 or 12. The complaint fails to provide a short

She has since filed multiple motions against the Judge in the Mesa action calling for his recusal for “perjury” and accusing him of working with Mr. Goode and his counsel. Mr. Goode requests this Court enter a protective order to prevent Montalbano—someone who at least two judges and hundreds of lay people agree is extremely unstable—from harming, threatening or harassing Mr. Goode and/or his family further.

3. Montalbano’s YouTube Account Focused Solely on Mr. Goode

Most recently, Montalbano has created a YouTube account purely for the purpose to harass, defame, threaten and discredit Mr. Goode. A screenshot of her channel is below:



(accessed at https://www.youtube.com/channel/UCyiuJjzwQKX0dQGp8_kd8_w).

On her YouTube channel Montalbano reads aloud—for hours at a time—her voluminous, nonsensical court filings and inserts delusional commentary about her “relationship” with Mr. Goode, an imaginary husband-and-wife or “twin flame” relationship she has been asserting since at least 2018 exists between herself and Mr. Goode. Mr. Goode has never had any face-to-face interaction with

Montalbano. He is happily married to his wife, and Montalbano's repeated unwanted advances has caused severe emotional distress on the entire Goode family. Her disturbing "dream visions" involve twisted scenarios often blending Star Wars elements with Alice in Wonderland. Her advances are constant and unabating. Only this Court has it within its authority to make them stop.

As shown above, Montalbano has terrified, emotionally hurt and threatened to hurt Mr. Goode and his family and they are in imminent danger of further abuse or threats if the protection order that is sought herein is not issued. Mr. Goode and his family are in constant terror that Montalbano may show up where they live, or to a conference they are attending, and attempt to harass, follow, or *worse*...inflict bodily harm—based on the multitude of postings and various harassment that they have all been exposed to. Mrs. Goode does not answer the door when Mr. Goode is gone and instructs her son and daughter to do the same out of fear for their safety. Mr. Goode checks in on his family more often than he did before out of fear for the safety of his wife and children. Their children do not play outside as much as they used to for fear of being watched, harassed or followed. The fact that the Goode family has altered their day-to-day, once carefree way of living is a tragedy to the extreme, especially for his son and daughter who should be allowed to enjoy life as any other child. Montalbano must be prevented from coming near or around Mr. Goode and his family permanently and must be prohibited from contacting anyone

related to him in any way. Further, and perhaps most importantly, she must explicitly be forbidden to attend any of the conferences or live events Mr. Goode presents at or attends.

CONCLUSION

This is but a cursory overview of the attached multitudes of evidence. Even more exists and will be brought forward at the Permanent Protective Order Hearing. Mr. Goode respectfully asks that this Court **GRANT** his preliminary protective order in accordance with the above and aforementioned.

March 6, 2020

Respectfully,
/s James Corey Goode/
James Corey Goode