

**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: 4:17 - CV – 750 JAR
<i>Pro se,</i>	}
Plaintiff,	}
	}
-Vs-	}
	}
“UNITED STATES” GOVERNMENT,	}
	}
Defendants.	}
	}

PLAINTIFF’S NOTICE AND REQUEST FOR A HEARING DATE

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, submit the following notice and a request for a hearing date within the **2nd week of May, 2017** pursuant to the *facts and evidence* as set forth in PLAINTIFF’S NOTICE OF OBJECTIONS AND OPPOSITION TO The Court’s Memorandum and Order dated 23rd day of February, 2017 (ECF No. 8). (Doc. No. 14). Plaintiff makes this request pursuant to Fed. R. Civ. P. Rule 46. Objecting to a Ruling or Order. Plaintiff’s invokes his First Amendment ***free exercise right*** to petition and protest as set forth and described in this case and its controversies. Plaintiff respectfully request that the Court advance The U.S. Supreme Court Doctrine of *due process of law* and request a hearing on or before May 12, 2017 to make a *proper legal defense, objections or opposition* to (Doc. No. 14) and states the following:

1). Plaintiff lawfully filed on February 16, 2017 with the Court an [ORIGINAL VERIFIED COMPLAINT FOR DECLARATORY JUDGEMENT, INJUNCTIVE AND OTHER APPROPRIATE RELIEF IN THIS PETITION FOR QUINTESSENTIAL RIGHTS OF THE FIRST AMENDMENT,

presented with a 16 page Brief in Support, with an Exhibit List consisting of 26 pages instituting 510 Exhibits attached thereto; a case & its controversies listed on 549 pages] (“[OVC/Petition]”).

2). On February 23, 2017 the Court issued Memorandum and Order dated 23rd day of February, 2017 (Doc. No. 8) (hereinafter “[M&O No. 8]”). Plaintiff avers [M&O No. 8] violates Plaintiff’s *sincerely held religious beliefs*, personal constitution, one’s sacred right of [conscience] or one’s *fundamental right to petition*; more particularly described in THIRD DECLARATION OF TERRY LEE HINDS and is attached hereto and incorporated by reference as if fully set forth herein.

3). On March 10, 2017 the Court issued Memorandum and Order dated 10th day of March, 2017 (Doc. No. 18) (hereinafter “[U.S. Dist. M&O #1]”) of which was initiated and utterly *based upon* PLAINTIFF’S MOTION FOR EXTENSION OF TIME TO FILE A RESPONSE TO The Court’s Memorandum and Order dated 23rd day of February, 2017. (Doc. No. 12). This request for an extension of time was in order to prepare a defense or objections to a Court ORDER. This request was not intended, nor is equivalent to, or serve as an invitation in a further review of the breath or merits of this case. Plaintiff was offering or *showing* the Court *good cause* for the requested time.

4). Plaintiff’s Motion (Doc. No. 12) and its attached MEMORANDUM IN SUPPORT OF thereof (Doc. No. 13) was filed on March 6, 2017. Plaintiff also filed on March 6, 2017 (Doc. No. 14) so the Court’s newly resigned judge could *understand and weigh* the Court’s *instant Order* to *summarily strike the entire breath and merits* of Plaintiff’s [OVC/Petition]. This *governmental action* of the Court, was done with the *misapplication of law, without notice, a hearing, burdening First Amendment rights*; while *defeating free exercise principles*, to craft a *manifested injustice*.

5). To the Plaintiff or a common person *manifested injustice* means something which is 'obviously unfair' or 'shocking to the conscience.' It refers to a *human being* sense of unfairness that is direct, obvious, and observable. Manifest injustice is essentially a *violation of due process*.

6). [U.S. Dist. M&O #1] made ***no direct mention*** of Plaintiff (Doc. No. 14), Plaintiff's plea for a *concurring decision*, concerning a viable proxy for a ***violation of constitutional rights to due process***. Plaintiff's *concurring decision*, especially *when placed before the eyes* of the Court or believing in the ***righteous voice*** of the "Law of Case Doctrine", **in that**, the Court is to do justice, **which is**, one hopes, the fundamental goal of all courts.

7). The law of the case doctrine prevents the parties from seeking appellate reconsideration of an already decided issue in the same case if there is no significant change in circumstances. The doctrine is one of procedure, not jurisdiction, ***and it will not be applied*** where its application will result in an ***unjust decision***, that is, where there has been a *manifest misapplication* of ***existing principles resulting in substantial injustice***.

8). Under the law of the case doctrine, a Court should not reopen issues decided in earlier stages of the same litigation. The ***doctrine does not apply if the court*** is convinced that its *prior decision is clearly erroneous and would work a manifest injustice*. The doctrine of the law of the case points that when a Court decides upon a rule of law, that decision should continue to govern the same issues in subsequent stages in the same case. See *Christianson v. Colt Indus.*, 486 U.S. 800 (1988). Plaintiff's *legal sensibility*, constitutional reason, [believes] and [conscience] dictates that the ***free exercise clause*** of the First Amendment, shall govern this case and its controversies.

9). Plaintiff's ***Quintessential Rights of the First Amendment*** manifested the ***free exercise*** in the ***right to petition*** the government ***as ones shield*** with the Plaintiff's ***free exercise right to protest as one's sword***. As Alexander Hamilton said: "*Justice is the end of government. It is the end of civil society. It ever has been and ever will be pursued, until it be obtained, or until liberty be lost in the pursuit.*" The Federalist, No. 51 (Alexander Hamilton).

10). Plaintiff makes this request pursuant to Fed. R. Civ. P. Rule 46. Objecting to a Ruling

or **Order**, and in this case, when an **Order** was made by the Court [M&O No. 8] a party need only state the action that it wants the court to take or objects to, along with the *grounds* for the request or objection. Plaintiff seeks TO REVIEW, ALTER, AMEND, OR VACATE ORDER on the Hearing date.

11). Plaintiff [believes] and [conscience] dictates the pleadings Plaintiff filed on March 6, 2017 (Doc. No. 12) and (Doc. No 13) and (Doc. No. 14) meets or exceeds the legal standards of the action that Plaintiff wants the Court to take or objects to, along with the *grounds* for the request or objection. Doc. No. 12 & 13 presented, in part, a question of time (Doc. No. 14), is the *grounds*.

12). Plaintiff [believes] and [conscience] dictates this case is one "arising under" rights, privileges, or immunities secured by the U.S. Constitution and the Rule of Law; thereby the Court [M&O No. 8] and [U.S. Dist. M&O #1] review of [OVC/Petition] is a *work of injustice* in this particular case. The *reversible error* occurred by deciding to reach the merits, or is "clearly wrong," or not an "interest of justice"; rather *just-a-system* of *justifications* or the *tainted water of legalism*.

13). FOR THE RECORD, PLAINTIFF'S NOTICE AND REQUEST FOR A HEARING DATE, shall produce a revelation and its design for which protection is sought under the laws of the United States, being made public under this case and controversies, manifesting Plaintiff' true mark, measure and key signature character. Our Eternal Father in Heaven, Jesus Christ, granted one's Seal of Approval to the body and Spirit of Plaintiff's [OVC/Petition]; as this Plaintiff, is a *fisher of men*; particularly described in Exhibit U #18 and is attached hereto and incorporated by reference as if fully set forth herein.

For all of the above reasons, Plaintiff respectfully request that the Court advance The U.S. Supreme Court Doctrine of *due process of law and a sense of Justice* and requests a hearing before May 12, 2017 to make a *proper legal defense, objections or opposition* to [M&O No. 8] and to [U.S. Dist. M&O #1] seeking constitutional relief and/or Court sanction relief or for such other relief as the Court deems proper.

Respectfully Submitted,

Dated this 27th day of March, 2017

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

Attachment(s):

THIRD DECLARATION OF TERRY LEE HINDS (6 pages)
Plaintiff's notice & true mark, measure & key signature of character revealed in Exhibit U #18
(29 pages)

CERTIFICATE OF SERVICE AND DELIVERY

I hereby certify that the foregoing was filed this 27th 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 # 7015-3430-0000-3764-9363 at the following address:

U.S. Attorney or Acting U.S. Attorney 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 27th, 2017

TERRY LEE HINDS, *Pro se*
438 Leicester Square Drive
Ballwin, Missouri 63021
636-675-0028