

IN THE CIRCUIT COURT IN AND FOR ESCAMBIA COUNTY, FLORIDA

WILLIE C. GREEN,
Plaintiff,

v.

CASE NO. 2024 CA 382
DIVISION: F

FELICIA WATTS-KIDD,
Defendant.

ORDER ON MOTIONS FOR SUMMARY JUDGMENT

This matter came before the Court for a hearing on April 28, 2026, on the Defendant's Renewed Motion for Summary Judgment and Alternative Motion to Dismiss Corrected Amended Complaint that was filed on February 18, 2026, and the Plaintiff's Response to Defendant's Renewed Motion for Summary Judgment Alternative Motion to Dismiss and Counter Motion for Summary Judgment that was filed on March 7, 2026. After hearing arguments of the pro se Plaintiff and counsel for the Defendant, the following is the result:

I.

The primary issue is one of a qualified litigation privilege affording certain immunity. Therefore, a brief background is necessary.

In September 2021, Church of God in Christ, Inc. ("COGIC"), *inter alia*, filed a complaint asserting fraud involving a church property dispute against various defendants including Kenneth Watts, the father of the Defendant herein. As noted in

an order of dismissal on the basis of the abstention doctrine, all parties to the lawsuit are members of COGIC. See 2021CA2561, Order 9/10/2024.

In October 2021, Plaintiff herein filed an action against, *inter alia*, Kenneth Watts, Moses Tyson, and Westside Ministry, Inc., the latter being an affiliate or subordinate of COGIC, to some degree, for defamation.

The subject case commenced in March 2024 by the same Plaintiff asserting defamation against Felicia Watts-Kidd, for several certain statements. See Plaintiff's Response to Court Order filed 11/30/2025 and affidavit filed 3/2/2026.

The first two statements are contained in an email including draft attached dated February 2024 from Ms. Watts, the Defendant in the present action and trustee of Westside Ministry, Inc., to Mr. Tyson, the Defendant in a prior action sued by the same Plaintiff. The substance generally involved her intent, in her capacity for Westside Ministry, Inc, a Defendant in a prior action, to file a bar complaint against an attorney due to his action involving a court proceeding in which Plaintiff was then a party.¹

A third statement is contained in an August 2023 email sent by Ms. Watts to "Elder (Ron) Stidham," regarding her intent await completion of depositions to report the Plaintiff, among others to the Office of the State Attorney involving a

¹ Mr. Tyson forwarded the email apparently to a great number of people many of whom have email address is identifying themselves as bishops, pastors, and elders.

church property dispute and reporting an attorney for supporting Plaintiff's alleged real estate scheme.

After this complaint was filed in March 2024, the Plaintiff asserts another defamatory statement stems from a June 2024 email addressed by Ms. Kidd, a trustee for Westside Ministry, Inc. to Mr. Tyson, a Defendant in a prior litigation, seeking his assistance to notify another of her intentions to file a federal complaint against COGIC. Mr. Tyson complies but in so doing, authors his own message as part of an internal grievance procedure.

Finally, Plaintiffs' complaint involves verbal statements published on a YouTube video June 2024² regarding her intent as a member and trustee of Westside Ministry, Inc., to name people including the COGIC and Plaintiff herein, in a lawsuit. The crux of the message is to complain about the prior action, then still pending, between COGIC and Westside Ministry, Inc. regarding the dispute in property while seeking resolution in part and threatening litigation in part.

² As an aside, some statements did not even occur until after the complaint was filed. A cause of action must exist and be complete before an action can be commenced; as a general rule a plaintiff may not be permitted to cure the defect of nonexistence when suit began by amendment of pleadings. *Orlando Sports Stadium, Inc. v. Sentinel State Co.*, 316 So. 2d 607 (Fla. 4th DCA 1975). Plaintiff's motion to file video exhibit for summary judgment consideration on April 29, 2026 is granted. The thumb drive was marked and has been placed with the clerk to form part of the record.

As noted before, the rationale underpinning the litigation privilege is that participants must be free to engage in unhindered communications with participants free to use their best judgment in prosecuting or defending a lawsuit without fear of having to defend their actions in a subsequent civil action. See *Levin, Middlebrooks, Mabie, Thomas, Mayes & Mitchell, P.A. v. U.S. Fire Ins. Co.*, 639 So. 2d 606 (Fla. 1994)(absolute immunity must be afforded to any act occurring during the course of a judicial proceeding, regardless of whether the act involves a defamatory statement or other tortious behavior, so long as the act has some relation to the proceeding).

Moreover, the privilege applies not only to conduct undertaken while litigation is ongoing but also to conduct that is ‘necessarily preliminary’ to judicial proceedings. *DelMonico v. Traynor*, 116 So. 3d 1205 (Fla. 2013). To be sure, the privilege moves from absolute to qualified, depending upon whether such is necessarily preliminary/inside the courtroom and formal discovery process, to related or connected with the subject inquiry of the lawsuit. *KAC 2021-1, LLC v. American Homes 4 Rent Properties One, LLC*, 398 So. 3d 1033 (Fla. 2nd DCCA 2024).

Considering the record evidence and taking judicial notice of the other proceedings, the privilege point is well made. The email statements were sent by Defendant to interested parties or insiders, although her You Tube is a publication, a classic open letter. Nevertheless, the statements authored and published by the

Defendant enjoy qualified privilege. They are directly related to litigation among parties or members of parties regarding the property dispute. The emails serve a dual function of fact finding to pursue complaints with state or other agencies that when filed also would garner a privilege. Otherwise, the You Tube statements fall outside of the realm to insiders but still within the protection of qualified privilege for which there is no counter to submit to a jury for determination. *Demby v. English*, 667 So. 2d 350 (Fla. 1st DCA 1996).

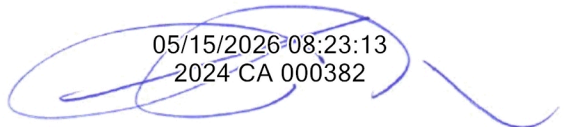
The undisputed facts do not hold Defendant legally responsible for statements made by others regarding Plaintiff.

II.

WHEREFORE, the defense motion for summary judgment is **GRANTED** and the Plaintiff's motion is **DENIED**. Plaintiff shall take nothing by way of this action. This Court reserves jurisdiction to impose fees and cost where permitted by law. The jury trial scheduled for May 18, 2026, is **CANCELLED**.

DONE AND ORDERED within the First Judicial Circuit, Florida.

05/15/2026 08:23:13
2024 CA 000382



signed by CIRCUIT COURT JUDGE STEPHEN A PITRE 05/15/2026 08:23:13 TWtLSm9M

cc: All Counsel and Parties of Record (via the Florida e-filing portal)