

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

In the Matter of:	}	
	}	
	}	CIVIL ACTION
TERRY LEE HINDS,	}	FILE NUMBER: <b>4:17 – CV – 750JAR</b>
<i>Pro se</i> ,	}	
	}	
Plaintiff,	}	
	}	
-Vs-	}	
	}	
“UNITED STATES” GOVERNMENT,	}	
	}	
Defendants.	}	
	}	

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**PLAINTIFF’S SECOND REQUEST FOR CONSTITUTIONAL RELIEF AND A MOTION  
TO STRIKE ENTRY OF APPEARANCE OF COUNSEL & NOTICE OF APPEARANCE  
OR, IN THE ALTERNATIVE,  
MOTION TO SHOW CAUSE WHY SUCH PLEADINGS SHOULD NOT BE STRICKEN**

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COMES NOW, Plaintiff TERRY LEE HINDS, appearing *Pro se* in a *civil action* for rights, privileges, or immunities secured by the U.S. Constitution and the Rule of Law, hereby requests for ***constitutional relief*** and move to strike pleadings purportedly filed on behalf of the ***“Defendant the United States, improperly named as ‘United States’ Government.”*** which were captioned as NOTICE OF APPEARANCE, (Doc. No 17) filed March 9, 2017 or, in the alternative, for the entry of an order to show cause why such pleadings should not be stricken. The counsel, Gregory L. Mokodean, entry into a *civil action* for rights, privileges, or immunities secured by the U.S. Constitution and the Rule of Law, is moot and said attorney’s appearance be stricken from the case. The basis of the Plaintiff’s motion is the belief, based on representation from counsel, Gregory L. Mokodean and for Plaintiff’s *legal sensibility*, constitutional reasons or for his devoutly stated, very genuine and [sincerely held religious beliefs] (“[believes]”) and states the following:

## PROCEDURAL POSTURE

- 1). Plaintiff filed on February 16, 2017: Original Verified Complaint for Declaratory Judgment, Injunctive and Other Appropriate Relief in This Petition for Quintessential Rights of the First Amendment. This pleading setting forth seven meritorious Causes of Action with a *hybrid* Petition for Quintessential Rights of the First Amendment was presented with a 16 page Brief in Support thereof, with an Exhibit List establishing 518 Exhibits attached thereto. (Doc. No. 1) (“[OVC]”).
- 2). Plaintiff’s [OVC] was established with seven Causes of Action pertaining to First Amendment Challenges and seven *free exercise* violations involving facts and controversies set forth within 547 pages, and its 4,451 paragraphs. This [OVC] has seven hybrid and *germane* Claims for Relief seeking “***Declaratory Judgment, Injunctive and Other Appropriate Relief***” to *secure, protect and defend* Plaintiff’s *free exercise* of *unalienable rights to life, liberty and pursuit of happiness*.
- 3). “This action arises under the Establishment/Free Exercise Clause of the First Amendment of the United States Constitution. This lawsuit is not about taxation. It is about religion and what is central to one's sincerely held religious beliefs, its expressive activities, the nature of the relevant forums or the rule of law used, primarily aimed at protecting non-economic interests of a spiritual and religious nature as opposed to a physical or pecuniary nature.” [OVC] ¶ 1 on page 1.
- 4). Gregory L. Mokodean, enters his appearance in this case, more particularly described in **Exhibit U #10**; attached hereto Plaintiff’s Memorandum and Brief in Support and incorporated by reference as if fully set forth herein.
- 5). Plaintiff’s *legal sensibilities* and his [conscience] dictates [Mokodean’s statement & NOTICE OF APPEARANCE] (Doc. No. 17) (“[TAXMAN]”) is *defective* on its *face* and by its shortness of one’s own *erroneous* breath. Plaintiff asserts certain omissions are self-evident truths.
- 6). The [TAXMAN] **failed to** set forth or state: **To: The clerk of court and all parties of record.**

- 7). The [TAXMAN] **did not** affirm: I am admitted or otherwise authorized to practice in this court.
- 8). The [TAXMAN] **did not use** or accept an established protocol, utilizing the Court approved form: **AO 458 (Rev. 06/09) Appearance of Counsel**, more particularly described as “*Appearance of Counsel*” more particularly described in **Exhibit U #11**; attached to Plaintiff’s Memorandum and Brief in Support hereto and incorporated by reference as if fully set forth herein.
- 9). The [TAXMAN] **did not** declare that his entry was to serve as counsel for “UNITED STATES” GOVERNMENT. This is lawfully significant and *germane* as the Defendants are legally described in **Section III, THE PARTIES** within ¶¶ #55 through #60 of the [OVC]
- 10). The [TAXMAN] **did not** declare that his entry was to serve as counsel for UNITED STATES OF AMERICA (the "United States"). This is rightfully important and *germane* as the Defendants are also legally described in **Section III, THE PARTIES** within ¶¶ #55 through #60 of the [OVC].
- 11). The [TAXMAN] **purported** “*in this case as counsel for Defendant the United States*” with one’s principle place of business in Washington D.C. 20044.
- 12). The [TAXMAN] has professed “*as counsel for Defendant the United States*” is an avowed “**Trial Attorney, Tax Division**”, and is in all probable a disciple or member of its jurisdiction or proper venue of U.S. Tax Court; where [Institutionalized Faith in Taxism] *per se* as (“[Taxism]”) is practiced more particularly described in **Exhibit U #12** attached hereto Plaintiff’s Memorandum and Brief in Support and incorporated by reference as if fully set forth herein.
- 13). Plaintiff’s avers this case and its controversies is not under the jurisdiction of U.S. Tax Court, rather this “*..action arises under the Establishment/Free Exercise Clause of the First Amendment of the United States Constitution.*” [OVC] ¶ 1. An action legally within the lawful jurisdiction of this Court. Note, a case and its controversies **already defaced** by certain governmental lawyers.
- 14). Plaintiff [believes] [TAXMAN] is to a high degree, someone’s **sublime vision statement** that

*“Defendant the United State, improperly named as ‘United States’ Government”* requires IRS consent, thereby to inspire one’s great approval, awe or to advance a religious Creed and mission statement of **THEIRS**. Plaintiff holds, if the Court endorses this power of the IRS, we are **all** doom.

15). The best mission statements are clear, memorable, and concise. Plaintiff [believes] a religious creed is a short statement of the shared beliefs for a ***body of believers*** in the form of a fixed formula summarizing of core tenets, often involving core values, a path and achieving a particular vision.

16). Plaintiff has averred: “Plaintiff [believes] Defendants’ Creed [“Our core values guide our path to achieving our vision”] *per se* (“[Creed]”) accomplishes a religious bondage, shaping the core values of a person. This religious [Creed] converts ***taxpayers into taxprayers*** for an organized religion.” [OVC] ¶ # 17 on page 5. Defendant IRS’ and [TAXMAN] history of *“improperly named as”* identity or issues (*e.g. taxpayers are taxprayers* or “Service + Enforcement = Compliance.”)

17). “It is realistically reasonable to say ‘religion’ is a human activity that can be easily accepted only within the framework of reality that it creates for itself. No matter how we see religion it is a human creation.” [OVC] ¶ # 2129 on page 272. Defendant IRS’ [Creed] supports this germane fact

18). Plaintiff [believes] the ***real purpose*** of [TAXMAN] is to *change the argument* of this case. Whereby their followers, believers or real devotees to the IRS can or would crucify me if I lost this case, see **Exhibit U #13** or even worst offer me ***redemption*** and provide me with ***salvation*** as a **Taxprayer**; more particularly described in **Exhibit U- #14**; attached hereto by Plaintiff’s Brief in Support and incorporated by reference as if fully set forth herein.

19). Plaintiff [believes] the United States Tax Court has been elevated to the stature of a Temple for Taxism, located at 400 Second Street, N.W. Washington, DC 20217-0002. [OVC] ¶ 1188.

20). “Plaintiff [believes] the United States Tax Court was formed as the **Orthodox Church** and is where *“revealed religion”* and other religious endeavors are practiced on behalf of the Church of

Taxology.” [OVC] ¶ 1189.

21). “Plaintiff avers the United States Tax Court, is not a “Court” pursuant to U.S. Code › Title 28 › Part VI › Chapter 176 › Subchapter A › § 3002 set forth in 28 U.S.C. §3002: Definitions affirming: As used in this chapter: (2) "Court" means any court created by the Congress of the United States, excluding the United States Tax Court.” [OVC] ¶ 1191.

22). Plaintiff [believes] the United States Tax Court is more particularly described in Exhibit H- #11 of the [OVC], *per se* as The Orthodox Church of Taxology – Temple of Taxism.

23). Plaintiff [believes] the ***real purpose*** of [TAXMAN] is to provide the Plaintiff with additional ***unjust burdens*** on Plaintiff’s Quintessential Rights of the First Amendment. A “**Trial by Ordeal**”.

24). Plaintiff [believes] the ***real purpose*** of [TAXMAN] is to compel him to believe in and accept [Taxism]. Defendants’ IRS has the ***power to convert*** this *constitutional case* into **42 U.S.C. § 1981**. Plaintiff [believes] [TAXMAN] operates a ***usurping power*** with *any person*, law abiding citizens, the Media, the Congress of the United States, often exhausting *any person* in a ***medieval practice*** of a religion, endorsing a “Trial by Ordeal” more particularly described in **Exhibit U- #15** attached hereto by Plaintiff’s Brief in Support and incorporated by reference as if fully set forth herein.

25). Plaintiff avers in **United States of America v. Stampe et al**, case # 0:16-cv- 03095, is where Gregory L. Mokodean, is a legal counsel and provides representation for a plaintiff in that case with a *cause of action* as 26 U.S. Code Suit to Enforce Federal Tax Lien.

26). Plaintiff avers Gregory L. Mokodean will advance a policy of “administrative segregation,” of the weak v. the strong or those in fear of them v. one’s faith in God for a Govspel of **THEIRS**.

27). Plaintiff avers within the [OVC] the following is hereby declared on page 13:

### **III. THE PARTIES**

¶ 55. Defendants, “UNITED STATES” GOVERNMENT at all times relevant to this complaint is

ultimately responsible for the actions, conduct, events and inactions alleged herein; existing as the system of government for UNITED STATES OF AMERICA (the "United States"), which is a sovereign and body politic.

¶ 56. Defendants, "UNITED STATES" GOVERNMENT are within the legal jurisdiction of the "United States" with its principle place of business in Washington D.C.

¶ 57. Defendants, the "United States" is defined by 28 USC 3002 (15) "United States" means— (A) a Federal corporation; (B) an agency, department, commission, board, or other entity of the United States; or (C) an instrumentality of the United States.

¶ 58. "UNITED STATES" GOVERNMENT pursuant to 5 U.S.C. § 101 (Government Organization and Employees) has 15 Executive Departments, with The Department of the Treasury, The Department of Justice and The Department of Commerce, and Department of Labor actions or inactions being challenged.

¶ 59. Defendants, "UNITED STATES" GOVERNMENT refers to the "United States" system of government or any agency, entity, commission, service, bureau, office or instrumentality thereof, including without limitation the Internal Revenue Service and the IRS regardless of their past or current status or titles.

¶ 60. The Defendants, "UNITED STATES" GOVERNMENT represents the "United States", a federal republic consisting of 50 states and a federal district and is named as a Defendant because this action challenges the constitutionality of an Act of Congress, policies, publications or regulations having the force and effect of law.

28). FOR THE RECORD the Defendants in this case have declared in: U.S. Attorneys » Resources » U.S. Attorneys' Manual » Title 4: Civil, 4-1.512 - **Cases Monitored by Civil Division.**

"If the *complaint against the government fails* to identify the government agency or agencies

involved, this *information should be obtained telephonically from plaintiff's counsel and relayed to the Civil Division.*” <https://www.justice.gov/usam/usam-4-1000-assignment-responsibilities#4-1.430> (emphasis added).

29). Plaintiff has received no such phone from counsel, Gregory L. Mokodean or from any U.S. Attorney of the “UNITED STATES” GOVERNMENT at this time.

30). FOR THE RECORD [TAXMAN] **has not** stated or represented himself as a Civil Rights Attorney with the U.S. Justice Department at this time. Defendants’ policies are manifested truths.

31). FOR THE RECORD the Defendants in this case have declared in: U.S. Attorneys » Resources » U.S. Attorneys' Manual » Title 8: Civil Rights, 8-1.000 - Civil Rights Division

“Because of the sensitive nature of the constitutional and statutory issues involved and the desirability of uniform application of federal law in this field, close consultation between United States Attorneys and the Division on civil rights matters is of prime importance. Attorneys from the Division may conduct litigation in conjunction with the United States Attorney. Such attorneys will maintain close liaison and consult with the United States Attorney on a continuing basis.” (8-1.010 – General) <https://www.justice.gov/usam/usam-8-1000-civil-rights-division>

32). *Because of the sensitive nature of the constitutional and statutory issues involved* in this case and its controversies any person who is a **“Trial Attorney, Tax Division”** is not **operating** within Defendants’ policy: U.S. Attorneys' Manual » Title 8: Civil Rights, 8-1.000 - Civil Rights Division

33). Plaintiff [believes] the mind is a *sacred place* with the human heart (emotions) being a *sacred space* found within us all. With the Plaintiff’s *secular faith* reduced to the low level of belief, to which mankind calls “Hope” my heart felt hope is still with the U.S. Justice Department and my mind charged with ensuring “that the laws be faithfully executed,” is in this guiding principle: “Thomas Jefferson wrote, *‘The most sacred of the duties of government [is] to do equal and*

*impartial justice to all its citizens.’* This *sacred duty* remains the *guiding principle* for the women and men of the U.S. Department of Justice.” see <https://www.justice.gov/about>

34). FOR THE RECORD, if the Court permits or allows [TAXMAN] entry into this case and its controversies, it will manifest injustice, and in all probable, based upon [TAXMAN] entry and the [Organized Religion Of **THEIRS**] *per se* as Taxology will generate *reversible errors in this case*.

35). Oral Argument is not requested and testimony is not required; unless the Court needs and/or desires additional illumination of these facts, or seek a more expansive argument, or worst the visit of a *usurping power* of a “Trial Attorney, Tax Division” entry and *vision statement* into this case.

36). Plaintiff requests and seeks *constitutional relief* by the Court upholding *fundamental rights of the First Amendment to the United States Constitution*, thereby to secure, protect and defend Plaintiff’s *free exercise* of his unalienable rights to life, liberty and pursuit of happiness. These *fundamental rights* and guarantees are in SECOND DECLARATION OF TERRY LEE HINDS; more particularly described in **Exhibit U- #16** attached hereto by Plaintiff’s Brief in Support and incorporated by reference as if fully set forth herein.

37). Attached hereto is a Memorandum and Brief in Support of this Motion pursuant to Local Rule 7 - 4.01. (A) and is incorporated by reference as if fully set forth herein.

**WHEREFORE**, premises considered and for the *germane* facts herein, Gregory L. Mokodean is therefore not qualified to enter an appearance on behalf of the organization he purports to counsel or represents or to make allegations or a pleading not germane to this case or its controversies. Plaintiff prays for *constitutional relief* by the Court upholding *fundamental rights* as set forth herein and described in the attached Declaration be granted; and moves the Court TO STRIKE ENTRY OF APPEARANCE OF COUNSEL & HIS “NOTICE OF APPEARANCE” OR, IN THE ALTERNATIVE, SHOW CAUSE WHY SUCH PLEADINGS SHOULD NOT BE STRICKEN as described herein or such other relief as the Court deems proper.



Respectfully Submitted,

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TERRY LEE HINDS, *pro se Plaintiff*  
438 Leicester Square Drive  
Ballwin, Missouri 63021  
PH (636) 675-0028  
*Email address: quest76@att.net*

Dated this 17<sup>th</sup> day of March, 2017

**CERTIFICATE OF SERVICE AND DELIVERY**

I hereby certify that the foregoing was filed this 17<sup>th</sup> day of March, 2017 and served upon Defendants and its U.S. Attorney, by the Plaintiff, hand delivery and by First class postage prepaid, U.S. Certified mail # 7009-0960-0000-0249-6811 at the following address:

U.S. Attorney or Acting U.S. Caroline A. Costantin  
The United States Attorney's Office  
Eastern District of Missouri  
Thomas Eagleton U.S. Courthouse  
111 S. 10th Street, 20th Floor, St. Louis, MO 63102

Initials \_\_\_\_\_

**LEGAL NOTICE OF THE FOLLOWING:**

Plaintiff mailed a copy to Gregory L. Mokodean not because of any assume legal right and/or reasonability or responsibility of the Plaintiff, rather for my respect for the U.S. Justice Department

Gregory L. Mokodean  
Trial Attorney, Tax Division  
U.S. Department of Justice  
P.O. Box 7238  
Washington, D.C. 20044  
First Class U.S. Mail & Non-Certified

*Signatures of*

Date: March 17<sup>th</sup>, 2017

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